

Evaluation Twinning versus Technical Assistance

Final report

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List of Abbreviations

BiH	Bosnia and Herzegovina (abbreviation only used in tables)
CARDS	Community Assistance for Reconstruction, Development and Stabilisation
CBA	Cost Benefit Analysis
CBC	Cross-Border Cooperation
CEEC	Central and Eastern European Countries
CFCU	Central Finance and Contracts Unit
COI system	Country of Origin system
CV	Curriculum Vitae
DG	Directorate General
DG- ELARG	Directorate General Enlargement
DIS	Decentralised Implementation System
EC	European Commission
EMCS	Excise Movement and Control System
EU	European Union
EUD	European Union Delegation
FSI	Flag State Implementation
FYROM	Former Yugoslav Republic of Macedonia (abbreviation only used in tables)
HRM	Human Resources Management
IMTS	Improved Mobile Telephone Service
IPA	Instrument for Pre-Accession Assistance
ISPA	Instrument for Structural Policies for Pre-Accession
IT	Information Technology
LTE	Long-Term Expert
MS	Member State
NCP	National Contact Point
NCTS	New Computerised Transit System
NGO	Non-Governmental Organisation
NIPAC	National IPA Co-ordinator
NMS	New Member State
NPAA	National Programme for the Adoption of the acquis
Phare	Poland Hungary Assistance to the Reconstruction of the Economy
PIU	Project Implementation Unit
PRAG	Practical Guide to Contract Procedures for EC External Actions
PSD	Private Sector Development
ROM	Result-Oriented Monitoring

RTA	Resident Twinning Advisors
SAA	Stabilisation and Association Agreements
SAPARD	Special Accession Programme for Agriculture and Rural Development
SEIO	Serbian European Integration Office
SME	Small and Medium Enterprise
STE	Short-Term Expert
SWOT	Strengths and Weaknesses, Opportunities and Threats
TA	technical assistance
TARIC	Integrated Tariff of the European Communities
ToR	Terms of Reference
UNSCR	United Nations Security Council Resolution
VES	VAT on E-services
VIES	VAT Information Exchange System
VTMIS	Vessel Traffic Management Information System

Preface

Hereby we present the findings of the evaluation twinning versus regular technical assistance in the countries of the Western Balkans and Turkey.

The consortium led by COWI/AS has been awarded this contract by DG Enlargement, Operational Audit and Evaluation Unit. Within the consortium ECORYS Nederland is responsible for implementation of the evaluation.

The evaluation team would here like to thank the following people for the willingness to provide information, exchange opinions, arrange interviews, assist in the ‘mining’ for data in the bulk of information available, for finding the time to fill in the web-based questionnaires and to guide the evaluation through useful comments on earlier products such as the inception report and the table with preliminary findings:

Staff of the Operational Audit and Evaluation Unit, Staff of the different country units and staff of the Twinning Unit in DG-ELARG, Heads of Operations and Task Managers in the EUDs, representatives of Beneficiary Organisations, twinning providers, staff in NCPs both in the EU as in the Western Balkan and Turkey, staff of relevant offices involved in the accession process in the beneficiaries (CFCU, NIPACS etc) and representatives of some TA providers.

Executive summary

Objective and scope of the evaluation

The focus of the evaluation is on the comparison of the delivery instruments twinning (standard and light) and technical assistance under IPA 2007-2008, Phare 2005-2006, CARDS 2005-2006 and the Turkey pre-accession assistance instrument 2005-2006 in the candidate and potential candidates. The purpose of the evaluation is:

- to assess the contribution of twinning and technical assistance instruments to the overall accession process in the Western Balkans and Turkey, through analysing the relative advantages of the instruments and the considerations for the choice of the instruments;
- to provide lessons learned and guidance for the programming and planning of future assistance;
- to make recommendations targeted at the current assistance schemes under IPA with a view to improving their management and addressing any deficiencies or problems identified.

The evaluation framework is structured around the following three evaluation questions:

- Is the instrument selection done appropriately?
- Does the instrument selection contribute to efficient and effective project implementation, and contribute to sustainability of the project results?
- How can the selection process be improved? This question has resulted in the construction of a blueprint for a future selection of the instrument twinning, technical assistance or a combination.

Findings and conclusions are based on 21 case-studies, representing projects from all eight candidates and from the five sectors selected for further analysis (agriculture and fisheries, internal market and economic criteria, finance, energy and statistics). A web-survey was furthermore launched among beneficiary organisations, technical assistance and twinning providers. A mapping was made of the entire portfolio (a total of 630 projects over the period 2005-2008), looking at the use of technical assistance and twinning in the different sectors, in the countries and developments over time. Interviews were conducted with a large number of stakeholders, and relevant documents were scrutinised.

Is instrument selection done appropriately?

The selection procedure

In none of the countries involved a formal cost-benefit analysis of twinning versus technical assistance is done, i.e. costs and benefits are not quantified and compared. This is also not a formal requirement. Costs considerations have played no apparent role in instrument selection, with some exceptions.

The selection of the modality, i.e. technical assistance or twinning, is the responsibility of the beneficiary. In all countries there is, in line with the approach followed in the programming effort, a dialogue on the selection between EUD and DG Enlargement and the beneficiary, with involvement of the IPA secretariat.

It has become common practice among above mentioned parties to opt for twinning when the following three criteria are met:

- The assignment should be acquis related.
- The beneficiary organisation should be mature, i.e. should be an established institution and should have made the choice how to implement the acquis.
- The beneficiary organisation should have the capacity (staff, space, skills including language skills) to effectively co-operate with the twinning partners.

In all other cases technical assistance is preferred. This is in line with the twinning manual, which states that twinning is most suitable for 'institutional strengthening' rather than 'institution creation'. It is assumed that, if above conditions are fulfilled, twinning has a larger chance of success and is more likely to bring the benefits ascribed to the twinning instrument.

Other issues which play a role in the selection are:

- the past experience of the beneficiary organisations;
- the fact that for relatively short and single-objective assignments (e.g. a study, awareness event) twinning is too inflexible; and
- the supply side: although normally between three to four bids are received on a twinning request, in some cases no bids are received and technical assistance has to be used.

Generally the mapping exercise showed that the selection was logical, and the selection of technical assistance for acquis-related assignments was justified by the lack of maturity and/or lacking capacity of the beneficiary organisation. Technical assistance as instrument still outnumbers twinning significantly: with EUR 800.1 million it outnumbers the spending on twinning (EUR 189.1 million) more than fourfold. There are no sectors in which twinning interventions represent a majority. There are sectors however where the number of twinning interventions is close to half of the number of interventions: 'Agriculture and Fisheries', 'Justice and Home Affairs' and 'Finance.' Also in 'Internal Market and Economic Criteria' and in the sector 'Environment' a sizeable share of the operations has been carried out applying the twinning instrument. This is directly related to the 'acquis relation' argument mentioned above: in these sectors significant efforts are needed to adjust legislation to the *acquis communautaire*.

The validity of the rule that an organisation has to be sufficiently mature for twinning to be successful has also been tested. Indeed it appears that the share of twinning projects increases over the years, and is larger in candidates, both in number of projects and in terms of budget allocated.

Another reinforcing element here is the supply side. Once countries become closer to accession, more public bodies in the EU will be interested in offering their twinning services, although only in a limited number of cases the twinning option was abandoned because of a lack of bids.

Are beneficiaries properly situated to make a good decision?

Beneficiary organisations which are sufficiently mature can make a proper selection. However, in Albania, Bosnia and Herzegovina, Kosovo (under UNSCR 1244/99) and the Former Yugoslav Republic of Macedonia several beneficiary organisations indicated that they have difficulties in making a proper selection.

In all countries mention was made by NIPAC staff on the past preference of the European Agency for Reconstruction (EAR) and DG ELARG in Brussels for the selection of twinning as instrument, whilst this preference was not always shared by the beneficiary.

According to staff within NIPAC, this situation has changed. EUDs have become more selective in advising twinning, in case they feel that the beneficiaries may not be able to support the twinning process. On the other hand, specific requests from the potential beneficiary organisations to apply twinning are now received directly by the EUDs. This is the result of more transparent and ownership-driven programming, but also of the improvement of the twinning instrument.

Are assessments realistic and reflect actual implementation practice?

One of the underlying assumptions for selection of the twinning instrument is that it brings more benefits to acquis related assignments because twinning experts hold *unique* expertise. When considering the supply side it appears however that the distinction between technical assistance and twinning is not that sharp, because:

- technical assistance providers have also access to expertise on acquis and public administration;
- there is a practice to use (almost) retired civil servants as resident twinning adviser. The interviewed beneficiaries felt that this practice can very much reduce the potential for establishing long-term relations with the twinning provider;
- mandated bodies, involved in twinning, are not always part of the public administration. In total 27 of the 58 responding mandatory bodies in the web-survey are both active in twinning as on the technical assistance market, which points at a lack of clarity at the supply side related to the role of almost half of the mandated bodies.

Furthermore and importantly, not only the selection of the instrument influences the quality of the performance, but also the ultimate selection of the individual providers.

Do intangible benefits play a role in the selection process?

Surveyed and interviewed respondents overall stated that intangible effects are taken into account in decision making, especially a relationship with a ‘sister institution’ within the EU is hoped for as result of a twinning project. Some respondents also are of the opinion that twinning can bring about change in the organisational culture and way of working of an institution, and use this as an element in the selection.

Efficiency of the selection process

The selection process fits normally smoothly in the programming process. Even if there are initial differences of opinion between beneficiary organisation, the IPA secretariat and/or the EUD, normally these are amicably settled. Respondents in the delegations mentioned that the selection process has improved through:

- lessons learned in the past;
- increased awareness of importance of selections by the beneficiary organisations; and
- increased interest of twinning providers.

The formulation of a twinning or technical assistance fiche does not much differ in duration, but the actual start of a twinning operation, measured from the moment of distribution of the fiche, is (on average about half a year) longer. Twinning providers may be insufficiently motivated or equipped to prepare the project in time, whereas the beneficiaries may (feel to) have insufficient leverage to enforce this.

The instruments differ furthermore in the selection procedure of the ultimate provider. It is interesting to note that in the selection process both instruments have elements which are felt as lacking in the other instrument, i.e:

- A more detailed proposal including a preliminary workplan, as customary in technical assistance proposals, might make under twinning the selection less dependent on the single presentation.
- A personal presentation, as done in the selection of a twinning provider, may also facilitate the proper selection of a technical assistance provider.

Does the selected instrument enable an effective and efficient project implementation and sustainability?

Costs and benefits assessed

In the cases studied no significant differences could be observed between performance of projects using technical assistance or twinning. In terms of impact, effectiveness, efficiency and sustainability, performance is fully comparable. Generally the projects in the sample contribute to the overall accession effort in an effective and sustainable way,

although there is some room for improvement. There is neither a difference between the general opinion of the beneficiaries with regard to the ability of both instruments to give results: over 90 percent of the survey respondents feel that both technical assistance and twinning ‘always’ or in a ‘majority of cases’ provide results. The explanation for the perceived similarity in performance is most probably related to the selection of the instrument in an early stage. The fact that a number of specific criteria should be met in order to qualify for twinning is likely to have a positive effect on performance of twinning projects. In the remaining cases TA is the best instrument.

The *strong point* of twinning most often mentioned by beneficiaries is that twinning provides appropriate knowledge, followed by twinning being able to contribute to change in organisational culture. The strong points of technical assistance most often mentioned were equally “appropriate knowledge provided” as well as “it is a flexible instrument”. If knowledge and skills are considered of comparable weight, there is no significant difference between the appreciation of both instruments in terms of quality of the expertise provided. Twinning scores higher on organisational culture improvement and the fostering of relations with EU institutions. The mapping showed that demand for twinning increases when a country is closer to accession. Another reinforcing element here is the supply side. Once countries grow closer to accession, more public bodies in the EU will be interested in offering their twinning services. Flexibility and ‘steerability’ come out as the relative strong points of technical assistance.

The *weak point* of technical assistance identified by beneficiaries is that it delivers no guaranteed results followed by the price and being too supply driven. Major weak points of twinning specifically relate to the long preparation stage, to the limited control options and to the burden put on the beneficiary.

Problems created by brain-drain are likely not to be a problem connected to a choice of instrument, but a reality of life both instruments have to deal with.

The fostering of long-term relations with a similar institution in an EU member state is an intangible benefit explicitly ascribed to twinning. Both the case studies as the web survey confirmed that this benefit is often realised. Another benefit of twinning is that the beneficiary organisation is actually involved in the ‘making’ of the *acquis*, which contributes to strengthening of the public support for EU accession as well as to EU visibility.

A *cost comparison* was made between twinning and technical assistance, based on average monthly costs of a large number of contracts and of unit costs (fees in different categories of experts) in the studied cases. Twinning is on a monthly based lower priced compared to technical assistance. Technical assistance fees are also normally higher than the standard twinning fees. The variance in costs is overall much larger among the technical assistance projects than in twinning contracts. Despite of this, several respondents from among the beneficiaries feel that technical assistance is more cost-effective than twinning:

- Technical assistance is felt to be more controllable and flexible.
- It takes longer for a twinning contract to generate results.
- Technical assistance contracts are likely to use the input more efficiently.

Do control mechanisms impact efficiency and effectiveness of twinning and technical assistance contracts?

Twinning is more difficult to control. Although the Steering Committee and the Project Leader ‘control’ the project, there are no real intervention mechanisms, mainly because of the perceived political character of twinning. The weak point of twinning most commonly chosen by beneficiaries in the web-survey is the difficulty in changing the work plan and the lack of possibility to influence outcomes.

The main difference between the control mechanism of a technical assistance contract versus twinning is that, even if it is difficult to halt a technical assistance contract, financial corrections can be made. Respondents in Turkey explicitly stated that this enables more ‘value for money’ for technical assistance. The lack of flexibility and control remains the main reason for the reservation several beneficiary organisations have against twinning. If control on twinning projects cannot be improved, or if the instrument cannot be made more flexible, this should be considered an additional risk or cost in the selection procedure.

Which other factors have an impact on effectiveness and sustainability of assistance?

Essential for success of a project is a good personal relation between beneficiary organisation and experts. This is even more critical for twinning, where the resident twinning adviser is permanently present. Twinning projects with an input of a new member state were generally very successful, for the following reasons:

- relevant and recent experience on the side of the twinning provider;
- good understanding by the twinning provider of background and environment; and
- easy communication.

Other factors for success, according to respondents to the web-survey, are:

- proper selection of instrument and best possible provider;
- beneficiary organisation and provider share a common understanding of the project and have agreed a good division of responsibilities;
- twinning provider should not impose a solution;
- realistic objectives; and
- provider has understanding of background and environment of beneficiary organisation.

Examples of projects combining technical assistance and twinning

Some twinning projects have components e.g. IT, which were outsourced to technical assistance providers. Several of the respondents indicated that the financial space for delivering technical assistance under a twinning contract, EUR 10,000 per budget item, should be enlarged.

These combined interventions are more difficult to manage and request a larger effort from the beneficiary organisation and providers. The required capacity of the beneficiary organisation makes these interventions less suitable for less mature institutions.

How can the selection process be improved?

Selection of instrument

The following recommendations form the base for the blueprint for selection of twinning, technical assistance or a combination of both instruments. It is well understood that the selection of the instrument is the prerogative of the beneficiary organisation. The following therefore is meant especially for these organisations, but likewise for CFCUs, IPA secretariats and EU delegations, to shape their role in the dialogue.

The commonly applied selection criterion, i.e. *‘twinning is only suitable for acquis related assignments in acquis related beneficiary organisations that have sufficient capacity to absorb twinning. In all other assignments technical assistance may be more effective and efficient’* is practical and realistic. There is no rationale to divert from this.

This criterion may be made more specific, especially the ‘maturity’ issue:

1. Is the beneficiary organisation already legally established?
2. Has the role and mandate of the beneficiary organisation clearly been laid down through act(s) of law?
3. Has the beneficiary organisation made a decision on the manner in which it intends to realise the acquis?
4. Is there sufficient political and/or public support for the above?
5. Is management of the beneficiary organisation stable?
6. Does the organisation avail of sufficient capacity to handle the ‘burden of twinning?’

If a majority of these conditions, or the most critical, are not met, this should be a reason to opt for technical assistance. In addition, it should be ascertained whether a single-objective project, even if it is acquis related, is not more suitable for technical assistance, for reasons of efficiency. A guideline here could be to verify whether the assignment is possibly of the type that within the EU would have been outsourced to private providers.

Normally costs should not be a reason to select twinning, if other conditions are not met. The fact of the slow start-up of the twinning activities should play a role in the instrument selection process, if early outcomes are desired.

The intangible benefit of a lasting relation with a member state is important. Nevertheless, this should not be a reason for ‘forcing’ twinning projects if the beneficiary organisation or the project does not meet the requirements for successful twinning.

Selection of provider

A more detailed twinning proposal including a preliminary workplan, as customary in technical assistance proposals, might make also under twinning the selection less dependent on the single presentation. A personal presentation, as done in the selection of a twinning provider, may also facilitate the proper selection of a technical assistance provider.

With mandated bodies it should be ascertained that:

- they are really part of the public administration in their own country; and
- that they are also able to secure access to relevant public bodies in their own country after the project has ended, and that they can fall back on relevant expertise during implementation if changes in project implementation would so demand.

It is clear that accreditation of mandated bodies as twinning providers is the prerogative of the respective EU member states. The beneficiaries may however use above conditions to select the most appropriate provider.

Preparation and implementation

It is clear that there is room for improvement in steering and control of twinning projects. Also more attention should be given in twinning to flexibility (admittedly, much progress has been made here already). Adjusting the work plan and even the expert team should not be a bureaucratic problem if motives for this are convincing.

Likewise preparation time of twinning projects should be shortened. The twinning manual should be more explicit on the roles and responsibilities of beneficiary and (more importantly) the twinning provider.

Respondents from among the twinning community remarked that the one-and a half day training organised by DG-ELARG is very useful but the period for this is insufficient. A longer training might include also attention for the human chemistry factors which appeared to be so crucial for success. Likewise, issues like the importance of pro-activeness of resident twinning advisers and flexibility on their side might be highlighted.

These issues might also be included in new versions of the twinning manual.

1 Introduction

1.1 Objectives of the Evaluation

According to the Terms of Reference (ToR), the purpose of this evaluation is:

- to assess the contribution of twinning and technical assistance (TA) instruments to the overall accession process in the western Balkans and Turkey, in particular through a comparative analysis (i.e. based on a number of key sectors) of the relative advantage and underlying consideration justifying the choice of different instruments (twinning or TA) for the implementation of financial assistance in these countries;
- to provide lessons learned and guidance for the programming and planning of future assistance, including through the development of cost-benefit assessment blue-prints to help decision-makers estimate in which cases twinning or TA ought to be used;
- to make recommendations targeted at the current assistance schemes under the Instrument for Pre-Accession Assistance (IPA) with a view to improving their management and addressing any deficiencies or problems identified.

The nature of this comparative assessment of the TA and twinning instruments is different from that of a typical evaluation. The main objective of this prospective evaluation is, next to accounting for the results achieved by the different delivery instruments, to assist future choices regarding the use of the delivery instrument. It is therefore both a backward looking evaluation as a forward looking evaluation, i.e. looking at practices and related results in the past and translating the lessons learned into a 'blueprint' facilitating a better selection (of twinning, TA or a combination) procedure in the future.

1.2 Methodology

1.2.1 The funnel approach

In the inception phase the evaluation team has developed the methodology for this study in detail. Answers to the elaborated evaluation questions have been sought at three levels of assessment: the broad level of twinning and TA projects implemented in the selected countries, sector level, and project level. In this 'funnel' approach we have used a combination of broad but less detailed data collection methods (for example an e-survey and mapping of all TA and twinning interventions) and a more detailed approach where, on the bases of the study of the sectors and a selected number of sampled cases of comparable twinning and TA contracts, the mechanics (intervention logic) of the individual projects were 'dissected'. The selected methods were complementary and the combined use served to triangulate the findings.

Documents (fiches, inception, progress and final reports as well as monitoring reports if available) of the sampled projects were studied to gain insight in efficiency and effectiveness of the projects as well as appropriateness of the use of TA or twinning.

Knowledge so obtained was augmented with information received through interviews with representatives of beneficiaries, EU Delegations (EUDs) and National IPA Centres (NIPACs) and Resident Twinning Advisers (RTAs). Three different web-surveys were developed:

- one for beneficiaries of twinning and/or TA contracts;
- one for twinning providers, and
- one for TA providers.

The contact details were collected from fiches for beneficiaries, from fiches and NCPs for twinning providers and from internet and fiches (very few) for TA providers. In total 165 responses were received. We received 66 responses (panel size 346¹) from beneficiaries covering institutions in all countries involved of which 56 percent have been involved in both TA and twinning projects, 32 percent have only been involved in twinning contracts and 12 percent have only been involved in TA contracts. The number of responses from twinning providers (project leaders and RTAs) was 75 (panel size 188) whilst the number of responses from TA providers was 14 (panel size 143).

At a more global level, fiches and final reports (if available) of a much larger sample of projects (i.e. in fact documents of all projects we could lay our hands on), with a focus on the appropriateness and arguments for selecting TA or twinning. Results of this exercise are laid down in the ‘mapping’ (annex 3).

1.2.2 The evaluation framework

The evaluation framework is structured around the first two of the following three evaluation questions, which are based on the ToR:

1. Is the instrument selection done appropriately? This relates to the efficiency and effectiveness of the selection process of the instrument and provider.
2. Does the instrument selection contribute to efficient and effective project implementation, and contribute to sustainability of the project results? Here the main question is to analyse whether there are differences in results (or performance) between the delivery instruments.
3. How can the selection process be improved? The insights gained will allow for identification and validation of costs and benefits of the delivery instruments, for given projects in given situations.

Each of the evaluation questions is elaborated into a range of judgment criteria, i.e. under the first question ‘Is the instrument selection done appropriately?’ one of the criteria is ‘are cost-benefit analyses carried out as part of the selection?’ As a matter of fact, this whole report is largely structured around the evaluation questions and the underlying judgment criteria. The evaluation framework is attached as annex 2. The last evaluation question has resulted in the construction of a blueprint for a future selection of the instrument twinning, TA or a combination. This blueprint is attached as annex 4, and is elaborated on in sections 4.2.1 and 4.2.2. At the end of the blueprint (annex 4, page 6) a table is inserted summarising the features of TA and twinning, relevant for their selection for acquis-related assignments.

¹ The response rate was actually about 50 percent as the panel included some people with multiple email addresses and a number of email addresses were not valid anymore.

1.2.3 The Cost-Benefit Analyses

A total of 21 case-studies were studied in detail, representing projects from all eight candidates and from the five sectors selected for further analysis. Of these studies costs and benefits were assessed, using the cost-effectiveness analysis tool as presented in the inception report. A number of indicators underlying the OECD-DAC evaluation criteria (impact, effectiveness, efficiency, sustainability) were scored, allowing in this report for a comparison of performance on these criteria between instruments, overall and per sector. Based on the cost benefit assessment the blueprint for future selection was drafted.

