Report No. S/ZZ/EUR/01006

Phare

Assessment of the European Union Phare Programmes

Multi-Country

Ad Hoc Report on the Twinning Instrument

By OMAS Consortium

24 October 2001

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Signed:……………..………….………..………

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GLOSSARY OF ACRONYMS

AP	Accession Partnership
CAR	(OMAS) Country Assessment Review
CC	Candidate Country (for membership of the EU)
CSD	Commission Services at the Delegation
CSHQ	Commission Services at Headquarters
DG	Directorate General (of the CSHQ)
DIS	Decentralised Implementation System
ESC	Economic and Social Cohesion
EDIS	Extended Decentralised Implementation System
ES	Identifier for Estonia in OMAS Reports
FM	Financing Memorandum(a)
HRD	Human Resources Development
IFI	International Financial Institutions
ISPA	Pre-accession instrument for structural policies
LE	Identifier for Latvia in OMAS Reports
LI	Identifier for Lithuania in OMAS Reports
MEUR	Millions of Euro
NDP	National Development Plan
NPAA	National Programme for the Adoption of the *Acquis*
OMAS	The Organisation for Monitoring and Assessment Services
PAD	Identifier for OMAS Reports on Public Administration Reform
PAO	Programme Authorising Officer

PAR	Public Administration Reform
PCM	Project Cycle Management
PL	Identifier for Poland in OMAS Reports
P&PD	Programming and Project Design
SAPARD	Special Accession Programme for Agriculture and Rural Development
TA	Technical Assistance
ToR	Terms of Reference

Ad Hoc Report on the European Union Phare Programme

THE TWINNING INSTRUMENT

EXECUTIVE SUMMARY

Introduction

This is one of six Thematic Reports which the OMAS Consortium is preparing. Its purpose is to identify issues where improvement appears desirable in relation to the Twinning Instrument, and to stimulate debate on constructive approaches to the operation of Twinning for the future.

The report, as required by its Terms of Reference, concentrates on the Agriculture, Environment and Justice and Home Affairs sectors. The 35 available OMAS reports for these three sectors constituted the database, and these reports included 97 assessments of twinnings.

The OMAS Ad Hoc Report on Programming and Project Design and the OMAS Thematic Report on Public Administration Reform have also been drawn on in the preparation of this report, as have two documents from the Commission Services: an assessment of the twinning instrument of July 2000; and a brochure issued in March 2001 which includes some interesting observations about twinning by both EU and Member States' participants.

Analysis of experienced gained, problems identified and results delivered

The OMAS reports are analysed to identify strengths and weaknesses relevant to twinning, under headings concerning design (logic, objectives, indicators of achievement), implementation (Member State(s)' team, Candidate Country team, environment, Commission Services, coordination) and sustainability.

Conclusions and recommendations relevant to the twinning instrument, from OMAS reports and Commission documents, are then set down in summary form.

The situation with regard to twinning is then summed up in the following terms. Twinning is a good idea for Institution Building for *acquis* purposes. When the conditions are right and the people are right it produces excellent results, which however happens in a minority of cases. The linkage of twinnings to Accession document priorities is generally very good. The basic Commission documentation on twinning and on Programme and project design is sound, clear and comprehensive. However, practice on design falls well short of the standards laid down in the documentation, to which the Commission Services and the Candidate Country authorities pay too little attention. The Member State partners are insufficiently involved in project design, and their Pre-Accession Advisers need to be more carefully selected and better supported. Counterpart individuals and machinery generally operate at a level too low to secure implementation of twinning outputs, which requires decisions by the highest levels in the Ministry concerned, or indeed in Government, and those people are frequently unaware even of the existence of the twinning. In most cases, the prerequisites for a successful twinning are not there but the twinning proceeds, presumably for wider political reasons. The whole exercise of twinning generally has reduced impact and low sustainability because of the continuing inadequacy of Candidate Countries' public administration culture, systems and funding.

Definition of challenges to come in the short and medium term

The basic idea behind twinning, that staff of Member State administrations are the best people to explain to the CCs the operational implications and detailed requirements for adopting, implementing and enforcing the *acquis*, is sound. The challenge is to maximise the effectiveness of twinning. This can only be done if twinning policy is based on the real situation, rather than the situation one would like to exist.

The fundamental problem which Candidate Countries face, the scale of which they generally still do not realise at top policy making levels, is that their public service culture and structures, and their civil services, cannot operate the *acquis*. It follows that the twinning instrument should serve a major effort on behalf of the EU to effect a quantum shift for the better in Candidate Countries' public administrations.

Recommendations

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 team 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.

Ad Hoc Report on the European Union Phare Programme

THE TWINNING INSTRUMENT

PREFACE

The purpose of the six Thematic Reports[1] prepared by the OMAS Consortium is to obtain added value for the Commission Services, and for those responsible for the design and implementation of Phare Programmes and Projects in the 10 candidate countries (CC) for membership of the European Union.

The OMAS Consortium's experience of Phare Programmes is reflected in the 418 national Monitoring and Assessment Reports, 44 multi-country Reports and 33 Ad hoc Reports which OMAS has prepared since 1996, as summarised in the 10 CC Country Assessment Reviews (CARs) issued in April 2001[2]. The writers of Thematic Reports can also draw on the collective experience of the OMAS management team.

This approach enables a wider view to be taken of the particular theme, in this case the operation of the Twinning instrument in the Agriculture, Environment and Justice and Home Affairs (JHA) Sectors, than is possible in the context of a sectoral, national, or multi-country analysis, and it enables more far-reaching conclusions and recommendations to be considered.

The intention of a Thematic Report is to not to be dogmatic or prescriptive, but to identify issues where improvement appears desirable, and to stimulate debate on constructive approaches to the operation of the Twinning instrument for the future.

Consequently, the chief audience for this Report is likely to be the Country Teams in DG Enlargement, the Phare Heads of Section and Task Managers in the Commission's Delegations in the CC, and the responsible national officers in those countries.

The Report starts by establishing, as a benchmark, what the current procedures and practices for Twinning Projects are. The Report then records and categorises the various Twinning projects which have been included in the clusters of projects assessed in OMAS Reports. The underlying and persistent problems are identified and their causes considered. Recommendations are then made for an improved approach by the Commission Services to the way in which future Twinning Projects are designed and implemented.

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[1] Programming and Project Design, Public Administration Reform, Twinning, Civil Society, Justice and Home Affairs, and SME Development.

[2] BG/CAR/00009, CZ/CAR/00010, ES/CAR/00011, HU/CAR/00013, LE/CAR/00014, LI/CAR/00015, PL/CAR/00016, RO/CAR/00017, SR/CAR/00018, SL/CAR/00019. All OMAS reports are available from DG Enlargement D3.

Ad Hoc Report on the European Union Phare Programme

THE TWINNING INSTRUMENT

I. THE REPORT

1.   INTRODUCTION

1.1   Scope of the Report

1.1.1   The bulk of twinning[3] projects fall within the five main areas of activity covered by the *acquis communautaire*: agriculture, the environment, justice and home affairs, and public finance (although the tool is flexible and can help build institutions in any area of the *acquis*). The Terms of Reference (ToR) for this Thematic Report require it to focus on the first three sectors – agriculture, the environment and JHA. It follows that the primary resource base for this report is those OMAS sectoral assessment reports which contain, within the cluster of Programmes and projects assessed, one or more examples of twinning.

1.1.2   Some limitations on the scope of this report need to be made clear at the outset. Firstly, twinning was only introduced as a concept in 1998. It took a good while before the first Covenants were in operation, and longer before any activities took place[4]. Indeed, the start was problematic, as EU Member States, the Commission Services, and CC alike struggled to develop Covenants and launch activities. The complexity and inflexibility of the procedures and delays in providing dedicated EU funds exacerbated the start-up difficulties. OMAS's methodology required it to monitor and assess the operation of Programmes under an annual workplan, with the time from the start of assessment to the issue of a report being some four to five months. The consequence is that twinning activities appear in any significant way only in OMAS reports from the workplans for the years 1999 and 2000. The 1999 workplan reports mainly document the start-up phase and, although a very large number of twinnings were well under way by the end of the 2000 workplan, relatively few had been completed.

1.1.3   Secondly, OMAS' methodology required it to examine, in each assessment, the design and implementation of a cluster of Programmes and Projects; to rate the achievement of the wider and immediate Programme objectives[5], and to make recommendations with regard to the operation of on-going Programmes and the design of future ones. This was done on a sectoral basis. With one exception[6], twinning as a specific activity was not the focus of the assessment, and conclusions and recommendations did not generally address it as an instrument. Nor can the rating given in the report for achievement of objectives be safely correlated to the success or otherwise of twinning, because the cluster assessed was generally larger, often much larger. It was necessary for the present author[7] to trawl the relevant reports for comments which bore

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[3] There is no succinct definition of "twinning", the essence of which is to use EU member states' administrations and civil servants to assist a candidate country to adopt, implement and/or enforce a component of the *acquis*.