1.3 Brief description of the Evaluation Process

The evaluation was carried out in the following three phases:

- *Phase 1: Inception.* The inception report was finalised in May 2010 and elaborates the methodological approach of this evaluation and the organisation and planning of the evaluation. The *inception phase* involved already interviews at DG ELARG, with selected National Contact Points (NCPs), review of relevant documents and collection of twinning and TA projects implemented in the eight countries involved.
- *Phase 2: Data collection phase.* Eight country visits were carried out during the period June to September 2010. Next to country visits, data and information were collected through the mapping of twinning and TA contracts, sector study, questionnaire for beneficiaries and TA and twinning providers and in total 21 case studies. A full list of people consulted is added in annex 5.
- *Phase 3: Final analysis and synthesis phase.* At the start of the synthesis phase, the Commission asked for a presentation of preliminary findings, conclusions and recommendations. This proved to be a very helpful step in the final analysis for validation and feedback.
- *Phase 4: Reporting.* The feedback mechanism used in this phase is twofold: (i) comments from all major Stakeholders on the first draft final report; and (ii) comments on the second draft report from the evaluation unit. All comments on the draft report will be addressed in a separate table.

1.4 The scope

The focus of the evaluation was on the comparison of delivery instruments: twinning (standard and light²) and technical assistance³ as provided under IPA 2007-2008, Phare 2005-2006, CARDS 2005-2006 and the Turkey pre-accession assistance instrument 2005-2006 in the candidate and potential candidates on the Western Balkan (Albania, Bosnia and Herzegovina, Croatia, Former Yugoslav Republic of Macedonia, Kosovo (under UNSCR 1244/99),⁴ Montenegro, Serbia) and Turkey.

² Next to the standard twinning projects since 2001 twinning light exists: a tool for medium-term assignments, providing member state civil servants' expertise for assignments of up to six months, with possible but limited extensions, at a maximum budget of EUR 250,000.

³ Above EUR 200,000 concluded by means of restricted international tender procedures, therefore excluding TA projects delivered under the so called framework contracts.

⁴ United Nations Security Council Resolution 1244 of 10 June 1999.

The total number of projects as provided by the different instruments over the period 2005-2008 is 630. This number does not include the projects to be financed from the 2008 budget that have not been contracted yet. The fact that many projects from the 2008 budget but also from the 2007 budget had not started yet or were just recently started turned out to be an obstacle in the selection of comparable case studies. In annex 3 the full result of the mapping and sector study is presented.

2 The selection process - Is the selection done appropriately?

2.1 Introduction

In this chapter we present the findings and conclusions for the first evaluation question: *Is the selection done appropriately?*

In order for this question to be answered, we have looked at a number of issues, underlying this question:

- Is the selection of twinning and TA supported by adequate cost-benefit analysis?
- (and, if not) what other criteria are used?
- Are beneficiaries appropriately placed to make a selection?
- Is the selection realistic and does it reflect actual implementation practices?
- Are intangible benefits taken into account?
- How efficient is the selection process?

This report is structured around these questions.

2.2 Is the selection of twinning and TA supported by adequate (cost-benefit) analysis?

2.2.1 Selection procedure and place of the CBA

Programming in the countries covered in general takes place in accordance with the IPA regulations under the centralised (Albania, Bosnia and Herzegovina, Serbia, Kosovo (under UNSCR 1244/99), Montenegro, Former Yugoslav Republic of Macedonia⁵) or decentralised (Croatia and Turkey) implementation system. In both management systems the selection of the modality, i.e. TA or twinning, is the responsibility of the beneficiary and the selection is made in the preparation phase of the project. In all countries there is, also in line with the approach followed in the programming effort, a dialogue on the selection between EUD and DG Enlargement and the beneficiary, with involvement of the IPA secretariat.

Criteria and considerations for selection differ per party involved (e.g. beneficiary or EUD) and between countries. From interviews with EUD staff and NIPAC it appears that it has become a practice to make the choice dependent on three criteria:

- nature of the assignment: is a project acquis related or not;
- maturity of the beneficiary organisations: for twinning to be optimal, the organisation should be an established institution and, since there are different variant solutions to

⁵ The EUD manages still part of the assistance, while the country is gradually assuming responsibility over other parts of the assistance.

the ways in which the acquis may be implemented, ideally the organisation should have made the choice how to implement the acquis; and

- capacity of the beneficiary organisation; the institution should have the capacity (staff, space, skills including language skills) to effectively co-operate with the twinning partners.

As one of the respondents stated: the organisation needs to be ‘*institutional stable and clearly ‘twinable.’*’

The above is in line with the twinning manual, which mentions the following feature that makes a project ideally suitable for twinning: ‘*The goal is relatively clear, i.e. the beneficiary country has a good understanding of the relevant part of the acquis or the relevant area of co-operation, and has selected the type of system it intends to adopt.*’⁶

Projects that meet above requirements qualify for twinning. It is assumed that, if above conditions are fulfilled, twinning has a larger chance of success and is more likely to bring the benefits ascribed to the twinning instrument, among others through the fact that for acquis related assignments twinning providers bring more expertise.

Reason for failure of twinning projects in Serbia

In Serbia the Ministry of Mining and Energy was host to one of the first twinning contracts in the country. However, the ministry was understaffed and also lacked logistical capacity for an optimal hosting of the twinning contract. At the time, the beneficiary was not able to produce drafts and since the RTA saw his role limited to checking drafts of new legislation, instead of making them, the project delivered few results. Only the training provided by short-term staff from twinning provider was appreciated.

It was found that in none of the countries involved a formal cost-benefit analysis (CBA) of twinning versus technical assistance is done, i.e. costs and benefits are not quantified and compared, as part of the selection procedure. This is also not a formal requirement. Among the studied cases respondents indicated that costs considerations have neither played a role in instrument selection as the attention was limited to the intended benefits or effects. This observation is also reflected in the results of the web-based beneficiary survey, although thirteen percent of the respondents indicated that the expected benefits and costs related to the use of Twinning or TA are quantified. Implicit and global quantified cost-related arguments are reportedly made in Turkey: here it is assumed that using law firms for drafting legislation would imply excessive costs compared to the use of twinning.

Table 2.1 Performance of CBAs as part of the selection procedure, according to beneficiaries in the web-survey

	Frequency (n=60)
No	40%
More or less, arguments are all explicitly listed and intuitively compared	27%
Yes, arguments are all explicitly listed and scored	20%
Yes, the expected benefits and costs linked to using Twinning or TA are quantified	13%

⁶ ‘Institution building in the framework of EU policies Common twinning manual’- revision 2007, page 12.

Despite the lack of formalised CBAs in the process, the majority of beneficiaries found the selection mechanism to be appropriate. About 70 percent of beneficiaries think that in general the appropriate instrument is selected. Twinning providers appear not to agree on the matter: 38 percent does not know, 37 percent agree that the appropriate instrument is selected, while a quarter of the respondents think that the right instrument is not always selected.

The general tendency is therefore to verify carefully whether the nature of the project and the beneficiary organisation allows for twinning, and to rely on TA in all other cases.

In Turkey the approach is somewhat different. Among the beneficiary organisations there is still a genuine preference for TA, and twinning is only preferred when TA is not possible, i.e. in:

- acquis related tasks, where there are no private TA providers available, or at a high cost (such as law firms);
- specific government tasks (such as customs, police, judiciary, environmental or labour inspection, utilities etc.) where public sector experience of similar service providers is critically required for the implementation of activities; or
- cases where there is secrecy of governmental information (as in customs or police): apparently TA providers are not trusted with insight in confidential information within the public administration.

The case studies and other examples provided by respondents showed that exceptions occur, some justifiable, others less.

Example of successful exception of the 'maturity rule'

Remarkably, in one CARDS 2005 project twinning support was provided to a brand-new institution which turned out to be a great success. Reasons for this were:

- Although the organisation, the Serbian European Integration Office (SEIO), was very new, the staff had a very outspoken idea of its mandate and role in the future.
- Slovenia was the junior partner in the twinning consortium. Slovenian experience turned out to be very useful, since the experience with efforts to access the EU was still fresh in the team of Slovenian experts, and these twinning experts were familiar with the Serbian situation.

This appears therefore to be the exception that confirms the rule.

2.2.2 Importance of past experience in the selection

Beneficiary preference is often based on earlier project experience as was shown in several of the case study projects. Survey results in this respect revealed that more than 60 percent of beneficiary respondents make the initial selection decision based on past experience in the organisation, whilst over 30 percent base their desire on past experience in their own country or other countries.

The start of the twinning effort in the regions, under CARDS, was characterised by a situation in which beneficiaries had a strong preference for TA and on the other hand the European Agency for Reconstruction (EAR) tried to 'promote' twinning. At present this situation has changed, and specific requests to apply twinning are now received directly by the EUDs from the potential beneficiary organisations. According to all parties this is

the result of more transparent and ownership-driven programming, but also of the improvement of the twinning instrument.

2.2.3 Other criteria used in the selection of the instruments

Twinning is rarely used for the provision of very specific, technical or focused services, even when these are acquis related, such as:

- design and/or supply of IT systems;
- communication activities (events);
- production of a study, such as a feasibility study;
- design of a manual (if this is not done as part of a larger twinning or TA project).

The large majority of respondents in EUDs, NIPAC and most beneficiaries are of the opinion that regular twinning is too inflexible for such specific tasks. As a matter of fact, in most EU member states similar activities would have been outsourced to the private sector.⁷

Also twinning light has been used to tackle very specific tasks, as will be described in more detail in section 3.7.3. It should be noted in this respect that only in Croatia so far twinning light has been applied on a larger scale (as was revealed by the mapping exercise, see Annex 3).

When trying to detect a pattern in the overall choice between TA and twinning, it should not be forgotten that very practical or even trivial issues may influence the ultimate selection. An important practical issue is the lack of capacity among twinning providers resulting in no bids. In that case, the beneficiary is forced to fall back on TA.

Using TA for support to translation of the acquis

In the Serbian European Integration Office (SEIO) a twinning project was designed for support to the Translation Coordinating Unit. It was hoped that Slovenia, with whom the office has worked successfully before, would put in a bid, but the Slovenian Integration Office was fully occupied, a/o with a project in the Former Yugoslav Republic of Macedonia. As a result, no bid was forthcoming. SEIO fell back on TA, the project was split in two service contracts, one covering TA to the Translation Coordinating Unit, the other supporting in the actual translation. Ultimately the projects were very successful; outputs were delivered in time and will be made also available to other Serbian speaking countries in the region. When asked about the difference with working under twinning, the staff replied that there was no difference, *'this project was run as if it was twinning'*.

2.3 Are beneficiaries properly situated to make an appropriate and independent selection?

From the survey it appears that beneficiary organisations which are sufficiently mature also feel themselves able to make a proper selection of the instrument, sometimes with support from the NIPAC. However, in Albania, Bosnia and Herzegovina, Kosovo (under

⁷ This evaluation specifically excludes TA projects of a value of below EUR 200,000, e.g. projects that can be covered under a framework contract, from the comparison. It is believed that many of the projects falling in one of the above categories are realised under such arrangements.

UNSCR 1244/99) and also the Former Yugoslav Republic of Macedonia several beneficiary organisations indicated that they often have difficulties in defining their needs and make a proper selection. A large number of beneficiaries in these countries clearly do not have sufficient knowledge about the twinning instrument to make an informed decision.

Table 2.2 Opinion of beneficiaries on appropriateness selection procedure

	Frequency (n=64)
Fully appropriate	58%
Not fully, arguments used in the selection process are not always valid	16%
Not fully, lessons learned are not taken aboard	8%
Not fully, we do not have the required information	13%
Not fully for other reasons	3%
Not at all appropriate	3%

Within the dialogue between the EUD and beneficiary the EUD may make ‘strong’ recommendations, normally in favour of twinning (but admittedly, in given circumstances also against it.) This preference is not always shared by the beneficiary. It was mentioned that also the NIPAC in cases had “to sell” twinning to the beneficiaries. The survey provides a similar picture: almost 50 percent of the beneficiaries say they have full responsibility in making the decision about selecting an instrument whilst about 40 percent say also other actors have a considerable influence. The EUD is here seen as the most influential actor by the respondents. In Turkey the influence of the EUD and/or EC appears to be less, caused by declining commitment among many Turkish parties for EU accession.

2.4 Are assessments realistic and reflect actual implementation practice?

In the web-based survey(s) we have asked both TA and twinning providers about the extent to which the instrument they represent has unique features.

Table 2.3 Can the alternative instrument (TA vs twinning) be more suitable than the instrument applied? (for first two questions both options could be chosen)

	Twinning providers (n=71)	TA providers (n=12)
Yes, for certain types of organisations	18%	19%
Yes, for certain types of services	46%	27%
No, our service could also cover the fields now covered by the other instrument	35%	64%
Do not know	10%	9%

There may have been a healthy amount of self-interest in providing the answer to above questions, but it is nevertheless noticeable that a majority of twinning providers (55 percent) feels that TA may have been more suitable in a number of cases they know off.

At the same time, the majority of TA providers (64 percent) also feel that in principle they can cover the whole spectrum.

One of the underlying assumptions in applying twinning, as mentioned in the twinning manual, is that twinning brings more benefits to *acquis* related assignments because twinning experts hold *unique* expertise here. Looking at the 21 case projects studied the distinction between TA and twinning here is not that sharp. Practices observed which may dilute the unique feature of twinning are:

- *TA providers have also access to public expertise sources.* In most of the studied cases, the TA projects did not differ very much from twinning in character as the TA providers had (several) ex-civil servants as advisers or team leader and organised study visits to ‘practitioners’ e.g. public administration in member states. TA providers however are not able to provide the most up to date public expertise which is available in Member State institutions. In other cases the TA consortium included two Member State statistical offices as members. The TA providers who responded to the web-based survey all mentioned to have access to relevant experience in the public administration, ten out of the twelve even employ ex-civil servants as experts.
- *The practice of Member State institutions to use (almost) retired civil servants as RTA.* The interviewed beneficiaries felt that the use of these RTAs can reduce the potential for establishing long-term relations with the twinning provider.
- *The involvement of mandated bodies who are not really part of the public administration.* In one of the studied cases the twinning provider was actually a private consulting firm.

Beneficiary organisations widely acknowledge that it is not very likely that an EU Member State will make its most specialised civil servants available as long-term RTA. The RTAs themselves are no longer seen to be the stand-alone expert but instead should be a good organiser and ‘miner of expertise’ in her/his own public administration. This calls for organisational skills on the side of the RTA, but also social skills and a good overview of the own home organisation. This latter is normally only present in persons who have worked for at least several years in this organisation. Part of these responsibilities may also be entrusted to the project leader.

Mandated bodies are a case in itself. Not less than 27 of the 58 responding mandated bodies in the web-survey mention that they are both active on the twinning area as on the TA market (where they compete with TA providers), which also indicates a less clear distinction between TA and twinning providers than assumed in the twinning procedures. Some of the mandated bodies are not part of the public administration in their home country, and although they have access to expertise from the public sector (for example through hiring ex-civil servants as experts) they are not always in the position to facilitate a future link with a public institution in the EU. This should be kept in mind when selecting a mandated body as twinning provider. It is understood that the accreditation of an organisation as mandated body is the prerogative of the member states, and it might therefore be worthwhile to share this observation with the EU NCPs. Nevertheless, the ultimate selection of the twinning provider, be it a mandated body or another organisation, is the mandate of the beneficiary.

Half of the respondent TA providers felt that participation of semi-public bodies in commercial tender procedures is unfair to the fully private providers and may constitute false competition (the other half had either no opinion or saw no problem). In total 21 of

the beneficiaries answering the web-survey had experience with mandated bodies, 11 of them feel that mandated bodies have the unique and practical knowledge needed in house, seven however feel that these bodies have been involved since there is no interest from the ‘real’ public institutions in the EU.

Example of involvement of mandated body

Support to organised crime and money-laundering in Montenegro is provided as a twinning contract by a mandated body. This body is well known also as TA provider in e.g. SME and PSD projects, and is undoubtedly a professional organisation. With the exception of a too-late IT delivery, all activities had been realised as planned, including study-visits to pan-European anti-crime institutions. All experts were however retired policemen and the company itself is not related to the police force in its own country. It is doubtful how in this way a linkage can be established between a Montenegrin and an EU public institution.

Even when an appropriate selection has been made of the twinning or TA instrument, the selection of a non-appropriate provider may blur the picture. Actual implementation practice is influenced, inter alia, by the skills and attitude of the providers, be it TA or twinning. We want to remind the reader that many elements not directly related to the selection of the instruments influence the quality of the performance, one of the most important being the selection of the individual providers. We here refer to section 3.5, which elaborates on the conditions for an appropriate implementation of the project. These conditions were also included in the ‘blueprint’ presented in annex 4.

2.5 Are the non-tangible benefits of twinning adequately identified and assessed?

Two intangible benefits of twinning are explicitly mentioned in the twinning manual:

- Twinning may result in long-term relations between public bodies in candidates and EU-member state.
- Twinning may result in a change in (work) culture in the beneficiary organisation.

Surveyed and interviewed respondents said that intangible effects are taken into account in decision making. In most cases beneficiary institutions indicated that a relationship with a ‘sister institution’ within the EU is hoped for as result of a twinning project which played a role in defining the preference on the side of the beneficiary organisation. Among surveyed beneficiaries about two third of the respondents mentioned this as an element in the selection process. The studied cases showed clearly that such relationships were established as a result of the twinning projects.

The second assumption is less visible as an argument for the selection. Out of 53 respondents, 21 among the beneficiaries felt that twinning can bring about change in the organisational culture and way of working. Out of 40 beneficiaries only seven felt that TA can do the same. Among the studied cases, no significant difference could be observed between the performance of TA providers and twinning providers in this area.

However, selection issues do not stop with the selection of TA or twinning. In the case of the selection of a non-optimal provider (see also under section 2.4) non-tangible benefits may not materialise.

2.6 Share of twinning over the years and between (potential) candidates

Reasons for opting for TA even though the topic of the assignment and the profile of the beneficiary are clearly acquis-related, is, as stated, the lack of the maturity of the beneficiary. The twinning manual also states that twinning is most suitable for ‘institutional strengthening’, i.e. investing knowledge and skills in an established organisation, rather than ‘institution creation’, i.e. building an organisation from scratch. Also in the case that a beneficiary has not yet opted for a specific approach for the implementation of the acquis (e.g. leaving the regulation of a public utility to the industry or embed it in the public administration), TA is better equipped to show the different options available, including strong and weak points and help in the decision making (this is recognised by the manual). Once the beneficiary has opted for a specific solution, he is also better placed to select a twinning partner with the appropriate experience.

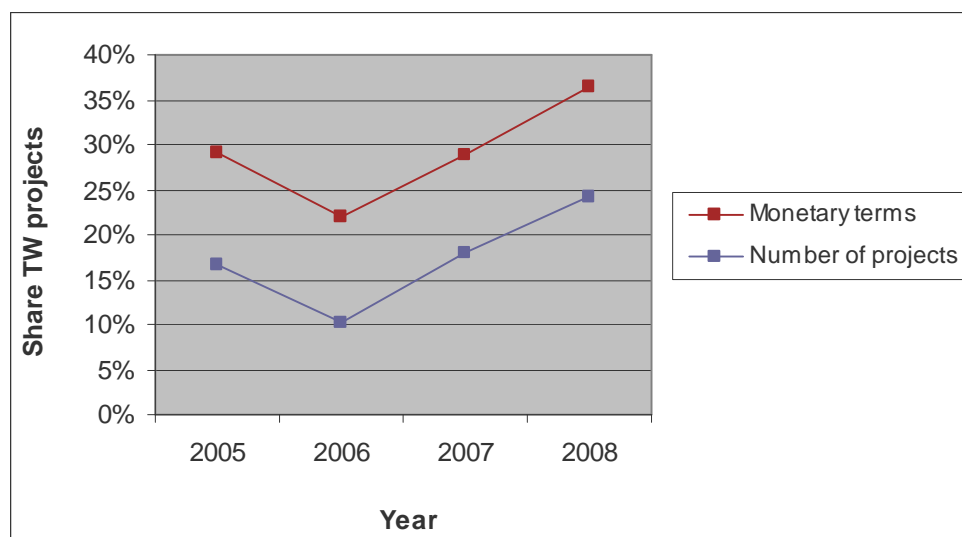
The validity of this rule has been tested using two approaches: a comparison over time and a comparison over (groups of) countries, under the assumption that:

- with time, maturity of beneficiary organisations will improve, and their capacity to absorb twinning will increase; and
- grosso modo, beneficiaries in candidates will have a better developed capacity than those in the potential candidates.

In this, we have leaned heavily on the portfolio analysis, presented in more detail in Annex 3.

The following figure shows the share of twinning over the years.

Figure 2.1 Share of twinning projects in total project portfolio in the Western Balkan and Turkey



The following tables show the share of twinning and TA projects in the candidate countries (Croatia, Former Yugoslav Republic of Macedonia and Turkey) and in the potential candidates, in numbers and in amounts allocated.

Table 2.4 Share of twinning projects in groups of countries, in numbers of projects

Year	2005	2006	2007	Total
Albania	18%	0%	20%	11%
BiH	16%	15%	18%	16%
Kosovo*	--	--	10%	10%
Montenegro	--	--	27%	18%
Serbia	28%	17%	19%	20%
Total potential candidates	19%	12%	18%	16%
Croatia	50%	43%	69%	54%
FYROM	29%	18%	13%	14%
Turkey	21%	30%	34%	29%
Total candidates	34%	39%	41%	34%
Total	28%	22%	29%	26%

* under UNSCR 1244/99.

Indeed it shows that the share of twinning projects increases over the years, and is larger in candidates. This is especially the case for Croatia. This is confirmed by the following table, grouping information on monetary amounts allocated to the different projects.

Table 2.5 Share of twinning projects in groups of countries, in EUR

Year	2005	2006	2007	Total
Albania	15%	0%	25%	13%
BiH	15%	7%	11%	11%
Kosovo*			9%	9%
Montenegro			31%	24%
Serbia	26%	14%	12%	15%
Total pot. candidates	22%	9%	13%	22%
Croatia	34%	19%	66%	36%
FYROM	20%	5%	4%	9%
Turkey	6%	10%	19%	11%
Total candidates	14%	10%	23%	15%
Total	17%	10%	18%	15%

* under UNSCR 1244/99.

More details are given in annex 3, table A3.16 and A3.17. In the table above we have excluded the year 2008, since the number of projects not yet contracted may make the picture unreliable. Observations in the field confirmed however that in all countries the share of twinning will increase.

Another reinforcing element here is the supply side. Once countries grow closer to accession, more public bodies in the EU will be interested in offering their twinning services. So far, however, only in a limited number of cases the twinning option was abandoned because of a lack of bids.

Also the mapping exercise confirmed that the selection between twinning and TA was overall logical, and that the selection of TA for acquis-related assignments in (semi-) public institutions was overall justified by the lack of maturity and/or lacking capacity of the beneficiary organisation.

2.7 How efficient is the selection process?

2.7.1 Selection of the instrument

In most of the cases it is felt that the selection process fits smoothly in the programming process. Even if there are initial differences of opinion between beneficiary organisation, NIPAC and/or EUD, normally these are amicably settled. In isolated cases differences of opinion between beneficiary organisation and EUD have led to delay or even abandonment of projects. One of the respondents from among the beneficiaries commented:

Answer from among the beneficiaries on selecting the TA or twinning instrument

I think most of the time the choice of the instrument is obvious. Yet, pressure from other organisations (EU Delegation, CFCU, etc) are for doing otherwise, purely out of formal reasons. I think my organisation has been successful in not succumbing to that pressure, but it caused us many delays (sometime almost a year) in getting our projects approved.

2.7.2 Provider selection

The selection process of the specific provider, once the selection of the instrument has been made, differs between twinning and TA. Under both decentralised management and centralised management the selection of the provider for twinning projects is the responsibility of the beneficiary. The process of the selection of the provider is organised by the Central Finance and Contracts Unit (CFCU) under DIS and by the EUD under centralised implementation.

For twinning projects Member States are invited, through the network of NCPs, to submit a bid. At a later stage, RTA and project leader are invited to the beneficiary country to present the offer. In the sample of projects studied, on average three offers per twinning request, up to eight offers in specific cases were received. In one case however, no bid was received.

Among the twinning providers reacting to the web-survey 53 out of 73 (73 percent) felt that the fiches provided sufficient information for a suitable bid. Quality of twinning proposals is indeed generally perceived as reasonable to good although respondents complain that the proposal only provide a superficial indication of activities as no real work plan is supplied (unlike under TA). One respondent mentioned in this respect: “*you cannot really see what you can buy*”.

For the selection of TA providers the PRAG rules are followed and a selection committee with CFCU (chair), EUD (observer) and beneficiary (voting members) and if needed independent evaluators is organised under decentralised management whilst in the case of centralised management both the EUD and beneficiary are involved as voting members. The evaluation of offers follows strict procedures and criteria where methodology, price and quality of the team of key experts are evaluated and scored. On average the number of bids (shortlists) for TA ranges from seven to eight.

The ToR published for the different TA projects were considered by 11 out of 12 responding TA providers ‘generally suitable’; one respondent felt them ‘rarely to be suitable’. Several of the respondents mentioned that an important disadvantage of the TA selection system is that in principle there are no “face to face” meetings with the key experts organised (this happens only in exceptional circumstances). Under TA good Curricula Vitae (CVs) of the key experts do not always match with their implementation experience and practical skills.

When selecting twinning providers, the presentation by the RTA is very important. The presentation skills of the RTA and the (subjective) perception of the audience therefore play a very important and sometimes disproportionate role. However, the face to face meeting with the most important twinning expert(s) is highly valued by the interviewees because the beneficiary has a chance to get to know its counterpart. An important issue during the presentation may be the language issue. All offers and presentations have to be in English, but not all beneficiaries’ staff have competent English speaking or understanding skills.

Lobbying by twinning providers, either by themselves or by their representatives (country institutions or embassies) happens often, but rarely this has influenced the decision. In Croatia and Serbia the EUD respondents mentioned explicitly that the selection process of twinning providers has improved through:

- lessons learned in the past;
- increased awareness of importance of selections by the beneficiary organisations; and
- increased interest of twinning providers.

2.7.3 Duration of the process

In section 2.7.1 it was reported that disagreement between parties on the use of TA or twinning may cause a delay, although this appears to occur only in individual cases. Exogenous events, even when there is full agreement, have caused the elapse of time between a decision on the instrument and the actual distribution of the fiche to be long. The ‘Support to the Translation Coordination Unit’ in SEIO in Serbia is a CARDS 2005 project but even as today it is not fully completed. The reason is that, firstly, the publishing of the fiche was postponed because of the declaration of independence by Montenegro (which the project was originally also supposed to cover) and, secondly, by the fact that no twinning bid was forthcoming so that a change had to be made to TA. In the same country, an IPA 2007 twinning project had even as today not yet started, but the reasons for this could not be made clear.

Selecting a twinning partner and actually starting the activities is perceived to be a long process. The selection process of a TA or twinning provider may not differ significantly, but the time between ultimate selection and the start of the activities is significantly longer in the case of twinning projects, among others since in that interval the workplan has to be produced from scratch. Out of 53 respondents, 29 beneficiaries of twinning projects felt the process to be too long, 22 felt it to be acceptable. This is less the case for TA, where 55 percent of beneficiaries considered the preparation phase had a “normal” length.

Other delays were caused by disputes between the contracting agencies (i.e. in Turkey and Croatia) and the member states institutions on contractual issues.

Interestingly, half of the twinning providers think that the preparation is normal given the nature of the instrument and only 36 percent (of 73 respondents) think it is too long and cumbersome. The following quote (literally repeated) from one of the beneficiary organisations replying to the web-survey argues that the long time necessary for start-up of a twinning operation is largely due to practices within the EU twinning partner institutions:

Answer from among the beneficiaries on preparation of a twinning project

Well, it is up to the EU institutions to speed-up the process. I cannot tell exactly but, it is really too long if you prepare the draft project fiche at the beginning of 2007, and the project shall start (in reality) in September 2010.

It is possible that twinning partners are not always sufficiently motivated to complete the covenant⁸ and work plan timely, and do not adopt a result driven approach to this process. Other regular on-going tasks may impede a fast implementation of these preparatory tasks. The beneficiaries on the other hand may have insufficient leverage to ‘enforce’ a timely delivery of results. This may explain the paradox observed above: most parties agree that twinning preparation takes too long, with the exception of a sizeable share of the twinning providers.

We asked providers how much time elapses between the submission of their bids and start of operations.

Table 2.6 Time elapsed between submission of bid and start of activities

	TA providers (n=12)	Twinning providers (n=73)
Less than three months	8%	0%
Between three and six months	33%	14%
Between six and twelve months	42%	52%
More than a year	17%	34%

Out of the twelve TA providers eleven mentioned that by the start of their operations their bid was still fully (one case) or largely (11 cases) relevant, only one needed a major adjustment. Of the 73 responding twinning providers, 50 (68 percent) mentioned that by the start their bid needed a moderate adjustment, 15 (21 percent) reported the need for a major overhaul, only in eight cases (11 percent) the bid was still fully valid.

Nevertheless, the majority of mandated bodies who both participated in twinning and TA provision (18 out of 27 respondents) felt that the twinning selection procedure was more efficient. From the 12 TA providers, seven felt the TA tender procedure to be efficient.

Some respondents felt that the twinning manual is insufficiently detailed, and lacks precedent cases showing what decisions have been made elsewhere and why.

⁸ The twinning manual 2009 has altered the concept ‘covenant’ into ‘contract’. Over the evaluation period the word ‘covenant’ was however applied.

2.8 Conclusions

2.8.1 Selection criteria and CBA

Within the selection between TA and twinning a number of non-quantifiable criteria are used. These criteria relate to the nature of the assignment and the nature of the beneficiary organisation (e.g. twinning should be applied for acquis related assignments and beneficiaries) but also to the capacity of the beneficiary (twinning is more demanding here). These criteria are realistic and easy to apply.

CBAs are not a requirement in the procedure and formal CBAs are not applied in the selection procedure between twinning and TA. Neither do costs, related specifically to one of the two instruments, play a significant role in the selection process. Despite of the lack of formalised CBAs in the process, the majority of beneficiaries found the selection mechanism to be appropriate. The selection process has also improved over the years, in that the mentioned non-quantifiable criteria are more and more consequently applied.

More experienced beneficiary organisations are in the position to an appropriate selection of the instrument, however some 40 percent of the respondents to the web-survey felt that they can not, i.e. because they lacked information.

2.8.2 The selection process

Some respondents complained about the interference of the EUD in the selection process, normally in favour of twinning, which might also damage efficiency (lengthen the procedure). This situation has improved under IPA, with the delegations being more aware of the problems the administrative burden of twinning can pose for beneficiary organisations, and beneficiary organisations becoming more mature and able to absorb twinning.

Some practices dilute the assumed unique features of twinning compared to TA: (i) TA providers appear also to be able to deliver acquis-relevant expertise; (ii) twinning providers sometimes use retired and not necessary relevantly skilled employees as RTAs; and (iii) some mandated bodies operating under twinning contracts have in reality a TA profile.

In the last two cases, the assumption that twinning may result in lasting contacts with a counterpart institution' in an EU member state, may not be realised.

2.8.3 Role of s.c. intangible benefits of twinning in selection

The intangible benefit of twinning, i.e. that it may result in lasting contacts with a counterpart institution' in an EU member state, as mentioned in the twinning manual is indeed explicitly taken into consideration in the selection procedure. The other benefit, a change in working culture, is considered only to a lesser extent. It was furthermore noticed that twinning, unlike TA, has the chance to show the beneficiaries how the acquis

actually comes about, a practice which strengthens support for accession and EU visibility in the beneficiaries.

2.8.4 Efficiency of the selection process

The actual writing of a twinning or TA fiche does not much differ in duration, but the actual start of a twinning operation, measured from the moment of distribution of the fiche, is longer than that of a TA operation from the start of the tender procedure.

Twinning and TA differ in the selection procedure of the ultimate provider. It is interesting to note that in the selection process both instruments have elements which are felt as lacking in the other instrument, i.e:

- A more detailed proposal including a preliminary workplan, as customary in TA proposals, might make under twinning the selection less dependent on the single presentation.
- A personal presentation, as done in the selection of a twinning provider, may also facilitate the proper selection of a TA provider.

2.8.5 Selection of the instrument is not the only factor decisive for success or failure.

Preparation of projects, be it TA or twinning, can at times be influenced by external events, like changes in the political environment. Also otherwise practical issues, like e.g. the unavailability of twinning providers, force the selection of an instrument, in this case TA. The following chapter will go in more depth on the issue of actual effects and impact of the TA or twinning interventions. It is important to note here that, even when the proper instrument has been selected, the ultimate selection of the ultimate provider will have a major effect on the results of the intervention.

3 Does the selected instrument enable an effective and efficient project implementation and sustainability?

3.1 Introduction

In this chapter we will cover the second evaluation question: *does the instrument selection contribute to efficient and effective project implementation, and contribute to sustainability of the project results*. In order to answer this general question, a number of sub-questions will have to be answered:

- In which areas are twinning or TA most effective?
- To what extent do existing control mechanisms have an impact on efficiency or effectiveness under both instruments?
- Which factors influence efficiency and effectiveness under both instruments?
- What is the experience with projects combining both instruments?
- Do different beneficiaries apply different instruments within comparable projects and, if yes, what lessons can be learned from that?

This chapter will start of with the findings of the Cost-Benefit Assessments (CBAs), including the results of the cost-effectiveness tool applied on the 21 cases.

3.2 Findings of the Cost-Benefit Assessment

3.2.1 Benefits

Before showing the differences in performance of the case-study projects we first present the findings from the web-based survey on the perceived strong and weak points of twinning and TA. Here we present the most important strong points of both instruments as seen by the beneficiaries. The ‘points’ are presented in order of importance.

The strong point of twinning most often selected by beneficiaries was that twinning provides appropriate knowledge, followed by twinning being able to contribute to change in organisational culture. The TA strong points most often picked by beneficiaries were equally “appropriate knowledge provided” as well as “it is a flexible instrument”. If however knowledge and skills are considered of comparable weight, there is no significant difference between the appreciation of both instruments in terms of quality of the expertise provided. Twinning scores higher, indeed on organisational culture improvement and the fostering of relations with EU institutions. Flexibility and ‘steerability’ come out as the relative strong points of TA.

Table 3.1 Perceived strong points of twinning by beneficiaries (respondents had more options)

Twinning	Frequency (n=53)
Appropriate knowledge is provided	60%
It can bring about change in the organisational culture	40%
Appropriate skills are provided	34%
The peer-to-peer approach is the most suitable channel for delivery	32%
It is a flexible instrument	32%
It fosters long-term relations with EU institutions	32%
Other	4%

Table 3.2 Perceived strong points of TA by beneficiaries (respondents had more options)

TA	TA (n=40)
Appropriate knowledge is provided	53%
It is a flexible instrument	53%
Beneficiaries have full influence on the deliveries	42%
Appropriate skills are provided	40%
It can bring about change in the organisational culture	18%
Other	8%

The weak point of TA identified by beneficiaries is that TA delivers no guaranteed results followed by the price and TA being too supply driven. Major weak points of twinning specifically related to the long preparation stage (see also section 2.7.3 above), but also to the limited control options (see also section 3.4 below) as well as to the burden put on the beneficiary (22 of the 53 respondents reported the heavy administrative burden, 17 reported the problems for beneficiaries in mobilizing staff capable of working with the twinning experts).

Table 3.3 Perceived weak points of twinning by the beneficiaries (respondents had more options)

Twinning	Frequency (n=53)
It is very difficult to change the work plan	49%
It puts an excessively heavy burden on the beneficiary institution	41%
It takes too long to get advisers in place	36%
The beneficiary organisation has difficulties in deploying the required support staff, with proper language and other skills	32%
Beneficiaries have insufficient influence on the quality of inputs and outputs	21%
Effects are likely to be lost through brain-drain	8%
Others	6%

Table 3.4 Perceived weak points of TA by beneficiaries (respondents had more options)

TA	Frequency (n=40)
TA delivers no guaranteed results	48%
TA is expensive	28%
TA is too supply driven	25%
TA advisers have insufficient knowledge of the field required	23%
Effects are likely to get lost through brain-drain	15%
Others	15%

Problems created by brain-drain are mentioned as weak points of both instruments, indicating that this is not to be a problem connected to a choice of instrument, but a reality of life all projects have to deal with, irrespective of whether TA or twinning has been applied.

The fostering of long-term relations with a similar institution in an EU member state is an intangible benefit explicitly ascribed to twinning. From among 53 beneficiary organisations who answered this question in the survey, 29 mentioned the creation of a lasting relation with one of their twinning partners, 24 explicitly mentioned no relationship however. About 90 percent of the twinning providers are of the opinion that a long lasting relationship has been established between the stakeholders of their projects.

Other benefits of twinning, which were mentioned to us in the interviews:

- Under a good twinning project the beneficiary organisation is actually involved in the ‘making’ of the *acquis*, i.e. ‘it gets a look in the *’acquis kitchen’* as one of the respondents said. This contributes to strengthening of the public support for EU accession as well as to EU visibility.
- The joint preparation of a work plan, although this is an additional cost, is beneficial for ownership of the twinning process.

A weak point of twinning further mentioned is that the proper experts are not always available because of commitments in their home country.

3.2.2 Comparison of unit costs

Initially we made a very global comparison of costs per month of TA and twinning contracts, on the base of a large population of contracts.

Table 3.5 Monthly costs of TA and twinning projects compared

EURO	Average costs	Maximum	Minimum	Stand. Deviation
Twinning (n=173)	52,836	115,909	19,048	18,079
TA (n=348)	88,779	1,875,000	2,917	139,404
TA (corr.) (n=343)	75,314	500,000	2,917	64,899

At a first glance it appears that twinning contracts are on the average lower priced than TA contracts. The high standard deviation of the TA contract prices however indicates a

distorted distribution. Indeed, only five contracts (out of 348) have a monthly cost of higher than EUR 500,000. The distribution of TA costs is therefore distorted, as also indicated by the difference between the average and the modus (respectively EUR 88,779 and EUR 58,493).⁹ If we correct for these five observations, we arrive at the figures as indicated in the row 'TA (corr.)' in Table 3.5.

Even after correcting for some extremely highly costed individual cases, TA on the average appears to be more expensive than twinning, when expressed at a contract-cost per month base. The modal costs of TA is about 23 percent higher than those of twinning (which is EUR 46,619 compared to the modal costs of TA which are EUR 58,493). It should be kept in mind though that still 149 out of the 348 studied TA contracts (43 percent of the total) had a monthly cost of less than the average value for twinning contracts.

Obviously, these monthly costs are influenced by the amount of inputs delivered, e.g. number of experts working in total on the contract. As a base for comparison we have therefore also looked at person day fees applicable in both instruments.

In twinning, the monthly fee for the RTA is equal to his monthly salary plus non-labour costs, plus a six percent mark-up. Assuming a 220 workday year, this comes down in a number of twinning contracts in our sample to between EUR 231 per day and EUR 317 per day. Short-term experts (STE) have a standard fee of EUR 250 per day.¹⁰ These standard prices probably also explain the limited variance of twinning contract costs in Table 3.5 above.

TA contracts have normally higher fees. In the contracts in our sample this ranged from EUR 1,100 per day to EUR 400 for senior long-term experts (LTE). For short-term junior experts (STE junior) the daily fees range from EUR 400 to EUR 150. Normally the senior experts will have a larger input compared to the lower priced juniors.

In terms of other costs, twinning may be higher priced, for example accommodation of the spouse of the RTA is paid for, as are costs of real estate agents arranging accommodation. Since 2008, arrangements for co-financing by the candidate are different for TA and twinning. Several cost elements, like travel costs for participants of study visits, have to be borne by the beneficiary in the case of twinning. Although this has hardly played a role for the evaluation period (which lasted till 2008), it may play a role in the future.

Despite the above, several respondents from among the beneficiaries feel that TA is more cost-effective than twinning. Reasons for this are that:

- TA is felt to be more controllable and flexible.
- It takes longer for a twinning contract to generate results.
- TA contracts are likely to use the input more efficiently. In this, TA providers are forced to economise by the higher competition within the TA procurement

⁹ In a fully normal distribution, the arithmetic average (mean) is equal to the modus. Differences point at a distorted distribution, in which the mean is a less representative indication of the population. Likewise a large standard deviation points at a large spread around the mean, indicating that the average is less representative.

¹⁰ Mandated bodies have negotiated higher fees, but in the projects evaluated this has hardly had any influence yet.

procedures, in which exorbitant fees and unnecessary high staff inputs will normally lead to losing the bids.

3.2.3 Efficiency versus effectiveness

Generally, efficiency differences are hardly related to the specific area of the intervention. Findings in general show a large correlation between efficiency and effectiveness: if a specific selection results in ineffective project realization, it will normally be also an inefficient process. The weak point of twinning in efficiency most often mentioned for example by the survey respondents is the difficulty in changing the work plan (almost 50 percent of respondents) followed by the time it takes to put the RTA in place and the excessively heavy burden put on the beneficiary institution.

Example of close relation between efficiency and effectiveness

As an example may serve a twinning assignment for the establishment of a European Integration Office in one of the potential candidates. Since the solution for the establishment offered by the EU twinning partner (in fact the existing situation within the country of the twinning provider) was not compliant with the legislation of the candidate, the twinning project was not effective, but neither efficient: the RTA stayed in place, and costs were made, although the effects were overall disappointing.

3.2.4 Comparison of the achievements of different projects in the case studies

Each of the 21 sampled projects was analysed, on the basis of the OECD-DAC criteria (potential) impact, effectiveness, efficiency and sustainability. In total 21 projects were visited, but it was felt that for one project the progress was insufficient to allow for a reliable scoring. Of each of the remaining projects, judgment criteria were assessed and given a weight, '1' being the lowest and '5' the highest score.

Table 3.6 Impact of the projects in the sample, average score, maximum and minimum score, 5=highest, 1=lowest

	TA (n=11)			Twinning (n=9)		
	Avg	Max	Min	Avg	Max	Min
To what extent did the project contribute to wider objectives?	4.1	5.0	4.0	3.8	5.0	2.0
Are there positive wider spin-offs to society?	3.5	4.0	3.0	3.2	5.0	1.0

Here it appears that there is little difference in (prospective) impact in the average score. The '1' score occurred only once, and was given to a project which, although it was classified as twinning, was to all aspects carried out by a private TA provider.

Table 3.7 Effectiveness of the projects in the sample, average score, maximum and minimum score, 5=highest, 1=lowest

	TA (n=11)			Twinning (n=8)		
	Avg	Max	Min	Avg	Max	Min
Is the project purpose achieved?	3.9	4.0	3.0	3.5	5.0	2.0
Are the outputs delivered in line with ToR?	3.6	5.0	3.0	3.7	4.0	3.0
Were the target groups properly serviced?	4.0	4.0	4.0	3.9	5.0	3.0
Can (non-) achievement be attributed to the instrument:	In 1 case yes			In 4 cases yes		
Has there been an effective knowledge transfer to the recipients?	3.9	4.0	3.0	3.6	5.0	2.0
Were there any advantages of having EU Member States government knowledge and contacts? (in the case of Twinning)	-	-	-	3.6	5.0	1.0
Was the expertise provided by the advisers relevant to the context of the beneficiary?	4.5	5.0	4.0	4.0	5.0	3.0

Likewise here, the differences are insignificant.

Table 3.8 Efficiency of the projects in the sample, average score, maximum and minimum score, 5=highest, 1=lowest

	TA (n=11)			Twinning (n=8)		
	Avg	Max	Min	Avg	Max	Min
Quality of Project Management:	3.8	5.0	2.0	3.6	5.0	2.0
Proper steering mechanisms been put in place?	3.7	5.0	2.0	3.7	5.0	3.0
If applicable, how was the mix of TA and Twinning managed?	3.0 (appl.in 2 cases)			n/a		
If applicable, did a mix of TA and Twinning add to or distract from efficiency?	2.5 (appl. In 2 cases)			n/a		
Was the flexibility of experts sufficient?	4.3	5.0	3.0	4.1	5.0	3.0
Were necessary inputs delivered at adequate costs, including costs of administrative burden for the Beneficiary Organisation?	3.9	5.0	2.0	3.4	5.0	2.0
To what extent were costs directly related to the instrument?				In 1 case yes		
Was there sufficient competition between bidders?	3.8	4.0	1.0	2.3	3.0	1.0
Was contract management by EUD/CFCU sufficiently flexible?	4.5	5.0	3.0	3.7	5.0	3.0
Did the beneficiary have the capacity to absorb the lessons?	3.5	5.0	2.0	3.9	5.0	2.0

In the above table, the only difference which stands out is the sufficient competition between bidders, which scores for twinning below '3'. Other differences are (again) insignificant. In the case of a mix of TA and twinning, we have classified them under TA, since that component was largest. Other mixes were observed with instruments of other donors, but were here not considered as such.

Although TA projects appear to have a better prospect for sustainability, the differences lie within the ‘margin-if-error’, as shown by the next table.