[4] The first Project Fiches were distributed to EU member states in May 1998 and first projects were operational 1 year later.

[5] "Highly Satisfactory" meant that a Programme was expected to achieve or exceed all its major original or revised objectives and to yield substantial benefits; "Satisfactory" meant that a Programme was expected to achieve most of its major objectives and to yield satisfactory benefits without major shortcomings; "Unsatisfactory" meant that a Programme was expected not to achieve most of its major original or revised objectives nor yield substantial results, and "Highly unsatisfactory" meant that a Programme was expected not to achieve any of its major original/revised objectives nor to achieve worthwhile results.

[6] ES/PAD/00024 was a horizontal assessment of the operation of eight twinnings in Estonia.

[7] R S Thomas, Northern Unit Team Leader for OMAS.

on twinning. While this produced many interesting and relevant pieces of evidence, they are illustrative and not in a form which permits statistical analysis.

1.1.4   The ToR for this report state that *special emphasis [should be] placed on the importance of understanding the rationale behind the project designs*, and consequently, particular attention has been paid to design issues.

1.2   Database for the report

1.2.1   As might be expected, almost all the OMAS reports for the three sectors concerned from the 1999 and 2000 workplans include twinning projects. The proportion of the total cluster assessed represented by twinning varies from a single twinning just being covenanted at the time of assessment, to a cluster consisting wholly of well advanced twinnings.

1.2.2   In all, 35 OMAS reports for the three sectors constitute the main database for this present report. The details are in Annex 1. The reports are evenly spread by sector; 12 reports each for agriculture and JHA, and 11 for environment. In addition, one report in Estonia [footnote 3] deals with the operation of the twinning instrument there, without reference to the sectoral content of the twinnings concerned. (OMAS also issued one multi-country report each for agriculture and JHA, but they do not contain matter relevant to the present report.)

1.2.3   The country coverage is less uniform, varying from two relevant OMAS reports for Bulgaria and Lithuania to five reports for Hungary and the Slovak Republic.

1.2.4   Of the 35 reports, 14 are from the 1999 workplan and 21 from the 2000 workplan, reflecting the growth in the establishment of the twinning instrument in its early years.

1.2.5   Several other documents have been used in the preparation of this report. The OMAS ad hoc report on Programme and Project Design[8], which examined Phare design issues on the basis of all the available OMAS reports, is particularly relevant, given the required emphasis of this report [1.1.4], and is drawn on extensively. The OMAS thematic report on Public Administration Reform[9] is also relevant because it addresses issues central to twinning, the prime purpose of which is, of course, to strengthen elements of a CC's public administration.

1.2.6   Two other source documents from the Commission Services should be mentioned. Firstly, an assessment of the twinning instrument in July 2000[10] and, secondly, a brochure issued in March 2001[11] which includes some interesting observations about twinning by both EU and Member States' participants.

1.3   Guidance from the Commission Services relevant to Twinning

1.3.1   Since 1998, the majority of Institution Building activities have been implemented through twinning arrangements, involving the administrations of one or more Member States in

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[8] S/ZZ/GTA/01001

[9] S/ZZ/GTA/01003

[10] Report on an Assessment of the Twinning Instrument under Phare, July 2000. No identifiers. Compiled by four independent experts drawn from the public administration of different member states (D,UK,Sw,Fr). Available on the Commission's enlargement web site.

[11] Twinning in Action, European Commission, Enlargement Directorate General, March 2001. No identifiers. Available on the Commission's enlargement web site.

partnership with that of a CC. The Commission has set down the design methodology to be followed in the Twinning Manual. Firstly, a Project Fiche is drafted to cover one of the institutional strengthening issues associated with adoption of the *acquis*, which has been identified in the Financing Memorandum. Member States are then invited to respond to the Fiche with offers of a twinning partnership. When preparations have been satisfactorily concluded between the partners, and the Commission's approval obtained, a formal Covenant is signed by the Member State and CC administrations concerned (the Commission intervenes in the preparation of the Covenant only to the extent necessary to ensure that it is technically and conceptually sound).   The mandatory aspects of the Twinning Covenant are the commitment to provide long term (for twinning) and medium term (for twinning light) Member State experts to work in CC administrations to achieve "guaranteed results" in installing a specified part of the *acquis*.

1.3.2   The basic documents relevant to the design and operation of twinning are:

- the DIS (Decentralised Management System) Manual deals with the system universally applied in the Phare countries, involving *ex-ante* control of programming[12].   The version available on the internet[13] is dated December 1998;
- the Twinning Manual, most recently updated in June 2001[14], describes how Phare-funded long term (minimum one year) support, provided in collaboration with EU Member States' administrations, is to be designed and managed.   Procedures for "Twinning Light", covering medium term administrative cooperation, were published separately in December 2000 but are now incorporated as Annex A in the June 2001 version of the Twinning Manual;
- the Commission Services' Enlargement DG prepares an internal Phare Programming Guide, updated annually, principally for the benefit of Phare Country Co-ordinators. This document is not in the public domain.[15]

1.3.3   The Phare Programming Guide includes the most up-to-date guidance. The edition of the 2002 Guide provides detailed guidance on the responsibilities, activities and timetabling of Phare Programmes and on the principles for determining which measures may be funded under various instruments and sectoral policies.   It stresses the essential link to the Accession Partnership (AP) and the National Programme for the Adoption of the *Acquis* (NPAA), and to the National Development Plan (NDP) which is being gradually developed in every CC. The initiative is with the Commission Services, who prepare Planning Documents indicating areas which the Commission would expect to see as foci for Phare support. The CC then responds to this with a Proposal for Phare Support. (In this regard, the Programming Guide appears effectively to supersede the published DIS manual.) The Commission then prepares the Financing proposal which, after detailed Project Fiches, prepared by the CC (though often with outside help) are approved by the Management Committee, develops into a Financing Memorandum signed with the CC.

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[12] Recognising the difficulties which the CCs would have in moving directly from *ex-ante* control by the Commission to the *ex-post* system applicable to full financial delegation under structural funds rules at the moment of accession, the Commission plans to implement the decentralized provisions of Reg. 1266/99 (the coordinating instrument for Phare, SAPARD and ISPA) on a country by country basis, subject to strict conditions, from 2002. This approach is known as Extended Decentralisation and the procedural rules as the Extended Decentralised Implementation System (EDIS).

[13] http://europa.eu.int/comm/enlargement/pas/phare/implementation/intro.htm

[14] http://europa.eu.int/comm/enlargement/pas/twinning.htm

[15] The Guide for 2002 referenced by the author is dated August 2001. It notes that the Guide should also be helpful to the Candidate Countries.

1.3.4   The Guide is realistic about the wide requirements for successful Institution Building: *IB can only succeed on the basis of a strong commitment from the national authorities. This requires not only a commitment to policy reform and changes in public administration and management but also a willingness to provide substantial human and financial resources.* This is obviously particularly crucial to success where twinning is concerned.

1.3.5   The Guide points out important distinctions between "classic" twinning and twinning light. Under the latter: *...the Member State ... is only required to guarantee the input to the project. The guaranteed result is the sole responsibility of the Candidate Country. Terms of reference for Twinning Light projects should therefore clearly reflect the beneficiary's capacity to assume the full responsibility to achieve the guaranteed result, as well as evidence that the project fits into the strategy of the beneficiary.* Although none of the OMAS reports in the database for the present report deals with a twinning light project, the approach implied above, of shifting responsibility for achieving the guaranteed result onto the beneficiary is (a) a counsel of perfection and (b) a move which weakens further the distinction between twinning and technical assistance, already weakened by the reduced level of resource commitment required from the Member States under twinning light. This is an issue to which we will return when considering recommendations.

1.3.6   Annex 2 of the Guide deals with support to Economic and Social Cohesion (ESC), principally through "soft" measures to facilitate development of the necessary structures which the country intends using to implement Structural Funds, and particularly the EU Regional and Social Funds (ERDF and ESF) in the first years after accession. Twinning clearly has a major part to play, and the emphasis on developing "the necessary structures" links to issues of Public Administration Reform, which will also be addressed later in this report.

1.3.7   While describing policy and procedure, the body of the Guide does not generally elaborate on methodology for twinning design which is, in principle, subject to all the normal procedures. However, Annex 3 of the Guide, dealing with twinning and twinning light, goes into some detail on twinning design, stressing *inter alia*, the need for "clear, reasonable and measurable operational results and benchmarks, commensurate with the absorption capacity of the beneficiary". Annex 7 is entitled "Reading and completing a Logical Framework Matrix", which emphasises the centrality of this tool to both design and implementation. The annex has a very clear rubric, cross-referencing the written guidance and training manual on design methodology which are available on the Commission's web site, and making it clear that training can be arranged for CCs on request to the Delegations.

1.3.8   Annex 3 to the Guide offers an innovatory degree of flexibility with regard to "classical" twinning: *As we approach finalisation of negotiations in some countries... there may be exceptional cases where the presence of the PAA could be reduced; e.g. permanent presence of a PAA at the beginning, for a period of perhaps 4 to 6 months to kick-start the project, followed up by a monthly repeat visit of up to maybe a week by the same expert to ensure that the momentum is maintained. This "softening" of the PAA requirement must be used very judiciously and based on careful analysis. It must under no circumstances become the norm and wipe out the benefits that the long-term presence of PAAs has proven to yield. The decision on the duration of the PAA's stay in the CC must be made at the programming stage and implementation monitored very strictly by the Commission.* While this decision may reflect constraints on the continued availability of Member States' experts for periods of a full year, it raises serious questions about the effective management of twinning projects which, as

we shall see, has too frequently devolved onto the PAA, in default of adequate CC structures and personnel. There are "knock-on" risks for CC commitment and sustainability.

1.3.9   Annex 6 to the Guide now provides an integrated and annotated template for a Project Fiche, in a form intended for use for all Projects, including twinning projects.

2.   ANALYSIS OF EXPERIENCE GAINED, PROBLEMS IDENTIFIED AND RESULTS DELIVERED

2.1   Analysis of OMAS Reports

2.1.1   Description of Projects assessed

2.1.1.1 Key data from the 35 OMAS sectoral reports are set out in tables at Annex 2.

2.1.1.2   The tables record, by country, the Phare reference number and topic covered by each twinning and its value[16]. After these factual matters, columns deal with design and implementation and sustainability. These latter columns only contain a marking where the OMAS report contains enough information. Since the standard OMAS reporting methodology, which focused on achievement of Programme objectives, did not call for data to be presented in the form needed by the present report there are inevitably gaps where the OMAS report does not contain any relevant information. Where information does exist, it will be seen that, in Annex 2, instances of design strength or weakness are indicated by "A" for Adequate, or "I" for Inadequate. These are not absolute markings, of excellence or total failure. Nor are they markings used by the OMAS Assessors in their reports. The "A"s or "I"s merely record the predominance of positive or negative comments respectively, selected and categorised by the present author. The extracts from reports which are given in italics in the following paragraphs give a more vivid, qualitative, illustration of the nature of the strength or weakness concerned. Similarly, concerning the prospects for sustainability, the categories used by the present author are "G" for Good; "D" for Dependent on externalities of one kind or another, or "P" for Poor.

2.1.1.3   The 35 OMAS reports examined include 97 assessments of twinnings of which 13 were of twinnings assessed twice, under both the 1999 and 2000 workplan reports. The twinnings were evenly distributed; about one third each in the agriculture, environment and JHA sectors[17].

2.1.1.4   The partner Member States (168) were predominantly Northern. Germany (42), France (29) and Austria (21) were most strongly represented. The other Member States involved were Netherlands (15), UK (12), Finland (11), Spain (10), Sweden (8), Italy, Greece and Denmark (6 each) and Belgium and Ireland (1 each). Portugal and Luxembourg were not represented in the twinnings assessed.

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[16] Wherever possible the value given is for the administrative twinning only, with related technical assistance (TA) and investment excluded.

[17] Agriculture: 33 twinnings of which 5 were assessed twice. Environment: 30 twinnings of which 6 were assessed twice. JHA: 34 twinnings of which 2 were assessed twice.

2.1.1.5   The most common number of twinning partners was two (40 instances), followed by one (33 instances), three (thirteen instances), four (four instances, all in Hungary) and five (three instances, one in Hungary, two in Romania)[18].

2.1.1.6   The duration of twinnings was between one and three years, the most general case being two years.

2.1.2   Findings

2.1.2.1   In this section of the report, the evidence of design and implementation strengths and weaknesses, and of sustainability, is described.

Design Issues

2.1.2.2   The first of the Design columns in Annex 2 is entitled "Logic". By this is meant: is the twinning project well conceived; does it respond closely to the priorities in the Accession documents; is it coherent with other concurrent projects, and does it make sense given the state of development of the CC's legal and institutional structures.

2.1.2.3   For agriculture, there were some positive comments, for example: *The Projects/activities are relevant to the achievement of the Wider and Immediate Objectives…Overall, the Programmes under assessment comprise a set of objectives that have a high degree of consistency with the intention to adopt the EU requirements.* However, the assessor went on to record: *But – with regard to Agriculture - they appear to be reacting to prompting from the EC, rather than following an overall strategy; and there is no evidence that the programme was designed on the basis of an analysis of Czech needs.*[19] The theme of inadequate local senior management interest and, in the example which follows, government ignorance of the institutional implications of accession, is a depressingly frequent one, even, as here, in a 2000 workplan report: *Although the Government officially supports European Integration, the measures adopted to decrease expenditure on state administration and reduce the number of staff at the Ministries are applied without differentiation. The envisaged 10% staff reduction does not take into account that more than 50% of the Acquis deals with Agriculture. The MoA, despite having been given a number of strategic documents, has not clearly identified its priorities. The preparation and planning of Phare assistance depends on the initiative of the operational sections in the MoA who prepare their bids for technical assistance and submit them for formal approval by Senior Management, who are not closely involved in the planning and assessment of priorities.*[20] It is hard to see what the point is in persisting in designing and launching a twinning in such circumstances, which have been well known to the Delegation.

2.1.2.4   The environment sector provides an example where Commission insistence on the use of twinning led to a considerable muddle, which was only sorted out after much time and effort: *All IB [institution building] components were originally designed as service activities … but were required to be changed by the European Commission (and subsequently) approved on*

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[18] The sum of 93 instances differs from the number of twinnings assessed (97) because not all twinnings had settled on partners at the time of assessment. The multi-country partnerships predate the ruling limiting the number of permissible partners to two or, exceptionally, three member states.

[19] CZ/AG/00021 (This and subsequent similar footnotes refer to OMAS Report numbers).

[20] SR/AGR/00073

the condition that they were mainly transformed into twinning arrangements. The Programme design, however, was not adjusted to the new implementation arrangements, and consequently assistance in legal transposition, reporting implementation and monitoring and enforcement of key directives (twinning part) under HU-9807.01.01.02 has become unmanageable because of a too wide range of activities covering 5 different environmental areas are to be implemented under one PAA. The manning schedule of this twinning implies an input of nearly 40 short-term experts. Due to the late start of this component, the twinning covenant had to be modified immediately after it was signed and the objectives and activities redesigned, putting emphasis on the implementation of the directives, instead of adoption of new laws. This was a desirable change in focus.[21]

2.1.2.5   For JHA, there are mainly negative comments. For example, two twinnings under the Phare 1999 Programme in Bulgaria were not seen as soundly based, and do not seem to have made the conceptual jump from the technical assistance concept to the twinning concept: *The Human Resource Development related projects have not been given priority in the design of the BG-9911.02 "Acquis-oriented Management of Criminal Information Systems", and are not always well defined and supported. Human resource development and the de-militarisation of the police forces are very important areas. The decline of the financial allocations directed to the Police Academy is an indication of the lack of priority given by the Government to human resource development of the police forces ...Insufficient importance has been assigned to the National Documentation Centre and the Central Translation Office by the MoJ, based on the magnitude of the funds allocated for the relevant Sub-project...The design of BG-9911.03 "Strengthening the Independence of the Judiciary and the Ministry of Justice" includes disparate and poorly defined projects, with activities that are only marginally inter-related, which means that a large number of experts are involved in the implementation.[22]* The last sentence is closely echoed by a comment on a JHA twinning in Latvia: *The Continuation of court system reform project lacks a strategic focus. There is no apparent connection or interaction between the five sub-components.[23]*

2.1.2.6   The next column concerns "Objectives".   Here the comments are more sparse, probably reflecting the fact that the OMAS Assessors were following their methodology, which required them to be concerned primarily with the wider and immediate objectives at Programme level. They did not therefore focus on project level objectives.   However, the following excerpts are of interest.   A comment from Estonia reflects a common theme – imprecise and over-ambitious objectives: *The immediate objectives of ES-9905 for training police experts and upgrading forensic technology are realistic, but that of building a quality system is both subjective and over-ambitious.[24]*   Failure to understand the logframe methodology is also common: *The objectives in Programmes CZ-9809 ... are not coherent and the distinction between the Wider and Immediate Objectives, and between objectives and activities (outputs), has not been respected.   ... the Immediate Objectives of CZ-9809 are practically identical to expected outputs of the assistance. [25]*

2.1.2.7   The last "Design" column concerns Indicators of Achievement.   Here the comments are extensive and virtually universally negative.   An example from Poland: *Indicators of*

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[21] HU/ENV/00045
[22] BG/JHA/00108
[23] LE/JHA/99052
[24] ES/JHA/99032
[25] CZ/AGR/00021

achievement of the projects' wider objectives are mostly descriptions of intentions ("approximation to the EU norms and standards", "national legislation being in line with acquis communautaire", "increase of effectiveness in combating organised crime") and as such cannot be used as a management tool to measure progress.[26] One wonders why the Commission Services accepted a project so carelessly designed.