Table 3.9 Sustainability of the projects in the sample, average score, maximum and minimum score, 5=highest, 1=lowest

	TA (n=11)			Twinning (n=8)		
	Avg	Max	Min	Avg	Max	Min
What is the probability of sustaining the outputs post-project?	3.7	5.0	3.0	3.3	5.0	2.0
Are the results institutionally embedded?	3.8	5.0	3.0	3.4	5.0	2.0
Have systems been put in place to mitigate brain-drain?	3.3	4.0	2.0	3.3	5.0	2.0
Did the project result in continued contacts between EU Twinning partner and Beneficiary?	In 1 project also a link was observed			In 4 cases a link was observed		
Will the beneficiary be able to implement the changes after the project has ended?	3.4	4.0	2.0	3.6	5.0	2.0

Altogether therefore, no significant differences could be observed in the performance of the projects in the sample between projects using the TA and the twinning instrument. Below (see section 3.6), the analysis will be refined to sectors. In addition, with only one exception under the heading ‘efficiency’, all scores are above average, indicating that generally the projects in this sample contribute to the overall accession effort in an effective and sustainable way, although there is some room for improvement.

3.3 In which areas are twinning and TA most effective as instrument?

3.3.1 Sectors

The following table is based on the portfolio analysis (‘mapping’ – annex 3) and shows in which sectors the different instruments are most commonly applied.

Table 3.10 Number of projects and share of twinning projects in the different sectors over the evaluation period

Sector and number of projects	TA	Twinning	%Twinning
01-Agriculture and Fisheries	26	24	48%
02-Internal market and economic criteria	25	14	36%
03-Environment	41	18	31%
04-Transport	36	11	23%
05-Social sector projects	65	13	17%
06-Energy	22	3	12%
07-Telecommunications	5	0	0%
08-Justice and home affairs	51	45	47%
09-Finance	42	35	45%
10-Structural Funds	4	2	33%
11-Standardisation and certification	12	2	14%
12-Other projects	16	8	33%
13-Statistics	17	6	26%

Sector and number of projects	TA	Twinning	%Twinning
Private Sector Development	23	0	0%
Cross-Border Cooperation	8	0	0%
Civil society	56	0	0%
Total projects	449	181	31%

The number of TA projects still outnumbers significantly the number of twinning interventions. In terms of amounts allocated, TA, with EUR 800.1 million, outnumbers the spending on twinning (EUR 189.1 million) more than fourfold. There are no sectors in which twinning interventions represent a majority.¹¹

There are sectors however where the number of twinning interventions is close to half of the number of interventions: ‘Agriculture and Fisheries’, ‘Justice and Home Affairs’ and ‘Finance.’ Also in ‘Internal Market and Economic Criteria’ and in the sector ‘Environment’ a sizeable share of the operations have been carried out applying the twinning instrument. This is directly related to the ‘acquis relation’ argument mentioned above: in these sectors significant efforts are needed to adjust legislation to the *acquis communautaire*. Somewhat surprising is therefore the low share of twinning interventions in the sector ‘standardisation and certification.’ Two explanations for this are given in annex 3, page 30 (‘mapping’). The categorisation (as done by the EC services) is not fully unambiguous (e.g. some twinning projects categorised under ‘internal market’ might also have been categorised as ‘standardisation’ project). Furthermore, the TA projects classified in this group are for the most part linked to specific technical subjects.

3.3.2 General opinion of beneficiaries on chance of results

There is little difference between the beneficiaries’ general opinion with regard to the ability of TA and twinning projects to give results. Whereas the scores presented above were based on the scrutiny of 21 case-studies, the following table groups the findings of the web-based survey.

Table 3.11 Beneficiaries’ opinion on whether each of the instruments provides results

	Twinning (n=53)*	TA (n=40)*
Always	23%	23%
In a majority of cases	64%	68%
Rarely	13%	10%
Never	0%	0%

*number of replies (n) differs since not all responding beneficiaries had experience with each instrument.

In addition to the beneficiaries, also the overwhelming majority of twinning provider respondents feel that twinning projects provide results: always (29 percent) or in a majority of cases (64 percent).

¹¹ The prevalence of TA would be even more visible if in the table also the smaller TA projects (below EUR 200,000), realised under different framework contracts, had been included. The ToR for this assignment however exclude this category.

3.3.3 Administrative burden imposed by twinning and TA

Twinning places a high administrative burden on the beneficiary organizations. The case of Croatia demonstrates this. Through the twinning projects the institutions have been able to develop and enter into networks with member states which will enable them to follow the *acquis*.

The relatively short pre-accession period (seven years) for Croatia necessitated a large number of interventions in several institutions. The proximity of a possible membership provided a strong motivational factor for institutions to enter into twinning contracts ('*acquis driven*'). Croatia is a front runner in the use of twinning because IPA (especially component I) programming focussed on the need to strengthen the capacity of Croatia's administration with a view to progress in accession negotiations and meeting benchmarks set under the chapters. The need to make use of the expertise of EU practitioners has therefore quite naturally developed.

The four beneficiary organisations in the sample were all involved in a pipeline of contracts (both twinning and TA) under CARDS, Phare and IPA. The respondents in Croatia reported that specifically the twinning projects requested a large input and effort from the staff. Since the same staff was involved in the implementation of most projects, the burden was especially high on them. Obviously, any intervention involves a burden, and the issue at stake is the *additional* burden created by twinning compared to e.g. TA. In Serbia, a representative from the Energy Regulatory Agency remarked, in that respect, that (quote) '*good TA is also invasive.*'

Some of the Croatian beneficiaries mentioned that on hindsight the burden might have been lessened if there had been less overlap between the twinning contracts and if the contracts had been better integrated in their organisations. In later years the beneficiaries, based on previous experiences, insisted therefore on more 'on the job' training and less workshops.

3.4 To what extent do control mechanisms for twinning and TA contracts impact their efficiency and effectiveness?

Control mechanisms in place consist mainly of scrutiny of the progress reports (TA) by CFCU or EUD (depending on whether the system has been decentralised or not), a Steering Committee (with representatives of provider, beneficiary, EUD and CFCU) and external monitoring. The EU- Result Oriented Monitoring ROM system has monitored a selection of projects under both instruments, except for Croatia.

Twinning is more difficult to control ('softer instrument'). Although the Steering Committee and the Project Leader 'control' the project, there are no real intervention mechanisms. The reason is the 'political' character of twinning, or at least the extent to which the instrument is perceived as political by the beneficiaries' side. It was generally accepted that a twinning contract cannot be halted and that, in case of disappointing results, both sides just 'had to sit the project out.'

TA is normally well controlled – the instrument allows for intervention in cases where deliverables are not forthcoming, including change of staff, financial penalties or halting

of the contract (although admittedly, halting is also for TA a very cumbersome practice). The main difference between the control mechanism of a service contract (TA) versus twinning is therefore that, even if it is difficult for the contract to be halted, financial corrections can be made for TA. Respondents in Turkey explicitly stated that this enables more ‘value for money’ (efficiency) for TA.

Control mechanisms in Bosnia and Herzegovina

TA and twinning projects here are controlled and steered by Steering Committees that bring together the EUD, the Department of European Integration and the beneficiaries. Steering Committee work can be very involved if key conditions are not fulfilled or if key beneficiaries fail to agree on project operations.

TA Projects are monitored through the usual project reports and in some cases in the framework of the UE- ROM system. If such controls lead to requests for adjustments – including the possible change of TA personnel – they have to be approved by the EU Delegation in consultation with the beneficiaries. Steering and controlling of twinning projects was found relatively difficult. Both the EUD and the Department for European Integration felt that once the work plan had been concluded very little change and fine-tuning was possible. A case in point was the energy regulator twinning light project: Although the project did not meet the expectations of the beneficiary, neither the project approach nor the project personnel were changed.

The weak point of twinning most commonly chosen by beneficiaries is the difficulty in changing the work plan (26 of 53 answers- i.e. almost half) and the lack of possibility to influence outcomes (11 out of 53 answers).

Under DIS, control is no longer exercised by the EUD but by the CFCU. Opinions of twinning providers diverged concerning the supervision of the projects, as can be observed from the following table.

Table 3.12 Experience of twinning providers with supervision exercised

	By EUD (n=65)	By CFCU (n=53)
Positive (efficient, not bureaucratic)	77%	38%
Negative (inefficient, bureaucratic)	23%	62%

If control on twinning projects cannot be improved, or if the instrument cannot be made more flexible, this should be considered an additional risk or cost in a formal or informal CBA. As a matter of fact, the lack of flexibility and control remains the main reason for the reservation which several beneficiary organisations felt or feel against twinning.

3.5 Which are the factors having an impact on effectiveness and sustainability of assistance?

Essential for success of a project is good personal relations between beneficiary organisation and experts. This is even more critical for twinning, where the RTA is permanently present. Most failures mentioned could have been avoided if the RTA had been more pro-active and flexible or more forthcoming to the (changing) demands from the side of the beneficiary organisation.

Twinning projects with an input of a New Member State (NMS), especially Slovenia, were generally very successful, for the following reasons:

- relevant and recent experience on the side of the twinning provider;
- good understanding by the twinning provider of background and environment of beneficiary organisation;
- easy communication.

The high staff turnover in many beneficiary organisations threatens sustainability. To some extent this seems to be less a problem for projects (either twinning or TA) in which procedures, manuals etc are introduced. If these which are embedded in the organisation, they may shorten the learning curve for new staff and in that way mitigate the effect of 'brain drain'.

Furthermore we distilled the following from the 53 open answers received from the beneficiaries on the survey. The main factors for success, according to this, are:

- proper selection of instrument and best possible provider;
- beneficiary organisation and provider share a common understanding of the project and have agreed a good division of responsibilities;
- twinning provider should not impose a solution;
- realistic objectives; and
- provider has understanding of background and environment of beneficiary organisation.

3.6 Are there examples of projects combining TA and twinning?

Some twinning projects have components e.g. IT, which were outsourced to TA providers. Several of the respondents indicated that the financial space for delivering TA in a twinning contract, EUR 10,000 per budget item, should be enlarged. It is felt that this provides the opportunity to link the knowledge of the twinning partner with the theoretical point of view from the private sector. This is supported by the findings of the survey, in which about 20 percent of the beneficiary survey respondents have encountered cases where twinning and TA were combined and of these, more than 75 percent thought it is useful. The twinning providers were even more positive: 29 providers participated in mixed projects and of those 24 think it is useful to have such combinations. In the case of the TA providers only three of the respondents participated in projects where TA and twinning was combined.

Particularly in Croatia and Turkey larger interventions combining both TA and twinning contracts have been implemented in several fields such as custom, taxation and statistics. Reasons provided are:

- A component of the project concerned IT development;
- TA is linked to a twinning contacts to provide additional capacity to the beneficiary organisation ('fill the gaps');
- TA is linked to a twinning contract to provide specific expertise (e.g law drafting).

Performance in terms of efficiency but also effectiveness can be a problem when the start of one of the projects is delayed. In another case the late delivery of the IT software threatened to influence the effects of a twinning project. It is difficult to verify whether, in case of delays because of co-ordination problems, it is the TA or the twinning component

which is the cause. Often late delivery of IT software is mentioned as a cause, but we could not ascertain whether this may not have been caused by a too late starting of the procurement procedure.

Some of the projects show a clear synergy by using the strengths of the respective instruments (combining acquis related expertise with more general expertise and consulting skills), as is demonstrated by the statistics project in Croatia below.

Example statistics project Croatia

This concerns an intervention which combined two twinning projects and one TA project. Because of the complexity of the various components in the start up phase attention had to be given to finding agreement about the intentions behind the three projects. The TA was leading in this process and provided a report on similarities and differences between the three projects which formed the basis for coordination of the three components. In the project tasks were divided based on the (acquis related) expertise of the three projects.

The respondents indicate that these combined interventions are more difficult to manage and request a larger effort from the beneficiary organisation and providers. The implementation of the various projects however very much benefited from the establishment of joined steering committees or in another case by the set up of a central Project Implementation Unit (PIU) for strategic issues and operational PIUs for the separate projects. Respondents mentioned that the establishment of these coordination mechanisms was not always easy but turned out to be very useful as it made management of the interventions easier.

In the interventions concerning IT development, the twinning activities included monitoring of the TA project. Particularly DG-TAXUD considered it necessary to have these parallel projects in the areas of taxation and customs to provide the beneficiary institutions with the capacity to deal with the private consultants.

The required capacity of the beneficiary organisation makes these interventions less suitable for less mature institutions, and where project management skills are generally in short supply.

In the sample of 21 case studies, two cases were encountered where a mix of TA was applied. Although this sub-sample is small and therefore not representative, we present a comparison of these in the following table.

Table 3.13 Performance of 'mixed' projects compared to TA and twinning in the sample of 21 cases studied, 5=highest, 1=lowest

	TA	Twinning	Mix
Impact	3.8	3.4	4.0
Effectiveness	4.1	3.7	3.9
Efficiency	3.7	3.7	3.3
Sustainability	3.6	3.5	3.6

The relatively low efficiency score is compatible with the findings presented in Table 3.8, indicating management problems in mixed projects.

3.7 Are different beneficiaries using different instruments to achieve the same objective? Which lessons can be learned?

3.7.1 TA used in acquis related areas

We tried to build our sample around cases in which within a similar sector different instruments were applied. Several cases were encountered in which for more complex projects in acquis-related fields TA was used, instead of twinning.

Generally, within the group of 21 cases studied, there was no significant difference in the achievement of results between TA and twinning projects, even if a TA project was acquis related. The table below shows the comparison in performance between TA and twinning projects in the same sector, as observed in the case-studies.¹² The table is only of illustrative value though given the small sub-samples (n ranges between 4 and 1).

Table 3.14 Average scores TA and twinning projects in the sample of 21 cases studied, compared per sector, 5=highest, 1=lowest

Sector	Agriculture		Statistics		Finance		Int. Market		Energy	
	TA (n=2)	Tw. (n=1)	TA (n=2)	Tw. (n=1)	TA (n=1)	Tw. (n=4)	TA (n=1)	Tw. (n=1)	TA (n=2)	Tw. (n=1)
Impact	3.5	3.3	4.3	5.0	4.0	3.3	4.0	3.5	3.5	3.0
Effectiveness	3.7	3.5	4.1	4.9	4.0	3.5	3.7	4.0	4.3	3.4
Efficiency	3.4	3.1	3.7	5.0	4.0	3.5	4.0	4.2	3.9	3.6
Sustainability	3.3	2.6	3.4	5.0	3.0	3.1	3.8	4.2	3.4	4.4

The explanation for the perceived similarity in performance between TA and twinning is most probably related to the selection of the instrument in an early stage. The fact that a number of specific criteria (see also section 2.2) should be met in order to qualify for twinning is likely to have a positive effect on performance of twinning projects. In the remaining cases TA is the best instrument. As was mentioned earlier, the distinction between what TA and what twinning can provide is not always that large. One of the beneficiary organisations reported: *it was TA but we run it as if it was a twinning project* (see also section 2.4).

3.7.2 Twinning used in non-acquis related areas

No twinning projects were observed which, according to the ‘acquis criteria’, would have logically belonged to the category of projects more suitable for TA. Reportedly, such projects exist(ed),¹³ the fact that they could not be observed may well point at an over-time improved selection procedure.

¹² Also ‘Justice and Home Affairs’ was included in the sample, but only scores on one TA project were obtained. The ‘partner’ project under twinning, although an IPA 2007 project, had not yet started.

¹³ There is a lot of ‘anecdotal’ evidence on such cases, e.g. twinning partners engaging in projects which within the EU would not belong to the public sphere, such as SME advisory services, Human Resource Development etc. Possibly this only occurred before the evaluation period, or even prior to 2004 within the now NMS.

3.7.3 Experience with twinning light

Only sixteen out of the 53 beneficiary respondents to the web-based survey had experience with twinning light. The majority of these (11) see it is an effective manner to provide services but six feel it to be only useful as a predecessor to larger interventions.

Half of the sixteen respondents see twinning light to be an alternative for TA, while a quarter thought it was an option in its own right.

Also about half of twinning providers (38) responding to the survey had experience with twinning light. About 60 percent of these considered twinning light an effective manner to provide services (22 respondents) and like the beneficiaries thought it was effective in addressing issues that take less than a year to resolve (23 respondents). Also here, a sizeable share (37 percent) sees it as only useful as a predecessor to larger interventions. Half of the respondents see twinning light as an alternative in its own right.

Twinning light was especially found to be good for tasks that are clearly defined; need a fast implementation, not dissimilar to Framework contract approach for TA.

3.8 Conclusions

3.8.1 Performance of TA and twinning

The majority of beneficiaries are of the opinion that there is no significant difference in performance of TA twinning and twinning projects. If knowledge and skills are considered of comparable weight, there is no significant difference between the appreciation of both instruments in terms of quality of the expertise provided: 53 percent and 40 percent of the respondents to the survey considered respectively knowledge and skills provided by TA to be appropriate, for twinning these percentages are respectively 60 percent and 34 percent. Although as a weak point of TA it is seen that it does not deliver 'mandatory results', overall in terms of quality of skills and knowledge provided it scores as high as twinning.

Strong points of twinning, as seen by the beneficiaries, are indeed the possibility to create lasting ties with 'counterpart institutions' in the EU, as well as the change in working culture it may bring about. TA is however seen to be easier to control and more flexible than twinning. The latter has no handles to force improvements if necessary. It is the main reason for the reservation of some beneficiary organisations against twinning. Brain drain remains a threat to sustainability, but this is the case for both instruments.

3.8.2 The case study, findings from the CBAs

Overall, performance in impact, effectiveness, efficiency and sustainability of the case study projects in the sample was above average. There was no significant difference between projects using twinning or TA. Also projects using a mix of instruments performed well, but these appear to be more difficult to control than just single twinning or TA, and therefore less efficient.

As indicated in the previous chapter, cost elements hardly play a role in the selection of an instrument. Indeed, although TA is nominally more expensive than twinning, the difference is not dramatic and efficiency differences may make TA equally cost-effective. Other criteria for the selection of an instrument, as outlined above, are of more importance than the cost difference.

3.8.3 Areas where twinning or TA is most suitable

Overall, in terms of budget and number of projects, TA as instrument still prevails in all sectors, but in some sectors, like ‘justice and home affairs’, ‘agriculture and fisheries’ and ‘finance’, twinning accounts more and more for a significant share of the accession-support. This is a logical result of the ‘acquis’ criterion in the selection of an instrument.

Essential for success of a project is a good personal relation between beneficiary organisation and experts. Twinning providers from the NMS are especially appreciated, because of their recent and relevant experience, and good understanding of the background.

Other factors for success apart from the proper selection of an instrument are (1) common understanding of the project and a good division of responsibilities; (2) refraining from imposing a solutions; (3) realistic objectives; and (4) provider should have understanding of background and environment of beneficiary organisation.

4 How can the selection process be improved?

4.1 Main conclusions

Each of the preceding chapters ends with a section on conclusions, which we do not want to repeat these here. We will just summarise briefly the most important conclusions:

- A number of practical and justifiable criteria is used for the selection: twinning is suitable for public bodies, acquis related assignments and for organisations which have sufficient capacity and awareness to handle the twinning burden. Normally, no formal CBA is part of the selection process.
- In general, over the evaluation period, these criteria have been increasingly applied, which is demonstrated by the structure of the portfolio over the countries and the years.
- Cost-differences between both instruments, although TA is nominally more expensive, do not justify an adjustment of the selection rules. These differences are overshadowed by differences in efficiency, i.e. time necessary to start operations or to adjust workplan etc, which are seen as cumbersome under twinning.
- The fact that it is generally assumed that less mature beneficiary organisations are not in a good position to absorb twinning advice, does not mean that these organisations would obtain second-rate support: TA is generally seen to be equally effective as and more efficient than twinning.
- Strong points of twinning however remain its possibility to foster relations between institutions in the EU and in the (potential) candidates, as well as a change in working culture. TA on the other hand appears to be more efficient, flexible and easier to control.
- The projects in the sample studied scored above average on impact, effectiveness, efficiency and sustainability. There was no significant difference between projects using twinning or TA, not overall and neither in the individual sectors;
- There are a number of critical factors for success, human chemistry between providers and beneficiaries being one of the most important. Others are: common understanding, good division of roles, no imposing of solutions, and good knowledge of the background by the provider. The latter also explains the success of the NMS as twinning providers;
- Just as important as the selection of an instrument is the selection of the provider. Especially the involvement of mandated bodies too far from the public administration instead of 'regular' public bodies may threaten the realisation of intangible benefits such as relations with 'sister-institutions' in the EU.

4.2 Recommendations

4.2.1 Selection of instrument

The following recommendations form the base for the blueprint for selection of twinning, TA or a combination of both instruments, which is attached as annex 4. It is well understood that the selection of the instrument is the prerogative of the beneficiary organisation. The following therefore is meant especially for these organisations, but likewise for CFCU, NIPAC and EUD, to shape their role in the dialogue. The recommendations below as well as the blueprint presented in annex 4 should be seen as a simple orientation instrument and be interpreted with due flexibility, taking each individual situation into consideration.

The commonly applied selection criteria are practical and realistic. There is no rationale to divert from them.

Twinning is only suitable for *acquis* related assignments in *acquis* related beneficiary organisations, that have sufficient capacity to absorb twinning. In all other assignments TA may be more effective and efficient.

These criteria may be made however more specific, especially the ‘maturity’ issue. This could be further specified, so as to avoid subjectivity, i.e:

1. Is the beneficiary organisation already legally established?
2. Has the role and mandate of the beneficiary organisation clearly been laid down through act(s) of law?
3. Has the beneficiary organisation (either with or without external support) already made a decision on the manner in which it intends to realise the (part of the) *acquis* which is subject of the assignment?
4. Is there sufficient political and/or public support for the above?
5. Is *management* (not the political level, political change is inevitable in a democracy) of the beneficiary organisation stable, and not likely to change soon and/or frequently (e.g. under influence of elections)?
6. Does the organisation avail of sufficient capacity to handle the ‘burden of twinning?’
 - a. sufficient staff, able to communicate with the twinning experts;
 - b. sufficient and appropriate office accommodation;
 - c. IT capacity;
 - d. relevant management is willing and able to spare time for the twinning, i.e. participation in trainings, discussions etc.

It is not likely that in many potential beneficiary organisations all of the above criteria will be met. In the blueprint a distinction will be made between critical conditions (point 1, 3 and 6) and preferable criteria (point 2, 4 and 5). If a majority, or the most critical, are not met, this should be a reason to opt for TA (or abandon the project, if the risks are too large).

In addition, it should be ascertained whether a single-objective project, because of its ‘direct’ nature, even if it is *acquis* related, is not more suitable for TA, for reasons of efficiency (including a sooner realisation of results). This relates e.g. to (feasibility)

studies, production of manuals, organisational advice etc. A simple but practical guideline here could be to verify whether the assignment is possibly of the type that even in the EU or in a number of EU member state would have been outsourced to private providers.

It should be understood that also TA providers can have access to public administration expertise, can arrange study visits etc. They are often better placed also to show a range of options in different member states, in cases where the beneficiary organisation has not yet made a decision on the manner in which it intends to realise the acquis.

Normally costs should not be a reason to select twinning, if other conditions are not met. The slow start-up of the twinning activities actually represents a cost-element which may play a role in the instrument selection process, if early outcomes are desired.