2.1.2.8 The horizontal assessment of twinning in Estonia noted the common tendency towards imprecise objectives, and noted: *It was natural enough when looking at the acquis that the parties tried to list everything that needed to be done. However, this approach has resulted in over-ambitious objectives within the Covenants. Although steady progress can often be seen there is clearly a risk of demotivation when results set out originally are unattainable.* A good point - followed with another, about risks, assumptions and special conditions: *while Twinning operations have targeted areas where the goal is relatively clear and commitment exists, preparatory activities required from the CC have sometimes, and notably in the case of the Twinning project in the fisheries sector, been insufficient…The confusion also highlights political indecision.*

2.1.2.9 The Estonia twinning report also highlighted the disadvantageous situation CC could find themselves in if a Fiche were designed for twinning but there was insufficient Member State interest: *response from MS on Twinning has not been identified as a risk or assumption, [but] line-Ministries have remarked that there have been instances where there were too few candidates to choose between.* [nb. This was already the case in the first wave of twinnings] *This could become a problem in the future if Twinning becomes more widespread and MS resources are used up.*

2.1.2.10 The same report pondered the difficulty of designing a Fiche with the highest possible probability of successful implementation*: there are Covenants where the commitment on either side turned out to be less than required. The project design stage provides the ideal opportunity to check on essentials such as the provision of counterpart staff resources, and the availability of CC counterparts. This stage also provides an opportunity for the line DG's of CSHQ to be involved in ensuring adequate and realistic objectives for the Covenant. Furthermore, there may have been some scope for ministries to discuss informally with likely MS bidders the content of the fiche before it was finalised but this did not happen much for the 1998 fiches.* The idea of involving Member States more integrally in design rather than just, on a more or less "take it or leave it" basis in implementation, seems well worth further exploration.

2.1.2.11 There are problems for the Member States' twinning teams, and for PAAs in particular, to which the Estonian report also drew attention: *there can be problems for the expert in balancing the demands of his domestic job with Twinning responsibilities. Although MS administration may undertake to make provisions for this, in practice it seems it is quickly forgotten and individuals are left to struggle to resolve competing pressures.*[27] Such problems will be worse under twinning light, and under the 2002 Guide's provision for part-time PAAs under classical twinning.

2.1.2.12 Reading all the comments in the OMAS reports with regard to design, of which the above are illustrative, leads to the conclusion that, aside from some scope for improvement in

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[26] PL/JHA/00099
[27] All the above extracts from ES/PAD/00024

the base documentation in relation to twinning, the problems experienced in designing twinning projects do not differ in kind from those experienced in designing any other projects. The previous OMAS Ad Hoc Report [1.2.5] described comprehensively the main deficiencies:

- Objectives were over-ambitious or far too general;
- Indicators of achievement were absent;
- Priority was given to disbursement rather than design quality;
- Lack of technical preparation was cited;
- Resources needed for effective implementation were under-estimated;
- Design was treated as merely an administrative routine.

2.1.2.13 The Twinning assessment of July 2000 [1.2.6], based on a sample of 18 twinnings in six CCs, contains remarks about the importance of twinning design which the present author can only endorse as still highly pertinent over a year later, on the basis of this, more superficial review of 97 twinnings in the ten CCs : ... *we are not convinced that all CCs have the capacity to design good project fiches and hence to establish the twinning on a sound footing. We were told on occasions that CCs are simply not aware of their own needs ... Many CC administrations are not yet fully competent purchasers of this form of technical assistance. There is also a tendency for fiches to be too ambitious and grandiose and expectations are sometimes unrealistic on the part of the CC.* The inability of the CCs to design good Fiches poses a dilemma. Fiches can be designed for them, in which case there is no increase in understanding or ownership. Or the Commission Services have to admit that the CC concerned is unready for the twinning-facilitated Institution Building which is an essential concomitant to Accession, which is apparently a politically impossible position to adopt. We shall return to this conundrum later.

2.1.2.14 The Brochure issued by the Commission in March 2001 [1.2.6] in a section headed "Room for Improvement" makes the same point: *Many of the candidates are still making the painful transition from the old order to the new with very limited human and financial resources at their disposal. In one example, a Delegation describes how a project to transpose a major piece of international law into national legislation failed to achieve its aims simply because it was too ambitious. Although the project was technically excellent and led by a senior PAA, preparations had not taken sufficient account of the country's limited administrative capacity. PAAs have repeatedly underlined the need to understand the partner's administrative capabilities and problems when drafting the Covenant in order to ensure that the project is realistic.* One can only draw the conclusion that the Commission Services have persistently failed to follow their own extensive, and professional, advice on design, embodied in their own documents [1.3.2 *et seq*].

Implementation Issues

2.1.2.15 The first column in Annex 2 under "implementation" concerns the performance of the Member State(s)' team and in particular the PAA. The Commission's Brochure goes straight to the point: *The key success factor, according to the expert report [footnote 10] and the collective view of twinning partners on the ground, is the quality of the Pre-Accession Adviser. Flexibility and willingness to adapt are clearly prerequisites in a PAA: "Projects work best when staffed by people who can adapt to working in different environments". PAAs have to make cultural quantum leaps to work successfully in another country's administration. However, the most important asset identified by PAAs themselves is the ability to relate to their*

counterparts and inspire trust as fellow professionals. The selection and preparation of Member States' teams has scope for improvement.

2.1.2.16 Given the nature of the twinning exercise, which is effectively an inter-governmental arrangement brokered by the Commission Services, there has been a degree of reluctance to criticise or comment on the Member States' PAAs or team members in OMAS Reports. Nevertheless, a significant number of such comments are recorded. Hungary, interestingly, points to the fact that PAAs are rarely able merely to focus exclusively on advice, but almost invariable get drawn into project management ("PM" in the following extract): *All four PAA in country have a vision and a mission statement, and three of the four have demonstrated their skills as change managers. Notwithstanding, they are under-utilised. Although PAA work hard and are tasked with PM responsibilities originally not foreseen, these MS experts are not used up to and in their capacity. The performance of the PAA is greatly influenced by the environment they work with. They prepare quarterly reports for the PIU, but feedback is sporadic and there is no systematic follow-up. Although the PAA are good administrators, some are less skilled in the discipline of PM. If PM remains a standard requirement for PAA, the scope of work should be modified to reflect the changes in the selection of new PAA.[28]* Given the reality of most PAA work, the suggestion in the final sentence is worth considering. The following Romanian example expands the point about the range of skills needed by PAAs, and makes another good one, about the need for high level involvement on the beneficiary side if the PAA is to be effective: *In the case of the MoI, the co-operation between the PAA and senior management is still, after 1 year, at a modest level, with 1 year still to run. The main problem lies in insufficient regular contact between the PAA and the MoI, and insufficient commitment of the MoI towards the Phare Programme. In the case of the MoJ, although the co-operation started on a more positive note than in the two cases above, there was no significant improvement over time. The commitment of the MoJ to this project was insufficient in view of the magnitude of the work needed to achieve the objectives. The involvement of the highest ranking officials, which would ensure the necessary authority to analyse and implement the recommendations received, was modest ...Whilst the PAA may be first-class professionals in their home organisations, it is not evident that they also possess the required consultancy and coaching skills to a sufficient level needed to establish productive relations with the counterparts.[29]* The position in Slovakia was even worse: *Concerning the provision of Policy Advice, this has not been directly addressed to the policy makers/senior management of the MoA... Indeed, the most senior officers of MoA responsible for decision-taking in these key strategic matters appear not to have been involved at all in the work of the project. [30]*

2.1.2.17 While a good, professional, robust PAA with inter-personal and project management skills is a necessary condition for a successful twinning, it is not enough on its own. Generally speaking, as many of the quotations above show, the CCs have found it impossible to put in place counterparts and counterpart machinery which is adequate for the twinning concept and different to that which they provide for traditional technical assistance (which is in itself often inadequate). In some cases, as in the Romanian example above, this reflects lack of interest and/or commitment, in others it reflects inadequate resources to deploy: ... *For a project of this nature it is essential that the Beneficiary has the absorption capacity for the skill transfer process. The Assessors do not believe that this is the case with the MoA and the respective*

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[28] HU/JHA/00040
[29] RO/JHA/00102
[30] SR/AGR/00073

agencies (e.g. LAITA), which are short of staff resources.[31]   And sometimes the problem is simple incomprehension of the magnitude of the issues facing CCs: *The MoA operates largely unprepared for the changes that accession will require, and does not comprehend the purpose of Phare assistance and the value of EU Member State experience at the policy and organisational level. This has contributed to the existence of parallel policy advice units…This point was referred to in the previous Assessment Report and still remains valid as no corrective actions have been taken to improve the situation.*[32]

2.1.2.18 The issue is integrally related to that of the wider environment within which the twinning has had to try to function. There was not one positive comment in the OMAS reports reviewed about the environment in which twinning had to function in the agriculture or environment sectors. Slovenia provided interesting examples, however, of both good (JHA) and bad (agriculture) environments: First the good: *Four out of five twinning projects planned for implementation are underway, and the contractors (PAA and international consultants) effectively support the counterpart Ministries and institutions. Phare funds are likely to be contracted in good time before the expiry date, reflecting the efficiency of the management structure and the considerable sector absorption capacity…The Counterparts' support has been good and a very strong feeling of ownership exists. The environment is supportive of effective implementation…*[33] And second, the bad: *The Programmes are running in a difficult and very complex environment, adversely influenced by on-going reorganisations within the Ministry.*[34]

2.1.2.19 Comments on the role of the Commission Services at the Delegation have also been a mixture of good and bad. Failure to enforce conditionalities was a common complaint: *The Commission Services did not enforce the adoption by the MoJ of the recommendations of EU experts on the legislative acts on Fraud, Corruption and Organised Crime and of the Report on the Ordinance 28/1995. Another high priority conditionality which has not been enforced is the setting up an effective horizontal co-ordination mechanism between the police, the Prosecutor's Office and other investigation bodies.*[35]   And weaknesses in design have frequently been laid at the Commission's door: *The revised PF, approved by the CSD on 15 October 1999, was considerably changed in effect, although the same needs and purposes were retained. The technical assistance and twinning components were deleted, and the budget entirely allocated to the procurement of equipment for HMI. This has resulted in the institutional building activities relevant to the preparation of the national strategy and training for Environmental Inspectorate staff ... being deleted, without any obvious justification. The implementation of the twinning component was cancelled, and resumed under SL-9907. The training for the Environmental Inspectorate ... was included in the Twinning project SL-9907.01.03. Overall, the design of the revised PF has specified a set of actions not relevant to the need to prepare a coherent overall strategy for the pollution monitoring, permitting, licensing, enforcement system.   Moreover, the design is not in line with the Special Condition [strategy prepared] set out in the revised PF.* [36]

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[31] LI/AGR/00058
[32] CZ/AGR/99016
[33] SL/JHA/00085
[34] SL/AGR/00084
[35] BG/JHA/00108
[36] SL/ENV/00082

2.1.2.20 Coordination of twinning projects has been generally poor for agriculture and JHA, with Slovak agriculture providing a particularly dreadful example: *The overall co-ordination of Programmes is insufficient. Responsibilities are strictly divided between involved bodies, but they perform in isolation. There is very little collaboration between project teams, even where there are closely stated objectives. Information on Programmes is reported biannually to the senior management of the MoA but the information is not disseminated further. Information on previous activities, bilateral initiatives and concurrently running projects is not easily accessible (it is either lost, or staff is not willing to provide it). Co-ordination therefore depends on the personal effort of team members and their knowledge of and/or access to the necessary information.*[37]

2.1.2.21 Coordination has been more positive for twinnings in the environment sector, probably reflecting the less diffuse nature of the *aquis* for the latter. *For <u>Institution Building/Policy,</u> an Inter-Ministerial Committee on the Environment was established by the Government, with 7 Inter-Ministerial Sub-working Groups and Co-ordinators appointed for each targeted EU Directive or regulation, which shows good commitment at a high levels (this was not a requirement in the programming documents).*[38] And: *The Twinning project is being implemented with a satisfactory level of co-ordination. The PAA and the PPU have established a useful mechanism to cope with a project environment that is not line with the assumptions in the programming document (the speed of approval of relevant legislation). The overall supervision of the twinning project is now the responsibility of a State Secretary at the MoESP to ensure a high level of support to the project from the Government.*[39]

Sustainability

2.1.2.22 There is a spread of markings for sustainability, the most common being "D" (38 instances), meaning that sustainability is dependent on future developments, such as the passage of legislation, the development of strategy or institutions or, above all, the provision of resources of money, manpower, training and time. It has to be said that many of the "D" references in OMAS reports represent little more than "triumphs of hope over experience"; that legislation will be passed, institutions will be reformed, Ministries will collaborate, and finance and trained manpower will be made available. There were 15 instances of "G", meaning that prospects for sustainability were good, and 14 for "P" – poor or bad.

Conclusions and Recommendations

2.1.2.23 A great many sound ideas have already been put into play in the areas under discussion in this report. It therefore seems desirable in this section, to set out the various conclusions and recommendations, both general and specific, which are relevant to twinning design and implementation, which have already been made.

2.1.2.24 A summary of the conclusions reached about Programme and project design in OMAS sectoral reports (including those containing twinnings considered in the present report) is reproduced from the OMAS *ad hoc* report on this subject [footnote 8] in simplified form as follows:

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[37] SR/AGR/00073

[38] RO/ENV/00068

[39] SL/ENV/00082

Failure to design in context

- Over-ambitious / general objectives, taking no account of human / financial resources
- No account taken of existence / capacity of beneficiary / implementing body
- Programmes planned in absence of any / adequate implementing body / arrangements
- No link between Programme objectives and policy and institutional reform
- Inadequate account of implications of political instability

Technical / professional weaknesses

- Inadequate or missing indicators of achievement;
- FM / ToR simply copying or based on previous;
- Logframe completed as administrative routine;
- Follow-up Programmes ignore problems previously identified / conditionalities not met/start before results of predecessor assessed;
- Inadequate understanding of / failure to use specialist input / feasibility study / risk analysis;
- Sustainability not considered

Policy and systems weaknesses

- Sound design subordinated to top priority of commitment / disbursement;
- Project cycle too long and not reflected in planning and programming;
- Provision missing for immediate objectives to be reviewed flexibly during inception;
- Programming to enforce legislation which has not been enacted;
- Problems caused by muddled EU policy introduction (e.g. SPP/SAPARD);
- Best practice examples, which could shorten design time, not circulated by CS.

2.1.2.25 The recommendations made about Programme and project design in the OMAS Ad Hoc Report on the subject, which regarded performance in this area as seriously defective, were as follows:

DG Enlargement should take a decision as to whether the weaknesses identified [ ] in relation to experience to date with Phare P&PD are sufficiently unsatisfactory as to require significant and coordinated action.

If it is decided that action on this scale is appropriate, DG Enlargement is recommended to contract an organisation with proven expertise in P&PD and management in the multi-national donor sphere to investigate the current situation in depth in CSHQ, Delegations and, in agreement with national authorities, CC administrations and to make costed recommendations. It is suggested that the ToR for such an investigation should cover:

- *Development of a documentation strategy and production, coordination and dissemination of written guidance manuals and training programmes on design, taking account of what is currently available and including advice on the use of a full range of prior institutional, economic, risk etc analyses which should be contracted or otherwise deployed for the various categories of Phare funded support;*
- *Adequacy or otherwise of staffing levels in CSHQ and CSD to deliver good P&PD;*

- *Job analysis and training needs analysis of all staff involved in P&PD in CSHQ and CSD, production of job descriptions and individual training plans;*
- *Analysis and recommendations with regard to sustainable P&PD capacity, documentation and training provision in each CC.*

It is further recommended that the following improvements be considered:

- Specific guidance should be given on a systematic way to approach the NPAA gaps and to prioritise them when designing Phare Programmes;
- Specific guidance should be given as to how design can promote sustainability;
- Donor coordination should be proactively overseen by Delegations;
- The role of line DGs in P&PD should be reappraised, and written procedures for their involvement developed;
- FMs should provide a proportion of finance for contracted professional prior appraisals;
- Delegations and CC administrations should, as a minimum, maintain at all times a member of staff who is well trained in all aspects of P&PD to oversee programme and project design;
- CCs should be encouraged, as a minimum, to maintain at all times a member of staff who is well trained in all aspects of P&PD to oversee programme and project design;
- Specific guidance should be given on the design of enforceable Conditionalities, and requirements for their enforcement should be tightened up;
- Examples of best practice should be identified by CSHQ and Delegations, and annotated and disseminated in a coordinated manner.