The intangible benefit of a lasting relation with a member state is important. Nevertheless, this should not be a reason for ‘forcing’ twinning projects if the beneficiary organisation or the project does not meet the requirements for successful twinning. Unofficial targets or aims like ‘annually increasing the number of twinning projects’ or ‘spreading the twinning effort over more EU member states’ have the risk that they may dilute the most important objective. This objective should remain a contribution to the EU-accession potential of the candidate, through strengthening the relevant beneficiary organisations in that field.

4.2.2 Selection of provider

Several respondents felt that twinning bids contain insufficient information on the approach. On the other hand, TA proposals are only assessed ‘on paper’ and no (or rarely a) possibility is foreseen to meet the experts beforehand:

- A more detailed proposal including a preliminary workplan, as customary in TA proposals, might make also under twinning the selection less dependent on the one presentation, similar to to the twinning light methodology. This would help assessing what services actually are offered. Such a work plan could shorten selection and contract procedures, and pay itself back in a shorter time necessary for the covenant;
- A personal presentation, as done in the selection of a twinning provider, may also facilitate the proper selection of a TA provider. This was earlier and/or in other EC DGs already customary.

Obviously, the (pre-) selected potential twinning provider(s) should have relevant and practical knowledge on the manner in which the beneficiary organisation is intending to implement the acquis.

Beneficiary organisations participating in twinning (or TA) selection meetings should be aware that this is a snapshot observation. In the ultimate selection one should correct for impressive but ultimately not essential issues such as the ease of presentation, command of English¹⁴ etc. More important is knowledge of the field-of-expertise, commitment to this etc. When selecting a provider, it should be remembered that (especially in twinning)

¹⁴ Of course, mastering English is important, but not necessary the ‘King’s English.’

human chemistry between beneficiary organisation and provider is one of the most (spontaneously) mentioned reasons for success or failure.

Also when selecting between twinning providers, care should be taken that intangible benefits will be likely to be realised. Especially with mandated bodies it should be ascertained that:

- they are really part of the public administration in their own country, or as a semi-public organisation perform a public task, delegated by the Administration;
- that they have not only ensured availability of an RTA and experts from the public administration for the sake of this project, but that they are also able to secure access to relevant public bodies in their own country after the project has ended, and that they can fall back on relevant expertise during implementation if changes in project implementation would so demand.

Mandated bodies which do not answer above mentioned criteria have little value added over TA providers. Mandated bodies also often compete with TA providers in commercial procurement procedures. If no other providers can be found than a mandated body which does *not* answer above criteria, it might be good to invite more competition and consider a TA procedure.

If TA is the preferred option, for reasons related to the criteria mentioned in the section above, it should be ascertained that the potential provider has the relevant (practical!) experience.

4.2.3 Preparation and implementation

It is clear that there is room for improvement in steering and control of twinning projects. Also more attention should be given in twinning to flexibility (admittedly, much progress has been made already). A standard format for periodical progress reports, to be endorsed by both the beneficiary organisation, the RTA and the project leader in the EU member state, as well as by EUD and/or CFCU, might be helpful here. Adjusting the workplan and even the expert team should not be a bureaucratic problem if all parties feel that reasons for this are convincing.

Likewise preparation time of twinning projects should be shortened. The twinning manual should be stricter here, underline the importance of a timely delivery of covenant and work plan and strengthen the position of the beneficiary in demanding efficiency and timeliness from the side of the twinning partner.

Several respondents from among the twinning community (ex-RTAs, project leaders, staff of NCPs) remarked that the one and a half day training organised by DG-ELARG is very useful but is insufficient. A longer training might include also attention for the human chemistry factors which appeared to be so crucial for success. Likewise, issues like the importance of pro-activeness of RTAs and flexibility on their side, when projects appear to end in a dead-lock, might be highlighted. These issues might also be included in new versions of the twinning manual.

Annex 1 Terms of Reference

TERMS OF REFERENCE

EVALUATION OF TWINNING VERSUS TECHNICAL ASSISTANCE

**DG ELARG
OPERATIONAL AUDIT & EVALUATION UNIT**

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1. INTRODUCTION

1.1 Context and background

Along with political and economic criteria, ability to adopt and implement the *acquis communautaire* is one of the Copenhagen criteria for accession to the EU. In particular, candidate countries need to strengthen their institutional capacity in order to be able to transpose and implement the *acquis communautaire* upon accession to the EU.

The Twinning programme is one of the principal institution building tools of accession assistance, which aims to help beneficiary countries in the development of modern and efficient administrations, with the structures, human resources and management skills needed to meet the above objectives. Twinning is therefore an essential tool which pulls together specialists from Member States and beneficiary countries' administration in order to strengthen beneficiaries' administrations and to develop the necessary regulatory changes which should help to achieve the required level of institutional capacity.

While Twinning remains the main tool to support the institutional and administrative capacity of beneficiary countries, in certain areas, this aim can also be pursued through the provision of technical assistance (TA). Typically, TA projects entail the one-way delivery of expertise and know-how by consultants who have been identified and selected by means of a commercial tendering process.

In this context, the Commission, DG ELARG, plans to carry out a cost-benefit analysis of Twinning and TA in order to compare the results achieved by both instruments, provide lessons learned and recommendations to streamline and strengthen future programming of EU assistance to Western Balkan countries and Turkey and to support decision-makers in the choice of the most suitable/appropriate tools for its efficient, effective and sustainable implementation.

1.2 Type of evaluation and legal base

The legal basis for the evaluation of the programmes is stated in the Financial Regulation (Council Regulation No 1605/2002), and Article 21 of the Implementing rules which states that all "proposals for programmes or activities occasioning budget expenditure shall be subject of an ex ante evaluation". Furthermore, Article 21 specifies that all programmes where the resources mobilized exceed EUR 5 million shall be the subject of an interim and/or ex post evaluation.

This comparative assessment of the TA and Twinning tools for the implementation of EU financial assistance is a *prospective* evaluation, which in addition to accounting for the results achieved by the different instruments, should also provide operational recommendations to assist final beneficiaries and Commission services (namely operational managers in Delegations and in DG ELARG Geographical Units) on the design, programming and implementation of Twinning and TA assistance.

Based on existing evaluation reports, the evaluator will also provide comparisons and examples of experiences and good practices stemming from former and current candidates and potential candidates, on the one hand, and from member states on the other.

2. OBJECTIVES

3.1 Purpose and objectives

The first objective of this evaluation is to assess the contribution of the Twinning and technical assistance (TA) tools to the overall accession process in the Western Balkan countries and Turkey, in particular through a comparative analysis (i.e. based on a number of key sectors) of the relative advantage and underlying considerations justifying the choice of different instruments (Twinning or TA) for the implementation of financial assistance in these countries. The second objective is to provide lessons learned and guidance for the programming and planning of future assistance, including through the development of cost-benefit assessment templates to help decision-makers estimate in which cases Twinning or TA ought to be used.

Lessons learned and examples of good practices included in the report should be translated into constructive and feasible **recommendations** targeted to the current assistance schemes under IPA with a view to improving their management and addressing any deficiencies or problems identified.

3.2 Stakeholders

A number of stakeholders are directly concerned by the evaluation. Within DG ELARG the stakeholders are the Institution Building Unit (D4), the country teams in ELARG Directorates B and C, and the EC Delegations in the countries concerned.

In beneficiary countries' administrations, stakeholders are the Line Ministries and agencies involved (both in deconcentrated and decentralised countries) in the management and implementation of Twinning and Technical Assistance, as well as the national authorities with horizontal tasks, namely, NIPAC offices, the National Authorising Officers and Central Finance and Contracts Units¹⁵.

3. SCOPE AND PLANNED OUTPUTS

3.1 Scope

This evaluation will cover the following type of assistance:

- Twinning (standard and light)¹⁶
- Technical Assistance (provided through contracts whose commercial value is above 200.000 EUR concluded by means of restricted international tender procedures)

The evaluation will cover assistance provided under the following instruments and periods:

- IPA 2007/2008
- PHARE 2005/2006
- CARDS 2005/2006

¹⁵ For further information on management and control systems in place in IPA beneficiary countries, see Commission Regulation (EC) n. 718/2007 of 12/06/2007 (IPA implementing regulation). OJ of 26 June 2007, L 170/1.

¹⁶ All references to Twinning elsewhere in the text relate to both standard and light "versions" of this implementing tool.

- Turkey pre-accession assistance instrument 2005/2006

The evaluation will cover assistance provided to the following beneficiaries:

- Western Balkans,
- Turkey.

The evaluator should look at the instrument (Twinning/Technical Assistance) used in the different countries, analyse in which cases one instrument is preferred to the other and the reasons behind the choice. The evaluator will assist DG ENLARG in developing a blueprint for the cost-benefit assessment of Twinning projects vs. Technical Assistance projects. This blueprint should support operational managers in assessing which instrument should be preferred and in which cases. This will require, among others, taking into consideration the differences in deliverables and expected results between the two instruments.

In order to facilitate a cross-country comparison for the region as whole, which will be one of the main expected outcomes of this evaluation, the evaluator will need to identify and focus on certain key sectors of financial assistance.

3.2 Outputs

(1) The main output of the evaluation will be **a report including:**

- a **cost-benefit analysis of Twinning versus Technical Assistance** with findings, conclusions and recommendations providing operational managers in EC Delegations and beneficiary countries' administrations with guidance for a balanced assessment of the implementation modalities most suited to their assistance needs;
- a mapping of the assistance implementation tools (TW/TA) and their use in a number of key sectors in the countries concerned by this evaluation. The choice of sectors should be such as to facilitate a cross-country analysis, with particular regard to the rationale (political readiness, sectoral maturity, comparative advantages, etc.) behind the preference for Twinning instead of TA and vice versa;
- a proposal for an assessment template to be used by key stakeholders when considering the most efficient and suitable instrument for assistance.

(2) Presentation and discussion of the final report in Brussels. One or two presentations in beneficiary countries may also be requested.

The procedure for preparing the report should be a participatory process with the active participation of the stakeholders directly involved in the management and implementation of the programmes being evaluated.

The layout and the indicative content and length of the report will be discussed and agreed upon with the Reference Group (see section 6) during the inception phase.

4. METHODOLOGY

4.1 Evaluation guidelines

DG ELARG Evaluation guide (attached) and DG Budget's guide "Evaluating EU activities – a practical guide for the Commission Services" provide guidance on good practices concerning conducting an evaluation¹⁷.

Nevertheless, since this specific assignment focus on cost-benefit analysis, the evaluator will specify the cost-benefit methodology they intent to apply.

4.2 Focus and use of indicators

As a general principle, the evaluator will carry out his assignment in accordance with the five OECD DAC criteria for evaluating development assistance. Specifically, the contractor will assess results achieved, identify constraints and highlight opportunities for future financial assistance according to its relevance, efficiency, effectiveness, (likely) impact and sustainability.

As far as possible, the Evaluator will carry out the above assessment based on measuring achievements against indicators set up in programming or sectoral documents. Evaluators will have to have regard to whether and why sampled projects did or did not achieve their objectives. However, the primary purpose of this evaluation is not to report on the results at project level but to focus on the specific tools (Twinning or Technical Assistance) used for achieving the results and subsequently to set up a general framework for the cost-benefit assessment of these tools. In carrying out the assignment the evaluator may be confronted with the fact that adequate programme/sectoral level objectives and impact indicators cannot always be quantified and/or are not available. These limitations will be reported by the evaluator who will also provide recommendations for improvement, including proposing new/improved indicators for assessment and, where applicable, will incorporate these indicators to carry out the evaluation.

4.3 Sources of information

Sources of information to be used by the Evaluators include:

- Planning and programming/sectoral documentation together with other strategic documents;
- Project fiches;
- Monitoring reports;
- Previous relevant Interim and Ex-post evaluation reports;¹⁸
- Available publications, surveys and reviews;
- Interviews and other survey methods;
- Any other source of information the evaluators consider relevant.

¹⁷ DG Budget evaluation guide is available at: http://ec.europa.eu/budget/documents/evaluation_en.htm?go=t8#table-8

¹⁸ Available at [ELARG's website](http://ec.europa.eu/enlargement/financial_assistance/phare/evaluation/interim_en.htm)
http://ec.europa.eu/enlargement/financial_assistance/phare/evaluation/interim_en.htm.

4.4 Overall approach, judgement criteria, presentation of findings, conclusions and recommendations

The evaluator will formulate findings, draw conclusions and submit recommendations following a logical cause-effect linkage and, where appropriate, explain risks associated. When formulating findings and drawing conclusions, the evaluator should present the factual information collected, the reasoned assessment of this information (judgement criteria) and how this lead to the key findings. The evaluator should ensure that conclusions are coherently and logically linked to evaluation findings through sound judgement criteria.

Recommendations should stem logically from conclusions and clearly address the weaknesses identified and reported. They should be as realistic, operational and pragmatic as possible. In particular, they should effectively support decision making by indicating what measures should be undertaken and who should be responsible for their implementation.

The tenderers shall propose a detailed methodological approach for this evaluation taking into consideration the objectives, evaluation questions, expected outcomes and quality control requirements. The tenderers are also expected to elaborate on the definition of suitable judgement criteria in their technical proposals.

5. REFERENCE GROUP

A Reference Group is set up for this evaluation and will have the following main responsibilities:

- Providing the consultant with all available information and documentation about the object of the evaluation;
- Assisting the evaluation manager (DG ELARG E4, Operational Audit & Evaluation Unit) on the evaluation activities;
- Providing a judgment on the quality of the work of the consultant;

The reference group will include representatives from DG ELARG, namely Operational Audit and Evaluation Unit (E4), Institution Building Unit (D4) and Geographical Units. Twinning coordinators at ECDs may also be invited as members and/or observers.

6. QUALITY CONTROL AND DISTRIBUTION OF THE REPORT

6.1 Internal Quality control

The Evaluator should ensure an internal quality control during the implementing and reporting phase of the evaluation. The quality control should ensure that the draft report complies with the above methodology requirements and meets adequate quality standards before sending it to stakeholders for comments. The quality control should ensure consistency and coherence between findings, conclusions and recommendations. It should also ensure that findings reported are duly substantiated and supported by relevant judgement criteria.

6.2 Quality control by DG ELARG and the Reference Group

The evaluation report shall undergo two external reviews: the first draft shall be **reviewed in parallel by all stakeholders involved**, more particularly by the implementing agencies/line ministries in beneficiary countries, EC Delegations and relevant country and horizontal units at DG ELARG, including the Country Teams in Directorate B and C, the Institution Building Unit (D4) and the Operational Audit & Evaluation Unit (E4).

The final (second) draft shall be reviewed by the Reference Group which will assess the comments made by the different stakeholders and how the Evaluator has handled these comments. Once this process is completed, the Operational Audit & Evaluation Unit endorses the final version of the report for distribution to stakeholders and later presentation by the Evaluator. Usually report distribution is done by electronic means.

The views expressed in the evaluation report will be those of the Evaluator and will not necessarily reflect those of the Commission. Therefore, a standard disclaimer will be included in the report.

The approved final report will be subject to a quality assessment by the Operational Audit & Evaluation unit of DG ELARG. The assessment will be based on the quality assessment grid issued by DG BUDGET in 2006 (see footnote¹⁹). The Evaluator should from the outset familiarise himself with the quality assessment criteria that will be applied.

7. EVALUATION QUESTIONS

The evaluation will focus on the following questions:

- Is the selection of TW/TA supported by adequate cost-benefit analysis?
- Are assessments realistic and reflect actual implementations?
- Are the non-tangible benefits of Twinning adequately identified and assessed?
- Are different beneficiaries using different instrument to achieve the same objective? Which lessons can be learned?
- Which are the areas where TW/TA is the most efficient/effective? To what extent control mechanisms in place for TW/TA contracts impact their efficiency and effectiveness and must be reflected in the cost benefit analysis?
- Which are the factors having an impact on effectiveness and sustainability of assistance?
- Are there examples of projects combining TW and TA? Which are the synergies? Under which circumstances do these type projects work?

The evaluation questions may be further defined during the implementation phase. The report should specifically answer each of the evaluation questions. The tenderers should provide explanations on the methodology and tools to be applied to answer the above questions. The tenderers are also invited to propose evaluation sub-questions in their technical offers.

¹⁹ http://ec.europa.eu/budget/library/documents/evaluation/guides/quality_asses_form_en.pdf

7. ASSUMPTIONS AND RISKS

Risks and assumptions cannot be listed exhaustively. It is assumed that services within both the Commission and the implementing authorities of the beneficiary countries accept evaluation as an integral part of the project management cycle and are committed to provide the necessary information, and will subsequently act on recommendations and findings, as well as ensure the necessary follow-up. The following are additional relevant assumptions for this evaluation:

- Monitoring data by the beneficiary is available on time and provide sufficient and adequate information;
- Access to requested documentation and information on the programmes, to be ensured by the Commission and the beneficiaries;
- Staff of EC Delegation, beneficiaries and implementing parties is regularly informed on objectives and methods of this evaluation, so as to cooperate fully.

The evaluator should immediately inform DG ELARG E4 in the event one or several of the above assumptions prove to be untrue.

9. LOGISTICS AND TIMING

9.1 Location

The field work for this evaluation will be conducted in the Western Balkans, Turkey and Brussels. A kick-off meeting with stakeholders is foreseen to take place in Brussels previous to main field work.

Meetings and interviews in Brussels are also expected, in particular meetings with DG ELARG Operational Audit and Evaluation Unit and other stakeholders in DG ELARG.

9.2 Commencement date and period of execution

The contract is expected to commence in November 2009 for a maximum duration of 12 months.

9.3 Timetable

All evaluation activities will have to be concluded in good time to allow for the finalisation of the report by mid July 2010.

The indicative timetable is as follows:

Field Work (Brussels):	January 2010
Kick-off meeting (Brussels):	Mid January
inception report:	Mid February
Field Work (beneficiary countries):	March/April/May
Draft Report:	End June
Comments on Draft Report:	Mid July
Final Report:	August 2010

10. REQUIREMENTS

10.1 Personnel

The personnel required for this assignment will include: a Project Director (Category I) and an evaluation team. The Project Director will have the ultimate responsibility for the whole evaluation, including: timely delivery of the outputs of this evaluation and quality control of draft and final reports.

The evaluation team should include a Team Leader (Category II or above) and any combination of experts belonging to the categories below:

- Senior team members (category II);
- Junior team members (category III)

For each category, the experts must have the qualifications and experience as set out in Section 8.2 of the general Terms of Reference for DG Budget Framework Contract on Evaluation.

The minimum qualifications of the Project Director include:

- A graduate/post-graduate degree;
- Excellent oral and writing skills in English;
- A minimum of 15 years post degree relevant professional experience, of which at least 7 years in an international environment;
- The above experience should also include a minimum of 7 years experience on management responsibilities, including quality control of reports.

The evaluation team as a whole should have:

- Relevant professional experience in cost-benefit analysis and evaluation. Other related areas where professional experience is relevant include: project cycle management, academic research, sound financial management audit and/or monitoring;
- At least one team member should have relevant professional experience (minimum 5 years) in cost-benefit analysis and/or evaluation of EU pre-accession assistance;
- At least one team member should have relevant professional experience (minimum 5 years) in cost-benefit analysis.
- At least one team member should have relevant professional experience (minimum 5 years) in cost-benefit analysis, evaluation, project management and/or monitoring of Twinning.
- At least one team member should have relevant professional experience in cost-benefit analysis, evaluation, project management and/or monitoring of Technical assistance for Institution Building.
- The Team Leader should have a minimum of 5 years experience in team leadership and drafting reports;
- Graduate/post-graduate degree (all members of the team);
- Excellent oral and writing skills in English (all members of the team);

The CVs for the project Director and all team members must be attached to the tender bid. A brief introduction, possibly in the form of a table, will summarize how the proposed team responds to the above requirements.

In their technical proposal, the tenderers will provide an estimation of total staff resources to be dedicated to this evaluation, clearly separating desk and field work and indicating the man/days for the Project Director and the Team Leader.

The tenderers should provide an explanation of how the staff allocation and team composition will ensure the quality and timely delivery of the outputs of this evaluation. The tenderers should also explain how the team as a whole ensures the necessary qualifications, skills and professional experience to successfully undertake this evaluation

Please observe that the experts carrying out the evaluation shall have no involvement with the projects and institutions involved in this exercise. More specifically, the experts must fulfil the following criteria:

- 1) No previous involvement in planning and implementing the programmes which will be evaluated during this exercise;
- 2) During the implementation of this assignment no involvement in any projects (from EU or other sources) under the responsibility of the beneficiary institutions involved in this evaluation

10.2 Budget

The maximum total budget for this contract is €200 000. The price for the specific contract shall be presented as a lump-sum on the basis of the expert prices and fixed travel and subsistence costs established according to the price schedule. Fees and the number of working days must be specified in the offer. No separate reimbursable expenses will be accepted.

10.3 Tender procedure

The evaluation will be tendered according to DG Budget's (General Secretariat as of 2009) arrangements for using its framework contract for procurement of evaluation and evaluation-related activities. The award criteria are provided in Annex 1.

10.4 Other requirements

No equipment is to be purchased on behalf of the Contracting Authority / beneficiary country as part of this service contract or transferred to the Contracting Authority / beneficiary country at the end of this contract.

ANNEX 1: AWARD CRITERIA

Quality criteria

QC.1, max 25 points: Understanding of the services and general approach to the work to be performed, including understanding of the stabilisation and association process in the Western Balkans and the rationale of the assistance programmes in Turkey. The contractor is expected to demonstrate an understanding of the intervention logic of Twinning assistance and to present it in a clear and concise manner.

QC.2, max 50 points: Proposed methodology and tools. The rationale of the programmes, cause-effect relations, policy context, and stakeholders' interests should be considered in the design of the evaluation. The tenderers shall propose a clear concise methodological approach taking into consideration the objectives, evaluation questions, expected outcomes and quality control requirements. This will include the explanation of how the combined skills, experience and qualifications of the Project Director and the evaluation team will ensure the successful implementation of this methodology. The tenderers are also expected to elaborate on the evaluation questions and the definition of suitable judgement criteria in their technical proposals.

QC.3, max 25 points: Approach proposed for the management of the work. The tenderers will explain how the proposed allocation of staff resources will ensure timely delivery of outputs and quality requirements for this evaluation. A contingency plan in case of unavailability of proposed experts should also be provided.

Tenders which do not obtain at least 50% of the maximum score for each award criterion and at least 60% of the overall score for all criteria, will not be admitted to the next stage of the evaluation procedure.

Financial criteria

Each offer will be assessed in terms of the total price for the proposal on the basis of the specific unit prices set in the Framework Contract, broken down by categories of experts and travel and mission expenses.

Contract award

The contract will be awarded to the most economically advantageous tender. This will be determined on the basis of the price and the quality of the tender, by applying the following formula:

$(\text{Quality/Price}) * 1000$

Annex 2 The Evaluation Framework

Evaluation questions	Judgment criteria	Indicators	Sources of information
Is the selection done appropriately?			
Is the selection of twinning/TA supported by adequate (cost-benefit) analysis?	<ul style="list-style-type: none"> Was (CB) Analysis performed for selection delivery instrument; Were effects and costs of the projects assessed under the different modalities? does CBA result in an unambiguous advice on the instrument to be applied? Is the ultimate selection logically based on the outcome of the CBA? What were the considerations / criteria for the selection of twinning/TA (efficiency? Sustainability? Impact?); Is knowledge likely to be in house in EU public offices respectively in TA providers? Is the beneficiary properly situated to make an appropriate and independent selection? Can factors be identified which hamper or strengthen an appropriate selection process? 	<ul style="list-style-type: none"> Presence of analysis underlying the selection (CBA); Completeness of the analysis; Adequacy and transparency of CBA; Consistency of ultimate selection with outcomes study; Transparency of selection process. 	Country visits / interviews
Are assessments realistic and reflect actual implementation practice?	<ul style="list-style-type: none"> Adequacy of assessments in view of the expected achievements of programme results as compared to implementation practice; Have lessons from other projects and beneficiaries been taking into account (lessons learned)? 	<ul style="list-style-type: none"> Completeness of the analysis; Adequacy and transparency of CBA. 	Project documentation/ Country visits/ interviews/ e-survey
Are the non-tangible benefits of twinning adequately identified and assessed?	<ul style="list-style-type: none"> The extent to which the non-tangible benefits are identified and relevant; Has the advantage of a lasting relationship with an EU ministry or authority been considered? 	<ul style="list-style-type: none"> Completeness of the analysis; Adequacy and transparency of CBA. 	Project documentation Country visits/interviews
How efficient is the selection process?	<ul style="list-style-type: none"> How large was the group of potential providers from which the ultimate TA-provider or twinning partner could be selected (i.e. number of TA-proposals, number of potential twinning providers proposed by the Contact Points)? Was the supply of alternatives sufficient to select an appropriate 	<ul style="list-style-type: none"> Time between start of selection and start of the assignment; Staff involvement (from potential providers, EC and beneficiary) in the selection. 	

Evaluation questions	Judgment criteria	Indicators	Sources of information
	provider? <ul style="list-style-type: none"> • What was the quality of the proposals presented to the selection committee? • (for twinning) Were the contact points co-operative and provided all required information? • What was the time-span between the decision on the instrument and the actual start of the co-operation with the provider? • Generally, do you consider the process of the selection of the ultimate provider efficient? • General opinion of respondents on selection mechanism: is it or is it not appropriate? 		
Does selected instrument enable effective and efficient project implementation and sustainability?			
Which are the areas where twinning/TA is the most efficient / effective?	<ul style="list-style-type: none"> • Extent of achievements of objectives; • Relevance of transferred knowledge; • Can (non-)achievement be attributed to specifics of TA or twinning? 	Outcomes of the Cost-Effectiveness Analysis Tool	Project documentation Country visits / interviews/ e-survey
To what extent do control mechanisms in place for twinning/TA contracts impact their efficiency and effectiveness and must be reflected in the cost benefit analysis?	<ul style="list-style-type: none"> • Adequate steering mechanisms in place for Twinning/TA contracts; • Quality of project documents adequate; • TA or twinning input been optimally utilized (no delays, in- and outputs as agreed); • Inputs delivered at adequate costs (incl. administrative burden for BS); • Steering mechanisms appropriately employed. 	Outcomes of the Cost-Effectiveness Analysis Tool	Project documentation Country visits / interviews/ e-survey
Which are the factors having an impact on effectiveness and sustainability of assistance?	<ul style="list-style-type: none"> • Probability of sustaining (after withdrawal of external support) the outputs? • Results institutionally embedded; • Presence of structure in beneficiary (staff) capable of effectively absorbing the knowledge transferred; 	Outcomes of the Cost-Effectiveness Analysis Tool	Project documentation Country visits/interviews/ e-survey

Evaluation questions	Judgment criteria	Indicators	Sources of information
	<ul style="list-style-type: none"> • Acceptable level of turnover of staff in beneficiary organization (limited brain-drain); • Permanent contacts in place between member state twinning provider(s) and beneficiary; • Extent to which effects can be related to the instrument selected; • Can other factors be identified which influence effectiveness and sustainability? • Can or cannot these factors be mitigated, i.e. by existing or possibly new steering instruments? 		
<p>Are there examples of projects combining TA and twinning?</p>	<ul style="list-style-type: none"> • How do these projects perform in terms of efficiency, effectiveness and sustainability? • Clear synergies between deployment of TA and twinning? • Are there additional administrative costs, burdens (mgt of two instruments)? • Are these cases replicable, if yes, under what conditions? 	<ul style="list-style-type: none"> • Difference in the performance in terms of effectiveness and efficiency compared to 'mono-instrument' projects. 	<p>Project documentation Country visits/interviews/ e-survey</p>
<p>Are different beneficiaries using different instruments to achieve the same objective? Which lessons can be learned?</p>	<ul style="list-style-type: none"> • Adequate use of TA/twinning instruments with regard to the importance and nature of the project. 	<ul style="list-style-type: none"> • Difference in the performance in terms of effectiveness and efficiency between projects; • Presence valid reasons for selection of different instruments for similar projects. 	<p>Project documentation Country visits/interviews</p>

Annex 3 Results of the mapping exercise

The Project Portfolio

General comments on portfolio

The EU has supported the accession efforts of Western Balkan countries and Turkey through numerous twinning and TA projects. Our study focuses on the projects funded through the 2005-2008 assistance programmes, namely PHARE 2005, CARDS 2005 and 2006, and IPA 2007 and 2008. The table overleaf summarizes the number of projects by type and sector financed from these programmes in the countries included in this study.

The table reflects the information that could be gathered with support from the EC central services, the EUDs in the countries concerned and from the Internet. Whereas complete information about the twinning projects was relatively easy to obtain (and double check), this was not the case for the TA projects. The scope of the evaluation was limited to service contracts and separating supply and service parts of combined interventions was at times tedious. Furthermore, complete and detailed information about TA projects was not readily available (project sheets were transferred only on some of the reported TA projects). Nonetheless, we are confident that most of the data has been captured in a sufficiently accurate manner as to allow for a generally solid analysis.

Not all projects for IPA 2008 have already been contracted whereas, logically, the data for the year 2008 only relate to the projects that have already been contracted. There is therefore a certain negative bias for the last year of the evaluation period.

The table groups both TA and twinning projects in 16 various categories or sectors. The first 13 categories coincide with the EC classification used for twinning projects. The last three categories have been added by the evaluation team to group TA projects that did not fit in the mentioned 13 categories. These projects are analysed together with the aforementioned category of twinning projects. The twinning projects have been included in the category that was assigned to them in the EC system, even if in certain instances it could be argued that they fit in another category as well. The TA projects have been assigned to various categories by the evaluation team, who followed the logic of twinning assignments and checked that no major incoherence occurred between the classification of twinning and TA projects (i.e. that all projects linked to a topic, for example custom modernization, were grouped in the same category).

Table A.3.15 Number of TA and twinning projects over sectors and countries

Country/ Sector	Albania		BiH		Croatia		FYROM		Kosovo *		Montenegro		Serbia		Turkey		Total		
	TA	TW	TA	TW	TA	TW	TA	TW	TA	TW	TA	TW	TA	TW	TA	TW	TA	TW	Final
01-Agriculture and Fisheries	3	0	4	1	3	7	4	0	4	2	2	1	2	6	4	7	26	24	50
02-Internal market & Economic criteria	1	2	4	1	2	9	3	0	3	0	3	0	5	0	4	2	25	14	39
03-Environment	3	0	4	0	4	3	5	2	1	0	1	1	8	5	15	7	41	18	59
04-Transport	8	1	8	3	4	3	2	0	1	1	1	0	11	2	1	1	36	11	47
05-Social sector projects	5	0	12	0	3	4	5	2	5	1	3	0	12	3	20	3	65	13	78
06-Energy	0	0	3	0	0	1	1	1	6	0	2	0	8	0	2	1	22	3	25
07-Telecommunications	0	0	1	0	1	0	1	0	0	0	0	0	1	0	1	0	5	0	5
08-Justice and home affairs	1	1	3	5	7	11	10	2	3	4	0	3	8	4	19	15	51	45	96
09-Finance	2	4	3	2	10	15	11	1	6	1	3	2	1	3	6	7	42	35	77
10-Structural Funds	0	0	0	0	1	2	3	0	0	0	0	0	0	0	0	0	4	2	6
11-Standardisation and certification	2	1	3	0	2	0	1	0	0	0	0	0	1	0	3	1	12	2	14
12-Other projects	1	0	2	3	2	2	2	0	2	1	0	0	6	2	1	0	16	8	24
13-Statistics	3	0	1	1	2	3	2	1	1	0	1	0	3	0	4	1	17	6	23
CBC	0	n/a	2	n/a	0	n/a	0	n/a	0	n/a	0	n/a	1	n/a	5	n/a	8	n/a	8
Government and Civil society	2	n/a	6	n/a	1	n/a	12	n/a	7	n/a	1	n/a	9	n/a	18	n/a	56	n/a	56
PSD	1	n/a	5	n/a	2	n/a	5	n/a	2	n/a	1	n/a	2	n/a	5	n/a	23	n/a	23
Total projects	32	9	61	16	44	60	67	9	41	10	18	7	78	25	108	45	449	181	630
Total Assistance (Million EUR)	35.13	11.24	66.01	13.48	61.21	39.04	120.6	8.31	67.89	18.00	16.53	9.00	152.8	34.85	408.5	55.23	928.7	189.1	11,178

* (under UNSCR 1244/99).

Already at first glance it can be noticed that the number of projects in some countries is by far larger than in others. This comes as no surprise, seen that the countries widely vary in size, administrative capacity and history of relationships with the EU. The graphs below illustrate the distribution of twinning and TA support over the eight studied countries, first in terms of number of projects, then in terms of funds allocated.

Figure A.3.2 Twinning projects per country

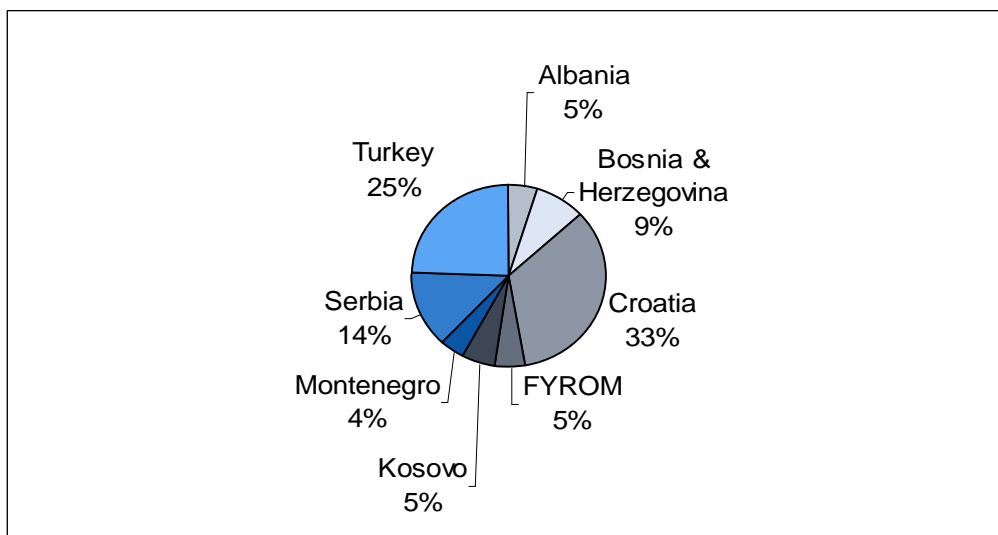
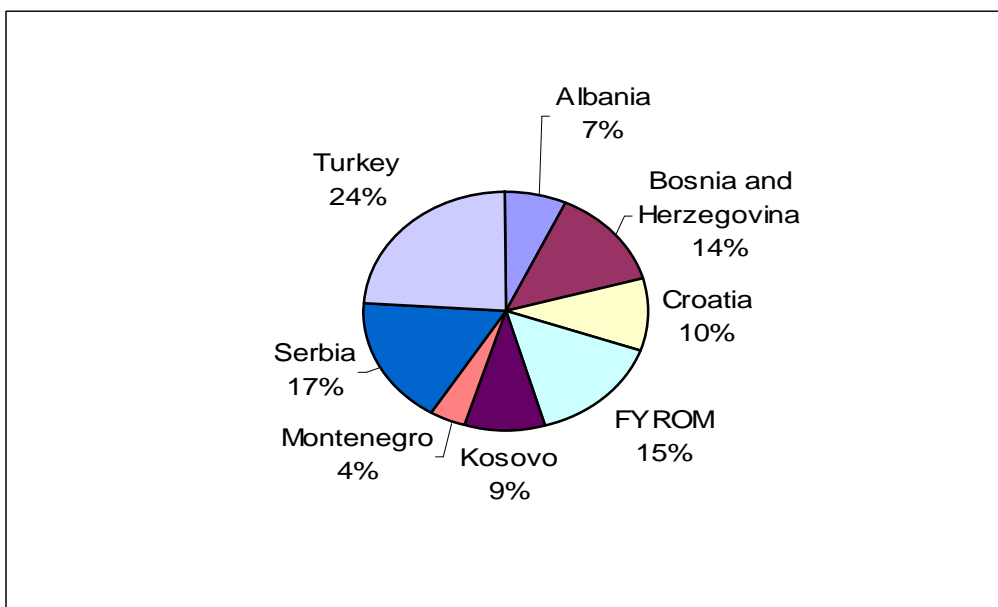


Figure A.3.3 TA projects per country



Although the total number of TA projects is almost threefold the number of twinning projects over the period, the distribution of both of TA and twinning projects over the countries is similar (i.e. around 25 percent of both TA and twinning projects were carried out in Turkey, about 15 percent in Serbia etc.). Only Croatia stands out, accounting for 33 percent of the total of twinning projects and only 10 percent of TA projects. The proportion link is less evident when it comes to the size of support measured in funds. We notice from the two figures below that while Turkey mobilizes 29 percent of all twinning

funds it accounts for some 44 percent of all TA funds disbursed in the region. On the contrary, Croatia mobilizes 21 percent of the twinning funds available for the region, but only seven percent of the TA funds.

When comparing the number of projects in each instrument with the funds made available, we also get a sense of the average project size. For twinning projects, the proportion of projects and the proportion of funds implemented in a country are quite similar. For implementing 14 percent of twinning projects, Serbia mobilizes 18 percent of twinning funds; for five percent of projects, the Former Yugoslav Republic of Macedonia uses four percent of all twinning resources and for four percent of twinning projects Montenegro attracts five percent of funds. This is quite logical, as twinning projects tend to have similar sizes (about EUR 1 million for regular twinning and EUR 250,000 Euro for twinning light).

The picture is different when we look at TA projects. From the differences between the proportion of projects implemented in a country and the amount of funds it mobilizes, it becomes apparent that some countries carry out larger project than others. For example, for carrying out 24 percent of TA projects, Turkey attracts 44 percent of the funds. The Former Yugoslav Republic of Macedonia implements 15 percent of all TA projects with 13 percent of the funds. Overall, the average cost of twinning projects is EUR 1.04 million, while the average size of TA projects is EUR 2.07 million.

Figure A.3.4 Funds committed to twinning Support per country

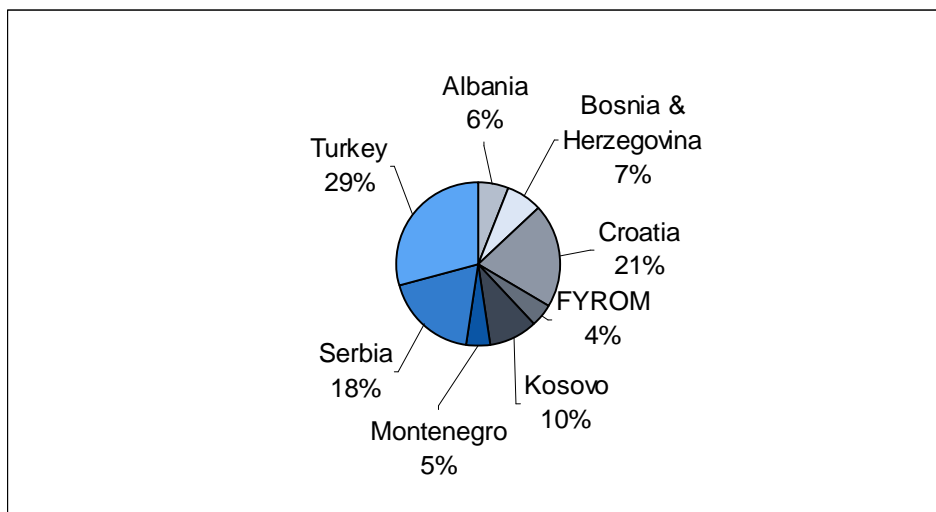
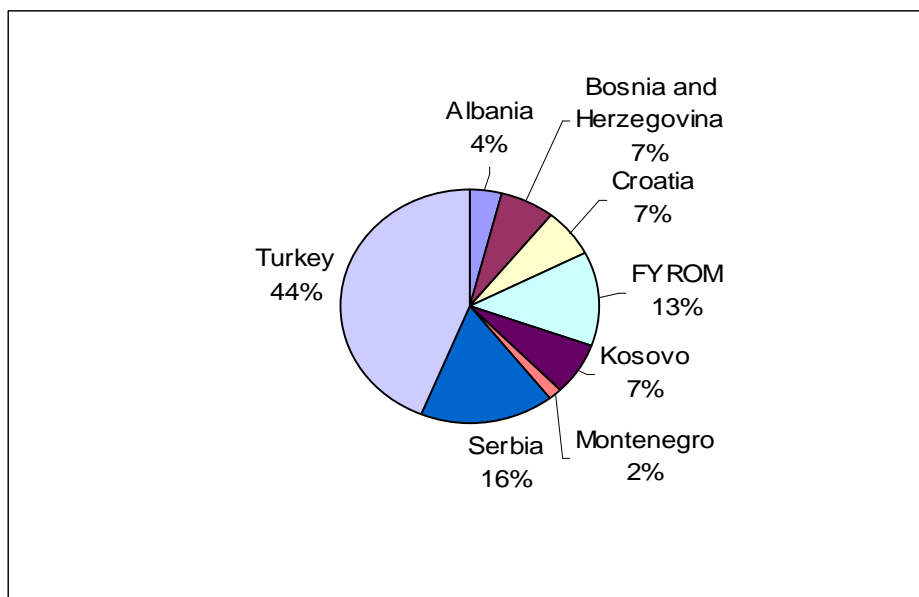


Figure A.3.5 Funds committed to TA Support per country



Instrument Mix and its evolution over Time

One of the assumptions of this study is that the further countries proceed on the road to accession, the more likely they will need (and have the capacity to implement) twinning projects. As such, we would expect that as time progresses, the share of twinning projects in the mix of countries making progress in the accession process would increase. By extension, the share of twinning projects should also follow an ascendant trend. The tables below offer an insight in the matter, both in absolute and in proportional terms.

Table A.3.16 Twinning and TA projects per year, per country

Country	2005			2006			2007			2008			Total projects		
	TA	TW	%TW	TA	TW	%TW	TA	TW	%TW	TA	TW	%TW	TA	TW	%TW
Albania	9	2	18%	11	0	0%	4	1	20%	8	6	43%	32	9	22%
BiH	16	3	16%	22	4	15%	23	5	18%	n/a	4	n/a	61	16	21%
Croatia	19	19	50%	16	12	43%	9	20	69%	n/a	9	n/a	44	60	58%
FYROM	15	4	21%	20	2	9%	16	2	11%	14	1	7%	65	9	12%
Kosovo*	0	0	0%	0	0	0%	18	2	10%	23	8	26%	41	10	20%
Montenegro	0	0	0%	6	0	0%	8	3	27%	4	4	50%	18	7	28%
Serbia	26	7	28%	19	4	17%	25	6	19%	8	5	38%	78	25	24%
Turkey	25	7	22%	30	13	30%	25	13	34%	29	12	29%	109	45	29%
Total	110	45	29%	124	35	22%	128	52	29%	87	50	36%	448	181	29%

under UNSCR 1244/99.

In monetary terms, the share of twinning projects is presented below. It is important to keep in mind the observation made above: the relative size of twinning and TA projects is quite different. The table below is therefore more telling when read in a time perspective.

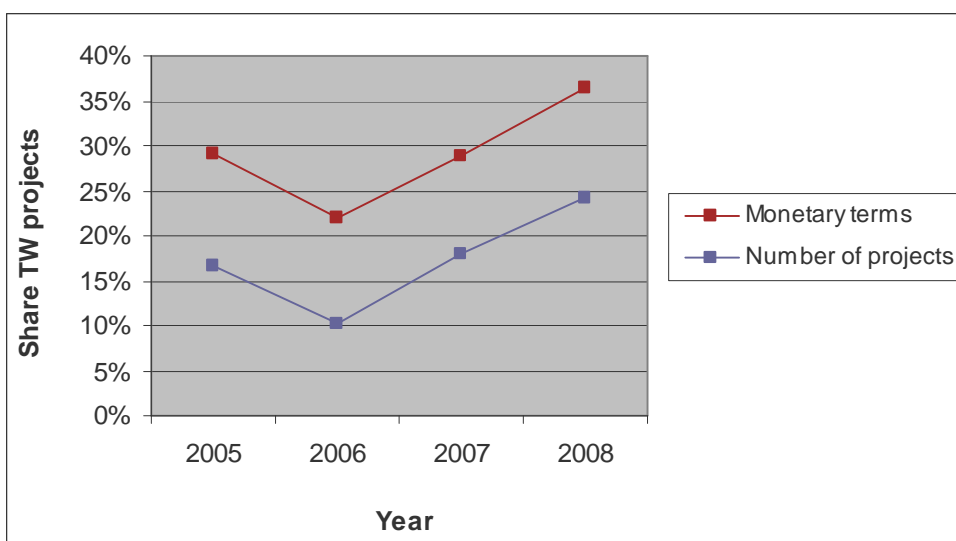
Table A.3.17 EU Contribution to Twinning and TA projects per year (in million EUR)

Country	2005			2006			2007			2008			Total projects		
	TA	TW	%TW	TA	TW	%TW	TA	TW	%TW	TA	TW	%TW	TA	TW	%TW
Albania	9.86	1.80	15%	10.1	0	0%	6.45	2.20	25%	8.67	7.24	45%	35.1	11.2	24%
BiH	19.2	3.45	15%	20.5	1.58	7%	26.2	3.15	11%	n/a	5.30	n/a	66.0	13.5	17%
Croatia	27.1	14.1	34%	26.6	6.44	19%	7.44	14.4	66%	n/a	4.11	n/a	61.2	39.0	39%
FYROM	17.4	4.46	20%	31.2	1.55	5%	28.1	1.30	4%	44.0	1.00	2%	121	8.31	6%
Kosovo*	-	-	-	-	-	-	38.9	4.00	9%	29.0	14.0	33%	67.9	18.0	21%
Montenegro	-	-	-	3.34	0	0	8.42	3.80	31%	4.79	5.20	52%	16.5	9.00	35%
Serbia	46.2	16.1	26%	30.9	4.90	14%	52.0	7.14	12%	23.8	6.70	22%	153	34.9	19%
Turkey	123	8.51	6%	146	15.8	10%	66.5	15.6	19%	73.4	15.3	17%	409	55.2	12%
Total	201	48.5	19%	243	30.3	11%	218	51.6	19%	140	58.9	30%	800	189	19%

Slight discrepancies in totals and percentages are due to decimal rounding.