2.1.2.26 The recommendations of the horizontal OMAS report on twinning in Estonia are particularly pertinent and are worth quoting in full (edited only to eliminate cross-references and harmonise presentation):

The relevant line-Ministries, in consultation with the National Aid-Co-ordinator and with appropriate support from the CSD, bearing mind the salient points in the CSHQ Assessment report on Twinning, the specific issues in Estonia and the findings of this Assessment, should:

- *ensure that the project designs are realistic and the necessary national legal acts and structures are in place to allow the successful implementation of the Twinning projects;*

- *ensure that informal contacts with likely MS bidders are established prior to finalising the project fiche. This allows the stakeholders to certify that the targets in the fiches cover the necessary activities required under the acquis in a comprehensive manner;*

- *ensure that there are sufficient staff resources, of a suitable calibre and with a reasonable degree of continuity, available within those parts of Ministries that are involved in Twinning operations. If there are constraints on staff resources, the CC should opt for a part time PAA in order not to overburden the staff. The PAAs should be encouraged to make full use of the facility for an assistant;*

- *ensure that the Minister concerned and the top civil servants are aware of the proposed twinning and endorse it;*

- *ensure that a suitable counterpart is made available to the PAA. Ideally this person should be sufficiently senior to possess a good overview of his administration. The CC administration should clearly define the counterpart's tasks in relation to the Twinning project and make necessary time allocation to allow him perform these tasks;*

- *ensure that there is no duplication of activities between Twinning operations and other TA from Phare or bilateral sources. If such checking is not being done by the CC administration, either centrally or in the Ministry, the [Member State] counterpart should endeavour to provide it;*

- *ensure that working contacts with Member State are maintained after the completion of a Twinning operation. If "needs for future actions" have been identified in the course of the Twinning operation, these should be used to promote new bi-lateral contacts with the Member State;*

- *establish a PAA "forum" to enable arriving PAAs to adjust more easily to the new environment and to facilitate direct contacts between PAAs in different sectors.*

The Member States should:

- *ensure that the workloads of part-time PAAs are adjusted to compensate for the time they spend on Twinning activities;*

- *undertake a very careful selection process before putting forward a candidate for a PAA position. The abilities of the proposed PAA in English or another EU language which all his counterparts can deal with should be established. The likely availability of the PAA for further contact with the GoE after the end of the Twinning should be taken into account.*

The CSHQ and the CSD should:

- *continue to provide as wide a range of possibilities for CCs to obtain technical assistance both from Twinning and other sources;*

- *further promote Twinning in Member States. It should be made possible for the CC to choose a Member State partner based on prior working contacts: the choice has to be sufficiently wide;*

- *the CSHQ should make provisions for PAA's working in different CCs on the same area of the acquis to communicate with each other both in person at meetings and via the Internet.*

2.1.2.26 The recommendations in the OMAS Thematic Report on Public Administration Reform (footnote 9) need also to be restated here, because the link between adequate public administration and effective twinning has been fully established:

Redefine EU Policy on CC PAR

The EU should urgently, and at the highest level, reconsider its policy towards PAR in the CCs, in terms of:

- *The justification for intervening and the formal basis for doing so. In the absence of an acquis for public administration, the rationale for EU intervention should be the Copenhagen criteria. A policy decision to this effect should be taken.*
- *The initiatives it should take to raise the importance of PAR with CCs in the context of accession*
- *The priority activities to be supported in connection with the establishment of sound public administration systems and the installation of a cadre of professional and objective civil servants*
- *The approach to be adopted to donor coordination.*

Launch the policy with the CCs

The Commission Services should launch the revised approach to PAR in each CC. This initiative should be convened at Commissioner / Prime Ministerial level. The purpose should be to engage the CC in dialogue on:

- *the importance of an effective public administration for the accession process and the implications of inadequate public administration post-accession*
- *the Commission Services approach*
- *available Phare support to the development of (i) a comprehensive national PAR strategy, and (ii) a national civil service management and HRD strategy, including for training.*

Implementation

The implications of the Copenhagen criteria for public administration should be developed into a guidance manual of principles and essential components of sound public administration management practice, with particular relevance to the operation of the acquis, appropriate for all member states, and in a form which should not be in conflict with CC constitutions, for the guidance of CCs when devising strategies and for the Commission Services when planning Phare PAR Programmes. This manual should be produced under a contract let by the Commission Services in DG Enlargement, drawing on the expertise of member states' experts in public administration.

Similarly, a guidance manual on civil service management and HRD strategy should be produced under a contract let by the Commission Services in DG Enlargement.

The Commission Services should discuss the redefined approach to PAR with the IFIs at the level of DG Enlargement, and of other donors at the level of the Commission's Delegations in each CC to avoid overlap and ensure synergy.

Each CC should be offered two major Phare Programmes to help them develop (i) a comprehensive national PAR strategy, and (ii) a national civil service management and HRD strategy. These should respect the approach embodied in the guidance manuals to be prepared. High level twinning projects, including the involvement of recently retired Ministers and very senior civil servants, is an approach which should be considered.

As part of the effort to develop a sustainable cadre of professional and objective civil servants with a sufficient critical mass to have a positive impact on the public service culture and ethic, each CC should be encouraged, and offered Phare support, to establish or improve a central civil service training institution. In the early stages, priority should be given to "training the trainers" who can cascade the knowledge acquired within their own organizations.

2.1.2.28 The Assessment conducted on behalf of the Commission, which reported in July 2000, dealt exhaustively with the issues raised by twinning and the present author can only endorse it on the basis of the evidence in the OMAS reports. The key issues highlighted in the Assessment were as follows:

- the Twinning Instrument is a highly valued mechanism to support CC progress towards meeting the requirements of the various *acqui*s. The CCs value in particular the permanent presence of the PAA and the close link that is provided into the MS administration where real expertise and experience lies in implementation of the *acqui*s…The independence, impartiality and practical understanding of the public sector provided by civil servants is also seen as an advantage over the expertise provided by private sector consultants.
- the main threats to the success of Twinning are:
  I.   the capacity of the CC administration effectively to absorb the support that is on offer and to sustain the benefits of the Twinning after the formal withdrawal of the partner MS.
  II. the real commitment of the political elite to the reforms implicit in the various *acquis*
  III. the general lack of progress in the CCs on horizontal public administration reform. Twinning currently risks building some elaborate structures on very shaky foundations.
  IV. the incapacity of the MSs to provide adequate, high-quality human resources to support Twinning activities.

2.1.2.29 The Assessment focused on improvements that could be made in three aspects:

- Measures that will help to increase the commitment of the CC administrations to Twinning and thus enhance sustainability of the outputs of Twinning;
- Measures that will make it easier for MS administrations to participate in Twinning activities;
- Improved flexibility and responsiveness of the mechanisms that will make the Instrument more "user friendly" for all concerned.

2.1.2.30 The recommendations of the Assessment are too extensive to be reproduced here, but are copied at Annex 3 for convenience.

2.2   Summary of issues

2.2.1   Then situation with regard to twinning may be summed up as follows:

- Twinning is a good idea for Institution Building for *acquis* purposes. When the conditions are right and the people are right it produces excellent results. This happens in a minority of cases.
- The linkage of twinnings to Accession document priorities is generally very good.
- The basic Commission documentation on twinning and on Programme and project design is sound, clear and comprehensive.
- Practice on design falls well short of the standards laid down in the documentation. The Commission Services and the CC authorities commonly pay only superficial attention to the methodology.
- Objectives continue to be vague and over-ambitious, indicators of achievement are generally valueless, serious and appropriate conditionalities are stated but very rarely imposed, especially where to do so would reduce disbursement.
- The Member State partners are insufficiently involved in the project design.
- PAAs need to be more carefully selected, taking account of the range of skills actually needed, and better supported, both from home and in the CC.
- CC counterpart individuals and machinery generally operate at a level too low to secure implementation of twinning outputs. This requires decisions by the highest levels in the Ministry concerned, or indeed in Government, and those people are frequently unaware even of the existence of the twinning.
- Member State resources available for twinning are under pressure but the Commission's response – more flexibility / reduced PAA requirements / twinning light – risks diluting the uniqueness of the instrument.
- The process of launching a twinning is still bureaucratic, inflexible and slow.
- In most cases, the prerequisites for a successful twinning ('guaranteed results') are not there; most of the parties know it, but the twinning proceeds, presumably for wider political reasons – the drive for accession.
- The whole exercise of twinning (like 'classic' Phare) generally has reduced impact and low sustainability because of the continuing inadequacy of CC public administration culture, systems and funding.

3.   DEFINITION OF CHALLENGES TO COME IN THE SHORT AND MEDIUM TERM

3.1   The basic idea behind twinning, that staff of Member State administrations are the best people to explain to the CCs the operational implications and detailed requirements for adopting, implementing and enforcing the *acquis*, is sound.