The graph below presents the same information in a simplified manner:

Figure A.3.6 Share of twinning in overall assistance (2005-2008) for all countries



We notice that with the exception of 2006, where the share of twinning was smaller than the year before (both in monetary terms and concerning the number of projects) a positive trend can be observed. Some caution needs to be exercised with respect to the data for 2008, as per the caveat concerning the fact that data for the year 2008 do not represent the number of projects and total spending which will be arrived at once all projects will be contracted out.

When looking country by country, we notice that in general, as time progresses, more twinning projects are undertaken in most countries (as percentage of all undertaken projects in that country). Albania and Croatia are clear examples, as well as Turkey. Kosovo and Montenegro also registered more twinning projects over time, although the sample available for observation (2007 and 2008) is too limited for us to be able to identify trends. the Former Yugoslav Republic of Macedonia is the exception in the

group, the share of twinning projects having constantly decreased between 2005 and 2008. This relative decrease is the (almost exclusive) result of fewer twinning projects being undertaken. This is different from the situation of Serbia, where the dip in the relative frequency of twinning projects in 2006 and 2007 is not only due to fewer twinning projects but also to the larger number of TA projects undertaken in those two years.

Sectoral profile

All twinning and TA projects have been classified in sectors, primarily according to the standard classification available for twinning projects. There are 13 sectoral categories defined for twinning projects:

- 01-Agriculture and Fisheries;
- 02-Internal market and Economic criteria;
- 03-Environment;
- 04-Transport;
- 05-Social sector projects;
- 06-Energy;
- 07-Telecommunications;
- 08-Justice and home affairs;
- 09-Finance;
- 10-Structural Funds;
- 11-Standardisation and certification;
- 12-Other projects;
- 13-Statistics.

TA projects have been classified using the same main sectors plus an additional three categories:

- Private sector development;
- Cross-border cooperation;
- Government/Civil Society/ Governance.

The graphs below illustrate the distribution of twinning and TA projects respectively over the 13 or 16 sectors. It can be observed that projects are more concentrated in some sectors than on others. One quarter of the twinning projects focussed on justice and home affairs issues, with Agriculture and the Environment making up for another quarter. Finance was also a popular sector for twinning, concentrating in and by itself close to 20 percent of implemented projects. The remaining nine sectors represented each well under 10 percent of implemented projects.

Figure A.3.7 Sectoral distribution twinning projects (including twinning light)

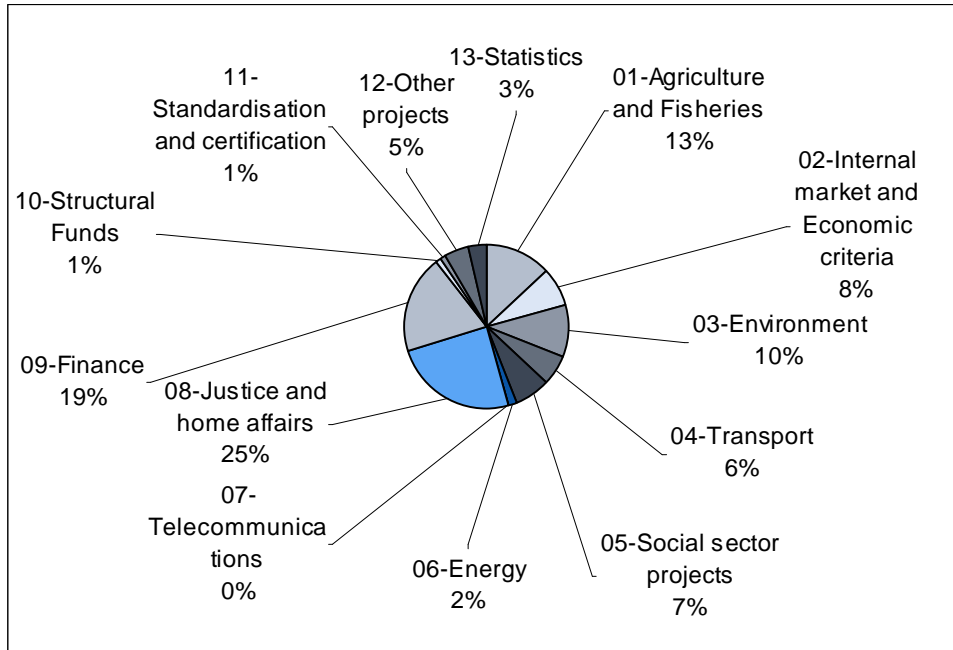
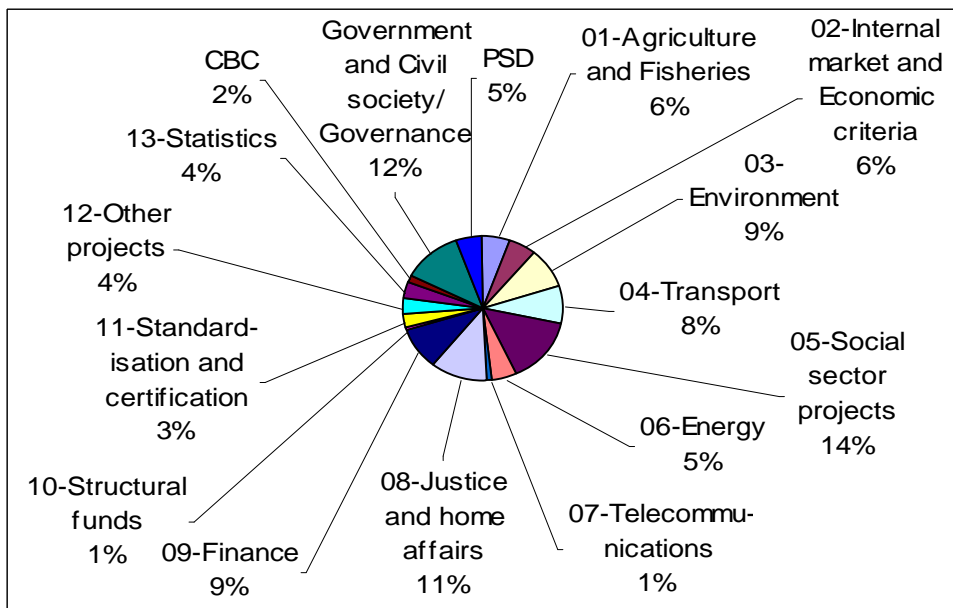


Figure A.3.8 Sectoral distribution TA projects



Concerning TA projects, sectoral concentration is less evident, particularly with respect to the categories that are common to the adopted TA and twinning classification (13). Justice and home affairs as well as Finance still rank high, but so do projects in the social sectors and those linked to overall government and governance reforms. We notice that energy projects represent a larger share of the TA portfolio than of the twinning portfolio. When considering this data in terms of actual number of projects we notice that in fact most energy-related projects have been implemented through TA (19 TA projects vs. three twinning projects). The same can be observed for social sector projects and for

projects in the field of standardization (six TA projects for every twinning project undertaken in the field).

A more detailed analysis of the portfolio, sector by sector, is presented below.

Twinning light

For the purpose of the portfolio description and sectoral analysis below, we have associated twinning light projects to the generic category “twinning”. Of the total of 182 twinning projects, 33 were twinning light projects. These projects are relatively evenly distributed over the 2005-2007 period. Most of these twinning light projects have been undertaken in Croatia (27 projects). The remaining six twinning light projects took place in Turkey (4) and in Bosnia and Herzegovina (2). As per the definition of the instrument, the budget of twinning light projects is EUR 250,000 for 20 of the 26 projects. The remaining 13 have slightly smaller budgets, between EUR 130,000 and EUR 230,000. The total value of EC support to twinning light projects over the period amounts to EUR 7.3 million, which is about four percent of all funds allocated to twinning over the period.

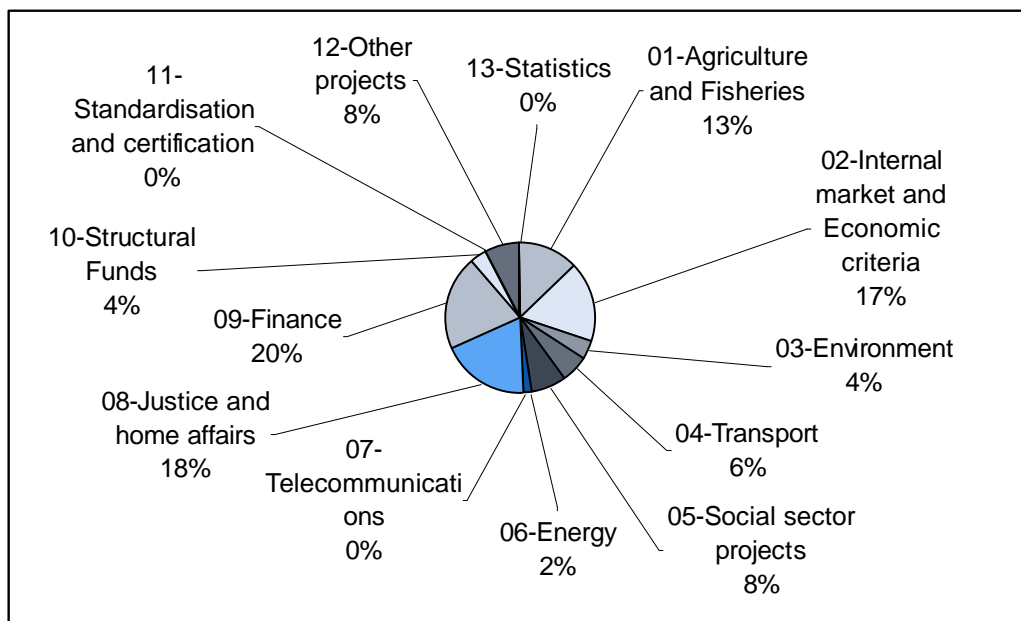
The sectoral distribution of twinning light projects is as follows:

Table A.3.18 Twinning light projects over countries and sectors

Country/ Sector	Bosnia & Herzegovina	Croatia	Turkey	Total
01-Agriculture and Fisheries		4	1	5
02-Internal market and Economic criteria		6		6
03-Environment				
04-Transport			1	1
05-Social sector projects		3		3
06-Energy				
07-Telecommunications				
08-Justice and home affairs		4	1	5
09-Finance		7	1	8
10-Structural Funds		1		1
11-Standardisation and certification				
12-Other projects	2	1		3
13-Statistics		1		1
Total	2	27	4	33

Most twinning light projects have been concentrated in the Justice and Home Affairs sector as well as in the areas of Internal Market and Economic Criteria and Finance. These are also areas of particular concentration for regular twinning projects. The “other projects” category brings together a parliamentary support project in Croatia, a project for the preparation of institutions in social sector programmes (life-long learning) and a project aimed at the Council of Ministers of Bosnia and Herzegovina.

Figure A.3.9 Sectoral distribution of twinning light projects



Sector Mapping

Introduction

The main objective for undertaking a sector mapping is to establish the distribution of the two instruments over different sectors and in different countries in order to determine whether common trends or patterns emerge.

The individual sector analysis gives an overview of the kind of projects grouped in every category (i.e subsectors). An overall assessment of the alignment of the choice of instruments with the guidelines is provided. We looked in detail at the TA projects in order to establish if they could have also been implemented as twinning projects and vice versa. We also paid special attention to projects that combined twinning and TA components. The assessment has been done using the criteria outlined in the inception report. To summarize:

Table A.3.19 Features in favour of TA or twinning

Characteristics in favour of using twinning	Characteristics in favour of using TA
Projects dealing with legislation (EU acquis)	Projects supporting change in non-government and private sector
Projects dealing with Public administration reform	Projects in infrastructure, transport, environment, HR development, regional competitiveness, rural development
Relatively mature organizations, able to serve as viable counterpart to the twinner	Emerging organisations/ bodies still

The sector analysis below shows that by and large the instruments are well chosen based on *the nature of the projects* (the task at hand, the most likely place where the expertise is likely to be found, etc). In a number of cases, the choice of the modality could be questioned. In some of these cases, other possible explanatory factors are explored such as the maturity of the institution, the availability of twinning (or TA) providers etc.

Below, we map all sectors in which both twinning and TA have been used. Several sectors have been covered through TA exclusively in the period. These are not analyzed in detail. Furthermore, more emphasis is placed on the five focus sectors retained for this study:

- Agriculture and Fisheries;
- Internal Market and Economic Criteria;
- Energy;
- Justice and Home Affairs;
- Finance.

The other sectors are equally scrutinized but at a lower level of detail.

Agriculture

Table A.3.20 Total number of TA and twinning projects in the sector Agriculture

	Albania	BiH	Croatia	FYROM	Kosovo*	Montenegro	Serbia	Turkey	Total
Tw	-	1	7	-	2	1	6	7	24
TA	3	4	3	4	4	2	2	4	26
Total	3	5	10	4	6	3	8	11	50

*under UNSCR 1244/99.

While looking at the different projects undertaken in this sector during the evaluation period, we notice that they are clustered around a limited number of themes. Most of the projects deal with food safety and related topics, such as veterinary and phytosanitary regulations. A smaller number of projects deal with the fisheries sector, especially setting up (stock) monitoring systems, while a very limited number touch on the issue of land use a farmer registration. Finally some projects are broader in scope and deal with macro aspects of the sector, such as the establishment or reinforcement of rural development agencies. In terms of types of services provided, capacity building is the most frequently encountered activity, followed by drafting or aligning of legislation, as well as supporting the establishment and implementation of new regulations and systems, including piloting of activities.

Overall, the match between the instrument selected (twinning or TA) and the nature of the projects carried out in the agriculture sector seems good. Most of projects aimed at reinforcing institutions and changing legislation are implemented through twinning projects. Examples include “Preparation for implementation and management of agricultural and rural development policy in Kosovo” (KS 08 IB AG 01), “Strengthening the capacities of the Republic of Serbia for the absorption of EU Rural Development funds in pre-accession period”(SR 07 IB AG 01) or “Environment and Countryside under

IPARD”(Turkey, TR 08 IB EN 01). Projects of a more technical nature are by and large implemented through TA projects. Such are “Tagging and vaccination of sheep and goats” (Turkey, contract number TR 080208) or ‘Mounting a national communication campaign concerning the eradication of zoonotic diseases” (Albania, contract number 223812).

Even though the sector was related to the *acquis communautaire*, twinning appeared to have been rarely applied for the establishment of new institutions. In Bosnia and Herzegovina, for example, “Support for Implementation of Functional Recommendation in Agriculture Sector” (under CARDS 2005) was a TA project, even though the objective was “*to establish a distinct state Ministry for Agriculture and Rural Development to perform the key functions related to preparation for EU accession, enhancement in international trade and compliance with international treaties and conventions and definition of framework policy and legislation at state level*”. The same is the case with the “Establishment of a National Food Authority in Albania” (under CARDS 2005). A potential twinning candidate might have been in Albania “Establishing and strengthening of monitoring, control and surveillance system in fisheries” (IPA 2008), but there might be systemic reasons why this was not the case, seen that no twinning project took place in the agriculture sector in this country from 2003 to 2008.

Internal Market and Economic Criteria

Table A.3.21 Total number of TA and twinning projects in the sector Internal Market and Economic Criteria

	Albania	BiH	Croatia	FYROM	Kosovo*	Montenegro	Serbia	Turkey	Total
TW	2	1	9	-	-	-	-	2	14
TA	1	4	2	3	3	3	5	4	25
Total	3	5	11	3	3	3	5	6	39

*under UNSCR 1244/99.

The twinning projects classified as “internal market and economic criteria” are very diverse both in terms of theme and services provided. They range from setting up regulatory institutions such as the Agency for Medicines and Medical Devices of Bosnia and Herzegovina (project BA 08 IB FI 01), to improving the infrastructure of certain institutions (Strengthening of the national metrology infrastructure and achievement of international recognition in Albania – AL 08 IB FI 05) to improving the public finance management and control systems in various countries (AL 05 IB FI 01 and TR 07 IB FI 02). The delineation with other sectors is not always straightforward, for example, the Development of the Croatian Custom Laboratory (HR 07 IB FI 01) has been classified under this category, while most customs-related projects are classified under “finance” (or under agriculture/fisheries if they pertain to that topic). Concerning the TA projects, we have included in this category those dealing with state competition, regulation and other industrial, internal and regional development policies. The several projects concerned with quality infrastructure and procurement reform have also been considered as belonging to this category.

Concerning the alignment of the instrument (twinning or TA) and the nature of the project, TA seems to be more frequently used in cases where twinning might also have been appropriate. For example:

- In Bosnia Herzegovina, earlier projects (under CARDS 2005 and 2006) have been implemented through TA, even though they could have also featured as twinning projects. For example the project EU support to the Directorate for Economic planning - contract 141177 under CARDS 2005) featured activities such as “Participation in preparations of the main strategic documents and the formulation of government policies, [...] participation in formulation of the reform programmes for achieving the economic criteria of EU accession process (freedom of movement of capital, goods, labour and services; establishing businesses; macroeconomic planning, etc) and [...] strengthening international co-operation with similar institutions, especially ones in EU (exchange of information, joint researches and analyses). The choice for TA however may be justified if the beneficiary organisations involved were still looking for a modus to implement the acquis . Under IPA 2008, twinning has been used for the set up and strengthening of the Agency for Medicines and Medical Devices of Bosnia and Herzegovina (project BA 08 IB FI 01), which at first look may be a deviation from the rule that organisations should be established in order to absorb twinning;
- In Montenegro, Serbia, Kosovo and the Former Yugoslav Republic of Macedonia, no twinning projects have been implemented in this sector over the period. Capacity reasons could well have been the reason for this.

The sector also offers two examples of countries where the right instrument seems to have been chosen for every project: Turkey and Croatia. In each of these countries two twinning projects (without counting twinning light projects in Croatia) and two to four TA projects have been implemented TA has been chosen in specific implementation and infrastructure-related projects, such as the “Industrial Restructuring of Sanliurfa in Turkey” (Contract TR060208 under PHARE 2006-entailing infrastructure development) and the “Support to the effective implementation of the business-related infrastructure in Croatia” under IPA 2007 (reference number IPA 2007/HR/16IPO/001-020101). Croatia further offers an example of good choice of instruments in this sector, as one of the initiatives combines a twinning and a TA component. The implementation of the Croatian Competition and State Aid Policies (twinning HR 07 IB FI 03 and TA project 2007-0303-010201) entailed both the building of the relevant authorities’ capacity and a public awareness campaign on anti-trust and state aid law and policies. The former objective has been approached through twinning while the latter has been relegated to a TA project.

In this sector, a number of projects have also been implemented through twinning light, all of them in Croatia. Of the six projects concerned, two deal with reinforcing the capacity in the field of public procurement, two deal with public internal control and two aim at strengthening the capacity of relevant authorities in managing public-private partnerships.

Environment

Table A.3.22 Total number of TA and twinning projects in the sector Environment

	Albania	BiH	Croatia	FYROM	Kosovo*	Montenegro	Serbia	Turkey	Total
TW	-	-	3	2	-	1	5	7	18
TA	3	4	4	5	1	1	8	15	41
Total	3	4	7	7	1	2	13	22	59

*under UNSCR 1244/99.

The projects grouped under the “environment” category cover several distinct field: water and wastewater; solid waste; air quality; pollution from various sources; and environmental legislation in general. Most water and waste-related projects are supported through TA. Similarly, support to air quality monitoring/improvement was provided almost exclusively through twinning.

The choice of TA for water and waste projects appears to be the judicious one in all four countries in which such projects were undertaken. These projects were technical in nature as they entailed the upgrade of the physical infrastructure. Two water-related projects were implemented through twinning, one in Serbia under CARDS 2005 (Capacity Building of the Directorate of Water) and one in Turkey under PHARE 2006 (Capacity building support to the water sector in Turkey). Since both relate to the capacity building of public bodies to take full charge of the mandates assigned to them, the choice of the modality seems adequate. Tasks such as the ones assigned to the twinning mission in Serbia (strengthening institutional capacity with regards to the implementation of the Water Framework Directive; strengthening the existing monitoring system and the capacity of Serbian institutions to use this system etc) also appear to be compliant with twinning requirements.

The predominance of twinning support when it comes to air quality projects seems justified considering the objectives of these projects, presented in the table below. We notice that all of them were aimed first and foremost to approximating the legislation of the Balkan countries and Turkey to the European norms.

Table A.3.23 Twinning and air quality projects

Country	Proj nr	Title	Objectives
Croatia	PHARE 2006 HR 06 IB EN 01	Establishment of Air Quality Monitoring and Management System	Contribute to establishment of a national air quality monitoring and management system according to requirements of [various EC Directives].
FYROM	CARDS 2005 MK 05 IB EN 01	Air quality improvement	Approximate the national legislation on air quality. Improve the information base for air quality related environmental management. Enhance the basis for a comprehensive ambient air monitoring system following the provisions of [various EC Directives]. Improve the MEPP operation of the National Ambient Air Monitoring Network and include other relevant institutions in this activity.

Country	Proj nr	Title	Objectives
FYROM	IPA 2008 MK 08 IB EN 01	Strengthening the central and local level capacities for environmental management in the area of air quality	Further approximation of national air quality related legislation to Air Quality Framework Directives 2008/50/EC and 96/62/EC and Daughter Directives through drafting and adopting of legislation in the field of air quality. Strengthen administrative capacities at central and local level to implement and enforce the air quality legislation.
Serbia	IPA 2007 SR 07 IB EN 01	Strengthening Administrative Capacities for Implementation of Air Quality Management System	To implement and enforce of Air Quality legislation in line with environmental acquis, as well as strengthen the institutional capacities for air protection system management in Serbia at all levels and establish proper monitoring of air quality.
Turkey	IPA 2007 TR 07 IB EN 02	Institution Building on Air Quality in the Marmara Region	Framework conditions are established for efficient, effective and transparent implementation of the AQFD requirements in the Marmara Region which will serve as a model for Turkey to implement those requirements (including setting up regional air quality monitoring system, building institutional and technical capacity and increasing awareness of priority groups and decision makers).

Overall we can conclude that in this sector the choice of modality is in line with existing guidance. In countries with more experience with support to environmental projects, notably Turkey, IPA 2008 has also seen the emergence of increasingly complex interventions, combining twinning and TA components. Examples include “Improving Emission Controls” with a total value of EUR 2 million and “Mining Waste Management”, with a total value of EUR 4.6 million.