3.2   The challenge is to maximise the effectiveness of twinning. This can only be done if twinning policy is based on the real situation in the CC, rather than the situation one would like to exist. There is no point forcing twinning in situations where it is clear that it has no hope of producing a genuinely sustainable result. It is a waste of EU taxpayers' money, and a frustrating waste of time for the team. To the extent that it gives the CC the illusion that accession readiness has been secured, it is positively damaging.

3.3   The fundamental problem which CCs face, the scale of which they generally still do not realise at top policy making levels, is that their public service culture and structures, and their civil services, cannot operate the *acquis*. Unless this problem is recognised, given priority and addressed, such minor improvements as can be suggested to the twinning instrument will be pointless and the instrument will continue to deliver poor results.

3.4   It follows that the twinning instrument should serve a major effort on behalf of the EU to effect a quantum shift for the better in CCs public administrations.

3.5   The supposed relatively short period before accession begins should not be seen as a reason for failing to apply such a policy, including to the "front runners". It should be recognised that there is no way that the CC are going to achieve adequate standards of public administration across the board by any accession date which falls in the next few years. The process will be ongoing. It is therefore vital that Phare has as much impact as possible in the years during which it continues to be available to each CC.

4.   RECOMMENDATIONS FOR MEETING THE CHALLENGES

4.1   Approach to recommendations

4.1.1   There are a large number of relevant recommendations "on the table" which either concern twinning directly, or crucially concern the environment in which twinning operates. These recommendations have already been made to the Commission Services, but not all have yet been considered, or acted on, by them. They have been summarised or cross-referenced in the present report. It is obviously not appropriate to repeat them all as recommendations of the present report. However, it would not be effective either to limit what follows to the few points about twinning practice which occur to the author, and have not already been covered elsewhere.

4.1.2   The prime objective of the following section therefore is to make recommendations about Phare policy relevant to twinning, which require consideration by those able to influence and change it.

4.2   Recommendations

Policy

4.2.1   The Commission Services should adopt the following policy positions;

   i.   Twinning should be used, as a priority, for supporting Public Administration Reform and Civil Service development (See 2.1.2.26 for proposed approach);
   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;

iv.   Given the   likely situation that some CC will join   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.

4.2.2   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.

Twinning

4.2.3   The Commission Services should reconsider the approach to Programme 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 (See 2.1.2.24 for proposed approach).

4.2.4   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.

4.2.5   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 PAAs and Phare project team leaders, who have "inside knowledge" of the CC partner institution.

4.2.6   A profile of the requirements for a successful PAA, in terms of personality type, and skills and knowledge required, should be drawn up, taking account of the observations quoted in the present report. Training needs assessment for PAAs should be an integral part of the team selection process.

Ad Hoc Report on the European Union Phare Programme

THE TWINNING INSTRUMENT

ANNEXES

ANNEX 1. OMAS Reports including assessments of twinning

	Agriculture		Environment		JHA			
	1999	**2000**	**1999**	**2000**	**1999**	**2000**		
Bulgaria				00013		00108	2	
Czech Rep	99016	00021		00016	99022		4	
Estonia	99031		99030		99032		3	
Hungary	99037	00043	99036	00045		00040	5	
Latvia	99048			00048	99052		3	
Lithuania		00058				00057	2	
Poland	99121	00064	99077			00099	4	
Romania	99085			00068	99083	00102	4	
Slovak Rep		00073	99093	00077		00074 00076	5	
Slovenia		00084		00082		00085	3	
Reports	6	6	4	7	4	8		
	Total:	12	**Total:**	11	**Total:**	12	35	

Note: Five digit numbers are OMAS Report numbers. The full form is, e.g. R/ES/AGR/99031

ANNEX 2	Analysis of OMAS Reports	2.1 Agriculture			Design			Implementation					Sustainability			Page 1/3
Country	Phare	Member	Value													
& OMAS	Prog' No.	State(s)	MEUR	logic	objectives	IoA	M/S	CC	CC	CS	Co-	G	D	P		
Report	& topic						Team	Team	Environ'		ord					
BULGARIA	NIL															
CZECH REP	9809. MoA Restructuring,	Germany	0,750	A	A	I	A	I	I	A	I		D			
99016	Intervention Agency, MIS	France														
00021	9809. MoA Restructuring,	Germany	0,750	A	A	I	A	I	I	A	I		D			
	Intervention Agency, MIS	France														
ESTONIA																
99031	9803. Agricultural info systems	France,	0,700			I	A	A				G				
		Germany,														
		Finland														
	9809. Phytosanitary control	Germany,	0,300			I	I									
		Finland														
	9803. Prepare fisheries for accession	Sweden,	0,225			I	A	I	I					P		
		Germany														
HUNGARY																
99037	9806. CAP implementation: Paying Agency	Germany,	1,400		I	I	I		I	I	I		D			
		France														
	9806. Rural Development (1) implementation	Germany	}						I	I	I		D			
	(2) planning	Spain	} 0.600		I	I			I	I	I		D			
00043	9806. CAP implementation: Paying Agency	Germany,	1,400		I	I	I	I	I	I	I	G				
		France														
	9806. Rural Development (1) implementation	Germany			I	I	I	I	I	I	I	G				
	(2) planning	Spain	0.600													
	9909. Statistics	Spain	0,800		A	I		I	I	I	I	G				
		Sweden														
	0003. Food Hygiene and Animal Welfare	France	1,400		A	I		I	I	I	I					
		Neth'lands														

ANNEX 2	Analysis of OMAS Reports	2.1 Agriculture				Design			Implementation					Sustainability			Page 2/3
Country	Phare	Member	Value					M/S	CC	CC	CS	Co-	G	D	P		
& OMAS	Prog' No.	State(s)	MEUR	logic	objectives	IoA											
Report	& topic						Team	Team	Environ'		ord						
LATVIA																	
99048	9804.Modernise / restructure Ag Sector	n/a	0.525														
LITHUANIA																	
00058	9909. Modernisation of Rural Admin'	Denmark	1.000	A	I	I			I		I			P		
		Germany															
POLAND																	
99121	9805. IB in MARD	Germany	1.300														
		Austria															
	9805. Veterinary	France	1.657														
		Germany															
00064	9805. CAP Preparation (9805.01.01)	Germany	1.270	A			I	I	I				D			
	IACS	Austria															
	9805. CAP Preparation (9805.03.01)	Germany	0.500	A			I	I	I				D			
	AIRS	Denmark															
	9906. CAP Preparation	UK	2.600	A			I	I	I				D			
		Neth'lands															
		Sweden															
	9805. Veterinary admin	France	1.580	A			A	I	I				D			
		Germany															
	9906. Veterinary admin	Germany	0.650	A			I	I	I				D			
	9906. Phytosanitary	Neth'lands	2.090	A			I	I	I				D			
ROMANIA																	
99085	9804. Ag and Vet assistance															
	(I) Economic Reform and Alignment	?	0.500					I					D			
	(ii) Animal Health and Diagnosis	France	0.550					I					D			
	(iii) Plant Health and Residue Inspection	Greece	0.250					I					D			

ANNEX 2	Analysis of OMAS Reports	2.1 Agriculture				Design			Implementation				Sustainability			Page 3/3
Country	Phare	Member	Value					M/S	CC	CC	CS	Co-	G	D	P	
& OMAS	Prog' No.	State(s)	MEUR	logic	objectives	IoA										
Report	& topic							Team	Team	Environ'		ord				
SLOVAKIA																
00073	9808. Internal Market	?	0.618	A		I			I	I	A	I		D		
	9808. CAP	Germany	0.935	A		I			I	I	A	I		D		
SLOVENIA																
00084	9905. Veterinary control	Italy	0.500	A		I			I			I				
	9806.Rural structures	Germany	0.400					I								
		Austria														
		Greece														
	9806. Phytosanitary control	Neth'lands	0.050	A		I			I	I		I		D		
	9905. Phytosanitary control	Neth'lands	0.500	A		I			I	I		I		D		
	9905. Farm Registry	Germany	0.400	A		I			I	I		I		D		
	9905. Food quality control	<TA	0.400	A		I			I	I		I		D		
	9906. Food processing	<TA	0.380	A		I			I	I		I		D		

ANNEX 2	Analysis of OMAS Reports	2.2 Environment													Page 1/3
					Design		Implementation					Sustainability			
Country	Phare	Member	Value				M/S	CC	CC	CS	Co-	G	D	P	
& OMAS	Prog' No.	State(s)	MEUR	logic	objectives	IoA									
Report	& topic						Team	Team	Environ'		ord				
BULGARIA	9807. IB and Approx'n of legislation	Germany	0,938	I	I			I		I	I				
00013		Austria					A								
		France					I								
	9912. IB and law ap'x IPPC Seveso	Ireland	1,000	A				I			A				
	9912. IB and law ap'x PCB, PCT	Germany	0,400	A			A	A		A					
	9912. IB and law ap'x Air	Germany	0,550	A			I				A				
	9912. IB and law ap'x Water	Germany	0,650	A			A	A		A					
CZECH REP															
00016	9811. Regulatory	Sweden	0,850	A		A							D		
		Denmark													
	9903. Water Directive	UK	0,850	A									D		
		Austria													
		France													
ESTONIA															
99030	9805. Water Accession	Sweden	0,325	A				A			A				
	9805. Air Accession	Finland	0,324	A				A			A				
HUNGARY															
99036	9807.		3,700	A				A			A				
	(i) Legal transposition etc	France	(total												
		Austria	inc												
		Finland	invest)												
		Germany													
	(ii) Habitats	Finland													
		Spain													
	9807. Support Env' Protect' Fund	Germany	1,000	A				A			A				
		Austria													

ANNEX 2	Analysis of OMAS Reports	2.2 Environment			Design			Implementation					Sustainability			Page 2/3
Country	Phare	Member	Value													
& OMAS	Prog' No.	State(s)	MEUR	logic	objectives	IoA	M/S	CC	CC	CS	Co-	G	D	P	
Report	& topic						Team	Team	Environ'		ord				
HUNGARY	9807. Legal transposition etc	France	0,750	I		I	I			I	A	G			
00045		Austria													
		Finland													
		Germany													
	9807. Habitats Directive	Spain	0,300			I	A				A				
		Finland													
	9807. Support Env' Protect' Fund	Germany	1,000			I	A				A	G			
		Austria													
	0004. Air	Germany	0,500			I					A				
		Austria													
	0004. Waste	Belgium	0,607			I					A				
		UK													
	9808. SPP Prep'n	France	0,265	A		I	A				A	G			
		Finland													
		UK													
		Austria													
LATVIA															
00048	9808. Water/air/waste/pollution	Sweden	0,280	A		I	A	A	I	I				P	
	9808. Hazardous waste	Denmark	0,220	I		I			I	I				P	
LITHUANIA	Nil														
POLAND															
99077	9806. Strengthening M of Environment	France	2,000	A						A					
		Denmark													
		UK													
ROMANIA															
00068	9804. Reinforce Ministry capacity	France	0,600		I	I			I		A		D		
	9804. Policy advice on environmental policy	Germany	0,600		I	I			I		A		D		

ANNEX 2	Analysis of OMAS Reports	2.2 Environment				Design			Implementation					Sustainability			Page 3/3
Country	Phare	Member	Value						M/S	CC	CC	CS	Co-	G	D	P	
& OMAS	Prog' No.	State(s)	MEUR	logic	objectives	IoA	M/S	CC	CC	CS	Co-	G	D	P	
Report	& topic						Team	Team	Environ'		ord				
SLOVAKIA															
99093	9810. Water acquis	Neth'lands	} 0.625						I						
			}												
	9810. Waste acquis	Germany	}						I						
			}												
	9810. Air acquis	Austria	}						I						
		UK	}												
00077	9810. Water acquis	Neth'lands	0,294	A	A		A	I	I	A	I		D		
	9810. Air acquis	Austria	0,700		A		A	A	I	A	I		D		
SLOVENIA															
00082	9907. Environmental acquis	Austria	0,500		I		A		I	I	A			P	
		France													
		Germany													

ANNEX 2	Analysis of OMAS Reports	2.3 JHA			Design			Implementation					Sustainability			Page 1/4
Country	Phare	Member	Value										G	D	P	
& OMAS	Prog' No.	State(s)	MEUR	logic	objectives	IoA	M/S	CC	CC	CS	Co-					
Report	& topic						Team	Team	Environ'		ord					
BULGARIA																
00108	9911. Criminal info' systems	Spain	1.704	I	I		I	I	I	I				D		
		France														
	9911. Policing and police management	Greece														
		Germany	1.168	I	I	I	I	I	I	I	I				P	
CZECH REP																
99022	9810. Training Police on Border M'gement	Germany	0.450		A	I				A	I	G			
		Neth'lands														
	9904. Preparation for Schengen.	Neth'lands	0.600		A	I				A	I	G			
		Germany														
	9810. Police management	Germany	0.900		A	I			I	A	I				
		UK														
	9904. Fight against Major Economic Crime	Germany	1.000		A	I			I	A	I	G			
		Italy														
		UK														
	9810. Support to Judges and Attorneys	Neth'lands	0.600		A	I				A	I	G			
ESTONIA																
99032	9905. Police and Forensic Science	?	2.000	I	I	I			A		I				
		?	(Total												
			inc												
			invest)												
	9809. Court system	Germany	0.095	I	I	I			A		I				

ANNEX 2	Analysis of OMAS Reports	2.3 JHA			Design			Implementation					Sustainability			Page 2/4
Country & OMAS Report	Phare Prog' No. & topic	Member State(s)	Value MEUR	logic	objectives	IoA	M/S Team	CC Team	CC Environ'	CS	Co-ord	G	D	P	
HUNGARY															
00040	9703. strengthening Border Management	France	} 4.456			I		I	I			G			
		Germnay	}												
		Austria	}												
	9703. Training in law enforcement	Germany	}			I		I	I						
		France	}												
		Spain	}												
		Austria	}												
	9805. Asylum and refugees	Germany	}			I		I	I				D		
		Denmark	}												
		Neth'lands	}												
	9805. Fighting organised crime	UK	}			I	I	I	I						
		France	}												
		Germany	}												
		Italy	}												
		Neth'lands	}												
	9907. Immigration policy	Sweden	}			I		I	I						
		Neth'lands	}												
LATVIA															
99052	9807. Court system reform	Germany	0,505	I		I		I	I	I	A			P	
		France													
	9807. Eastern Border management	Finland	0,955			I			I	I	A	G			
LITHUANIA															
00057	9804. Border management and judiciary	Finland	0,250			I					I	G			
	9908. Schengen	Finland	0,300			I	A	A			I	G			
	9804. Training judges	Germany	0,250			I					I			P	
		Sweden													

ANNEX 2	Analysis of OMAS Reports	2.3 JHA		Design			Implementation					Sustainability			Page 3/4
Country	Phare	Member	Value	logic	objectives	IoA	M/S	CC	CC	CS	Co-	**G**	**D**	**P**	
& OMAS	Prog' No.	State(s)	MEUR												
Report	& topic						Team	Team	Environ'		ord				
POLAND															
00099	9804. Court system and public prosecutor	France	1.500	A							A		D		
		Germany													
		Neth'lands													
	9804. Education and training	UK	2.500	A				I			I		D		
		France													
		Neth'lands													
ROMANIA															
99083	9806. IB for Min of Justice	France	1.000												
		Germany													
		Italy													
		Greece													
		Spain													
	9806. IB for Min of interior		2.000										D		
	(ii) police	?													
	(ii) border police	?													
00102	9806. IB for Min of Justice	France	1.000		I	A	I	A			I				
		Germany													
		Italy													
		Greece													
		Spain													
	9806. Policing/ Fight against Organised Crime	UK	1.400		I	A		I			I				
		France													
		Spain													
	9806. Border M'gement, Asylum / Migration	Germany	0.600		I	A		I			I				
		Denmark													
	9907. Border management	Spain	1.200		I			I			I				

ANNEX 2	Analysis of OMAS Reports	2.3 JHA			Design			Implementation					Sustainability			Page 4/4
Country	Phare	Member	Value				M/S	CC	CC	CS	Co-	G	D	P		
& OMAS	Prog' No.	State(s)	MEUR	logic	objectives	IoA	Team	Team	Environ'		ord					
Report	& topic															
SLOVAKIA																
00074	9809. Police training	UK	0.305	I		I	A	I	I		I			P		
	9809. Asylum	Germany	0.229	I		I	A	I	I		I			P		
		Austria														
	9809. Schengen	France	0.155	I		I	A	I	I		I			P		
00076	9809. Modernise courts	Austria	0.200	I		I		I	I		I			P		
		Germany														
	9809. Training judges	Germany	0.290	I		I		I	I		I			P		
		Greece														
	9809. Legal advice	Germany	0.200	I		I		I	I		I			P		
		Austria														
SLOVENIA																
00085	9703. Border control	Germany	0.300	A		I	A	A	A	A	A		D			
		Austria														
	9908. Training in law enforcement	Germany	0.300	A		I	A	A	A	A	A		D			
		Austria														
	9908. Migration / Immigration	Austria	0.350	A		I	A	A	A	A	A		D			
	9908. Fighting organised crime	Italy	0.300	A		I	A	A	A	A	A		D			
		Spain														
	9908. Justice administration	Germany	0.650	A		I	A	A	A	A	A		D			
		France														

Annex 3: 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, ProjectLeaders, 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