Transport

Table A.3.24 Total number of TA and twinning projects in the Transport sector

	Albania	BiH	Croatia	FYROM	Kosovo*	Montenegro	Serbia	Turkey	Total
TW	1	3	3		1		2	1	11
TA	8	8	4	2	1	1	11	1	36
Total	9	11	7	2	2	1	13	2	47

*under UNSCR 1244/99.

As was the case with the environment sector, the transport sector is also dominated by TA projects. Some countries, such as the Former Yugoslav Republic of Macedonia, Kosovo, Montenegro and Turkey have undertaken very few projects in this sector, while others have been more active over the period (Bosnia and Herzegovina, Serbia, Albania). The projects in this sector cover all modes of transportation: rail, road, water and air. They span the spectrum of services, from the drawing up national transport master plans to the supervision of specific works. Overall the choice of modality suits the nature of the projects. For example, feasibility studies, supervision of works and design of specific

infrastructure are implemented through TA. Legislation alignment and support to integration in networks is put into practice through twinning projects.

Projects in the sub-sector of air transport fit well the good practice guidelines concerning the choice of a modality (twinning or TA). Three projects were supported through twinning. Examples (funded under IPA 2008) include the “Support to Albanian Civil Aviation Safety Management Systems to the requirements of the Council Regulation (EEC) No 787/2007”; “Assistance in institutional building of the Bosnia and Herzegovina Civil Aviation Authority related to European Common Aviation Area”; and “Support for Kosovo’s Participation in the European Common Aviation Area.” Two TA projects were implemented in the sub-sector of air transport: one for the implementation of the European Common Aviation Area Agreement in the Republic of Serbia (IPA 2007) and one to assist the Bosnia and Herzegovina Directorate for Civil Aviation (BHDCA) in the implementation of the Air Traffic Management Strategy (CARDS 2006). The first of these two projects was indeed quite technical, as it required the implementation of a protocol and activities such as drafting of manuals and implementation of a Safety Management Programme including aircraft and operator inspection procedures; the preparation of Airport users committee manual and rules for Serbian airports; Identification of the necessary equipment and software, assistance in the procurement process etc. The choice of modality for the second TA project mentioned (in Bosnia and Herzegovina) was also justified as it involved institution building processes. The required activities were the separation of the regulatory functions from Air Navigation System (ANS) functions; the establishment of Bosnia and Herzegovina Air Navigation Services Provider to integrate the functions of the Air Navigation Services into an independent entity; and the transformation of the BHDCA into the Civil Aviation Authority to retain its independent regulatory function only.

The projects linked to water transport cover both maritime and inland transport. Only three such projects were implemented through twinning, all dealing with the topic of maritime safety, of which two in Croatia and one in Turkey. The Turkish project was a twinning light.

HR 05 IB TR 01	Institutional Capacity Building in the Field of Maritime Safety	PHARE 2005
HR 06 IB TR 01	Maritime Safety - Monitoring and Management of Vessels - PHASE 2: Institutional Capacity Building for Vessel Traffic Management Information System (VTMIS) and Flag State Implementation (FSI)	PHARE 2006
TR 07 02 04	Safer seas: Upgrading of Turkish Coastal Radio	IPA 2007

These projects quite technical in nature, but the modalities retained for the transfer of knowledge were more suitable for twinning. For example, the Turkish project as well as the PHARE 2006 Croatia project called for study visits to EU Member States, which could be facilitated through the network of the RTA. The first twinning project mentioned above (HR05IBTR01) was also accompanied by a related TA project (2005-0505-030201) which focussed, according to the logical framework on the elaboration of a baseline functional and technical stuffy on VTMIS.

The road transport sub-sector did not see any twinning operation over the period. Under IPA 2008, further harmonization of the road safety legislation, strengthening and development of the administrative capacity of the Ministries in the field of road Transport (DIGITACHO twinning) is envisaged for Croatia, but the evaluation report for this project is still under preparation. In the railroads sub-sector, one twinning project was recorded, “Twinning Assistance to the Ministry of Communications and Transport of Bosnia and Herzegovina in Implementation of the Bosnia and Herzegovina Law on Railways”. Its objectives were to assist with implementation of the Law on Railways as well as with the identification, adoption and implementation of the acquis provisions related to railways sub-sector. The selected modality appears therefore adequate. The same is the case with the TA projects in the field, such as “Provision of technical assistance to railway authorities in Bosnia and Herzegovina in harmonising regulations for maintenance of railway infrastructure and rolling stocks with the EU Directives done in Bosnia and Herzegovina”, intent on developing the railway regulations, in order to provide a clear regulatory basis for regular maintenance activities.

Social Sector Projects

Table A.3.25 Total number of TA and twinning projects in the social sector

	Albania	BiH	Croatia	FYROM	Kosovo*	Montenegro	Serbia	Turkey	Total
TW			4	2	1		3	3	13
TA	5	12	3	5	5	3	12	20	65
Total	5	12	7	7	6	3	15	23	78

*under UNSCR 1244/99.

The heading “social sector” groups a number of distinct sub-themes such as education, health care, social protection and employment, and the protection of vulnerable groups. The TA projects outnumber by far twinning projects and the sub-sectoral mix is also somewhat different: while twinning concerned more frequently labour and health issues, as well as generic capacity building, the TA projects included proportionally a much larger number of projects aimed at improving the education sector.

In some countries, projects are concentrated in a specific sub-sector. For example, four out of the five TA projects undertaken in Kosovo are in the field of Education. The fifth one, as well as the only twinning project in that country were in the field of health. Albania’s TA projects are almost evenly split among the education sub-sector and the employment and social insurance sector, with no project in the field of health.

In a few cases, the same theme appears both in the TA and the twinning list. The table below gives some examples. For the most part they signal projects that included both a twinning and a TA component. There are also several cases in which a different modality has been chosen to implement similar project in various countries.

Table A.3.26 Comparison of TA and twinning projects in the 'social sector'

Twinning t	TA	Comment
<p>Promoting Gender Equality; Turkey (2005)</p> <p>Institutional Capacity Building: Strengthen the institutional capacity of the National Mechanism's (NM/KSGM) to mainstream gender issues into all public policies and promote the implementation of gender equality legislation with the participation of central and local authorities and NGOs, and to contribute to the establishment of a Gender Equality Body in line with the EC practices and acquis.</p>	<p>Promoting Gender Equality, Turkey (2005)</p> <p>Combating Domestic Violence Against Women: Strengthen the capacity of stakeholders to protect women from domestic violence in order to better advance their human rights.</p>	<ul style="list-style-type: none"> The two components are part of the same intervention. The TA component has been implemented through a special direct agreement with UNFPA; The project sheet suggested that if Component 1 could not be implemented through twinning, it should be implemented through TA.
<p>Support to the health sector, Kosovo (IPA 2008)</p> <p>Component 2: Build the institutional and human resource capacity of the Kosovo Medicine Agency in order that it can meet all the European Medicines Agency standards and provide up-to-date information on the current status of health care delivery in Kosovo. The results included:</p> <ul style="list-style-type: none"> review and strengthen the internal structure of KMA; assess Pharmaceutical Regulatory System; review and advance legal framework to align it with EU legislation and standards; carry out inspection and supervision activities according to EU standards; foster KMA's eligibility to join EMEA. 	<p>Sector Wide Approach in Health: Feasibility Study and Mapping; Kosovo (IPA 2008)</p> <p>Component 1:</p> <ul style="list-style-type: none"> Feasibility Study for analysing and evaluating the health sector for a SWAP approach, including mapping and legal analysis of the Health system at the primary, secondary and tertiary level; revise and update Health Sector Development Strategy. <p>This project will examine the possibilities for the advancement of a SWAP in the health sector by means of a feasibility study.</p>	<ul style="list-style-type: none"> These two components were grouped under the same intervention, although the scope of the TA project seems to go beyond the focus of the twinning project (which focuses on one sub-sector/ institution); The link between the two components is not very clear and the specific objective of the intervention seems to simply juxtapose the objectives of the two components.

Twinning t	TA	Comment
Support to the development of national employment policy; Serbia (CARDS 2006)	TA to Support Employment Policy - Phase III; FYROM (CARDS 2006)	
<p>Strengthen the structure, institutional capacity, organisation and operation of MoLESA, with regard to employment related aspects of its mandate; - Strengthen the capacity of the MoLESA to develop, implement and follow-up sustainable employment policy and strategy; Improve the employment policy/strategy environment to address issues of the most vulnerable groups; -To support upgrading of employment strategy planning, monitoring and evaluation processes; To strengthen the employment strategy decentralisation process through support to local employment councils.</p>	<p>Component 1: Support the implementation of a coherent and sustainable employment strategy, in line with the EU labour legislation, by further capacity building for employment policy reform; - support the MoLSP and ESA in developing, implementing and monitoring of the Integrated Guidelines for Growth and Jobs for the period 2007-08; - Further strengthen the involvement of social partners and civil society in the development / implementation of employment policies.</p> <p>Component 2: Support the development of a lifelong learning system.</p>	<p>The choice of twinning for supporting MoLESA seems appropriate.</p> <p>The choice of TA as implementing modality for the Former Yugoslav Republic of Macedonia project is less ambiguous, as part of it could have also been designed as a twinning intervention as well.</p>
Improving Labour Inspection System; Turkey	TA Strengthening labour market and employment, and support to labour inspection services and Regional Labour Offices in Albania	
<p>To strengthen the capacity of the Labour Inspection Board for effective implementation of the new EU based legislation in the area of Health and Safety at Work and labour relations and to strengthen the cooperation between labour inspectorate and social partners.</p> <p>An inspection guide for the Labour Inspection Board is prepared;</p> <p>Occupational health and safety written enforcement means and procedures and risk assessment guides; Written enforcement means and procedures for inspecting equal treatment issues, temporary work and “flexible forms of work (labour relations) are prepared and training programmes are organised.; A communication plan is drafted; a monitoring system is put in place and Pilot inspections performed.</p>	<p>Provide technical assistance for the State Labour Inspectorate (SLI) in Albania to develop it into a modern Inspectorate in line with best practices and compliant with European Standards related to labour law, equality, health and safety at work and anti-discrimination. This project will mainly support the development of a strong management at SLI, training of all its inspection staff as well as development of comprehensive labour inspection policies and training programs.</p>	<p>The choice of twinning as modality for the Turkish project is explained by the fact that labour inspections are seldom the expertise of non-public bodies.</p> <p>Nonetheless, the implementation of the same sort of project as a TA project may only be explained by the lack of capacity of the Inspectorate to absorb twinning.</p>

Twining t	TA	Comment
Health and safety at work HR Croatia (IPA 2007)	Improving Occupational Health and Safety at Workplaces and Development of Regional Laboratories of Occupational Health Safety Centre; Turkey (IPA 2007)	
<p>Establish an efficient system and network of OSH institutions in order to link existing and the new data bases as well as registries that will help to perform activities of OSH institutions in accordance with EU regulations and practice.</p> <p>The mandate included: organizing trainings and study visits; defining important norms, rules, control points and defining procedures for the inspectors; providing assistance and improving knowledge in preparation of drafts of regulations harmonised with relevant EU standards; Concept development of the IT network and supporting software for all institutions; Strengthening of network amongst all institutions.</p>	<p>Assist the Turkish government to upgrade OHS related recording system and to promote OHS culture among workplaces with specific focus on mining, construction and metal industries.</p> <p>Enable •SGÜM's regional laboratories to help enterprises, especially SMEs, apply effectively and efficiently the harmonized Occupational Health and Safety (OHS) legislation.</p>	<p>The modality of the two Turkish projects seems appropriate. The choice of twinning as modality for the Croatian project seems equally logical, some of the activities envisaged for the projects relate to defining norms, preparing draft legislation but also establishing institutional networks.</p>

Energy

Table A.3.27 Total number of TA and twinning projects in the Energy sector

	Albania	BiH	Croatia	FYROM	Kosovo*	Montenegro	Serbia	Turkey	Total
TW	-	-	1	1	-	-	-	1	3
TA	-	3	-	1	6	2	8	2	22
Total	-	3	1	2	6	2	8	3	25

*under UNSCR 1244/99.

The energy sector is characterized by a strong predominance of TA projects. Only three twinning projects have been realized in the region in this sector, related to administrative data management and the regulation of the sector, issue potentially suitable for twinning. More technical projects have been supported through TA, for example the “Training of Energy Auditors” in Kosovo under IPA 2008 (IPA/2009/215-205), “Increasing the Public Awareness on Energy Efficiency in Buildings” in Turkey (project TR050308 under PHARE 2005) or “Supervision of the Emission Reduction from a thermal power plant” in Serbia (project ID 07SER012111).

However, more than in other sectors, TA has been chosen in some cases where twinning might have been more appropriate. The table below presents some examples.

Table A.3.28 Examples of TA in cases where twinning might have been more appropriate

Beneficiary country	Project title	Objectives	Comment
Bosnia and Herzegovina CARDS 2005	Technical Assistance to Support the Energy Department	Create a viable energy department within the Ministry of Foreign Trade and Economic Relations, including: <ul style="list-style-type: none"> development of an Energy Strategy for Bosnia and Herzegovina; on-the-job' training for ED staff; development of an energy database for the state and of a state wide energy balance model. 	Based on the nature of the activities, the first two elements could have been implemented through twinning.
Montenegro IPA 2007	Technical assistance for implementation of the Energy Community Treaty	To develop and implement energy sector policies that will ensure the implementation of commitments under the Energy Community Treaty, including the implementation of the Regional Energy Market.	While this project has to do with market/ privatization, the skills needed are specific to (semi-) public officials.
FYROM IPA 2007	Technical assistance to the Energy Regulatory Commission	Contribute to a professional management of the relevant bodies that will enable appropriate implementation of the national legislation, taking due account of EU regulations and best practices, and appropriate provision of high quality services [...]. More specifically the project: <ul style="list-style-type: none"> Enhance the capacity of the energy regulator and continue legal approximation in this area; Strengthen the national insurance supervision [...] in order to ensure a real protection for the policy holders and to develop a sound and competitive insurance market. 	This TA project is already part of a conglomerate including twinning and twinning light projects. The first specific objective of the TA could also be addressed through a twinning arrangement. More details were obtained about this project during the field visit.

Support to Regulatory Commissions in the field of energy seems to be a type of project where the line between twinning and TA seems blurred. The Former Yugoslav Republic of Macedonia is a good example, as the Energy Regulatory Commission there has received support under the same instrument (IPA 2007) both through twinning and TA. The twinning project (MK 07 IB EN 01) is intended to “enhance further the institutional capacity of the ERC in particular concerning ERC's ability to conduct effective licence compliance monitoring, market monitoring and quality management [...]; and, in doing so, to transfer regulatory know-how and expertise to the staff of the ERC.” The TA project’s objectives are outlined in the table above and the relevance of achieving them

through twinning has already been pointed to. However, by design, this objective has been placed in the sphere of TA rather than twinning.

In fact, the majority of support projects to regulatory bodies are therefore provided through TA. In addition to the Former Yugoslav Republic of Macedonia example, TA projects also cover “Further Assistance to the Energy regulatory Agency” in Serbia (project ID 07SER013511 under IPA 2007)), and “Assistance to the Energy Regulatory Office” in Kosovo (IPA/2008/168-370) under IPA 2007.

The field visits, among others to the mentioned project in Serbia, revealed however that the reasons for opting for TA were clearly related to the lack of capacity in the beneficiary organisations to absorb the burden a twinning project normally entails.

Justice and Home Affairs

Table A.3.29 Total number of TA and twinning projects in the sector Justice and Home Affairs

	Albania	BiH	Croatia	FYROM	Kosovo*	Montenegro	Serbia	Turkey	Total
TW	1	5	11	2	4	3	4	15	45
TA	1	3	7	10	3	-	8	19	51
Total	2	8	18	12	7	3	12	34	96

* under UNSCR 1244/99.

Justice and Home Affairs is the sector in which most twinning projects are concentrated (45). Nevertheless, also 51 TA projects (disregarding projects with a value below EUR 200,000) were undertaken in this field. This is illustrative of the relevance of this sector for accession support. Among twinning projects, we can identify a large number linked to (integrated) border management and migration-related issues (about a quarter of all projects). Another thematic cluster can be identified around combating corruption and organised crime, including drug trafficking, money laundering etc (another quarter of the projects). A much smaller number of projects target either the judicial system as a whole (e.g. “Justice reform” in Montenegro- MN 7 IB JLS 03) or quite specific topics such as “forensic investigation skills” (Turkey- TR 08 IB JH 01) or “setting up a complaints system for the police force” (Turkey, TR 05 IB JH 01).

Among the TA projects, we encounter by and large technical projects, such as “Support to Court Administration and Case Management Improvement” in Croatia – ID 2006-0101-020101 or “Designing Pre-Trial Detention Centres” in Albania – contract number 156640. Thematically, the TA projects cover some of the same topics as the twinning projects (migration, reinforcement of border controls, addressing corruption etc). However, TA projects also include a larger number of projects dealing with the implementation of reforms in the internal justice system, for example “Technical assistance to improve the efficiency and transparency of the Judiciary System” Serbia - 07SER01/04/22. From a service perspective, training and capacity building projects are predominant among the TA projects. This sort of support was offered to a variety of institutions such as the High Judicial Council and the National Judicial Academy of Serbia, lawyers and military judges in Turkey (specifically on issues relating to Human rights). Other services included the setting up of databases, the development of awareness

campaigns, support in determining technical specification for other projects (e.g. ToR for construction services), support in drawing up road maps etc.

The Justice and Home Affairs sector seems to be one in which the choice of instruments (twinning or TA) corresponds quite well with the criteria set forth in the twinning manual. There are relatively few projects where using the other instrument could have also been plausible.

In fact, the blending of twinning and TA components is already a feature of several interventions in the Justice and home affairs sector. One example of complex intervention allying the two instruments is the support provided to Croatia for “strengthening Anti-Corruption Inter-Agency Co-operation.” A twinning project (HR 07 IB JH 04) has been set up to provide management support to the Ministry of Justice Anti Corruption Sector in the areas of institution building and capacity building. Activities projected for the twinning component were linked to the restructuring of institutions, the streamlining of procedures, organizing study visits etc, all areas in which a public servant could have a comparative advantage. Two TA projects ran in parallel, having the same overall objective- the strengthening of anti-corruption inter-agency cooperation. One was concerned with the development and implementation of a major awareness campaign (ID 2007-0101-020201) anticorruption campaign “in order to raise public awareness of corruption and to promote ethical standards of conduct in the areas of public life particularly exposed to corruption.” The second one focussed on the development of a modern information system, including a central database application and Intranet/Internet access (ID 2007-0101-020301). In both these areas, it can be argued that TA assistance was the appropriate instrument to use.

Two other examples of interventions supported both through twinning and TA come from Turkey. One is the “Civilian Oversight of Internal Security Sector” (TR 06 01 02) and the other one is “Support to the set up an Asylum and Country of Origin Information (COI) System”. The twinning light in the first case was designed to introduce the conceptual and the operational tools to the Ministry of Interior and to the Grand National Assembly (the Parliament). It foresaw, inter alia, visits by experts from EU member States to Ankara to help familiarize their Turkish counterparts with this approach as applied in Europe. The rest of the project, conceived as TA, was articulated at three levels: legislative; institutional capacity, primarily for the Ministry of Interior and the broader civil society level. There too, the project had the peculiarity of being implemented through a special agreement with the UNDP. The project sheet clearly argues in favour of using TA rather than twinning for achieving (most) results for the intervention. TA is, according to this source a “more appropriate means to obtain multiple country perspectives on civilian oversight for which there is no single EU norm.”

The second example is “Support to the set up of an Asylum and Country of Origin Information (COI) System”, another project initiated under PHARE 2006. The objectives of the projects were to: (1) Implement and use a COI-system; (2) Get full ownership of the Refugee Status Determination (RSD) procedure in Turkey; (3) Establish the capacity to carry out its own training of staff for the COI and Asylum Information Systems. Cooperation between foreign and Turkish experts on a day to day basis over extensive periods is needed to achieve most specific results which include the setting up of a

functional COI and asylum information system; the upgrade of the Turkish administration capacity with respect to EU and international asylum law (including appeals procedures); the development of a training programme to be followed in the future (and taught in house). Unlike the previous example, where twinning was a minor component (EUR 250,000) preparing the bulk of the project, implemented through TA (EUR 2.75 million), this one was primarily a twinning project (EUR 2.4 million), supported by a much smaller TA component (EUR 300,000), aimed at language training, which is deemed indispensable in the field of COI. In addition to the twinning and service TA components, the intervention also includes three investment components aimed at purchasing equipment and setting up a database.

The examples above show that in countries where twinning and TA have been tried out extensively, solutions are found to harness the two tools simultaneously for achieving more complex goals. However, the sector of Justice and Home affairs also illustrates the ambiguities of twinning and TA, with one or the other tool being used to achieve very similar goals in different contexts. Legal training and support to legal education provide such illustrations.

Table A.3.30 Examples of comparable projects using different instruments

ID	Project title	Country	Objective/ Expected results	Instrument
Legal Training and Education				
07SER01 03 21	Support to the National Judicial Academy in Serbia	Serbia	The project shall focus on the Strengthening of the Management and Human Resources capacities at the Judicial Academy, including the strengthening of the capacities of the institution to provide mandatory training. This shall also include the improving of the oversight and information management system at the judicial academy.	TA
HR 05 IB JH 01	Strengthening Human Resources Management, Education and Training at the Ministry of the Interior	Croatia	To improve the capacity of the Ministry of the Interior to manage its human resources and to enhance the police education and training system, in order to increase overall efficiency and staff motivation.	TW
HR2005/1/2	Support to the Judicial Academy of Croatia: Developing a training system for future judges and prosecutors at Republic of Croatia	Croatia	<ul style="list-style-type: none"> • Amendments to the Law on Apprentices (or drafting a new Law on Apprentices) and selection procedures of judges and prosecutors improved; • Design of a strategy for the selection and training of future judges and prosecutors; • Development of a sustainable training system for apprenticeship as 	TA

ID	Project title	Country	Objective/ Expected results	Instrument
			<p>well as training modules piloted in selected regions under the responsibility of the Judicial Academy;</p> <ul style="list-style-type: none"> • Access to legal information for apprentices, court advisers improved as well as the training networks strengthened. 	
KS 08 IB JH 02	Legal Education System reform	Kosovo	<p>Establish School of Magistrates for initial judicial post-graduate training established; Set up and implement continuous training schemes and accreditation procedures for academic teaching staff; Develop teaching curricula, focused on specialized legal training, including curricula on commercial law developed in line with EU best practices; Establish a Library within the Faculty of Law; Set up and implement a Training Centre at the Kosovo Chamber of Advocates established and curriculum for continuous training of advocates; Compile applicable laws in Kosovo, decisions of the Supreme Court and of the five district courts; Publish law journal regularly; Prepare legal commentaries.</p>	TW
Support to the Prosecutor's Office				
AL 05 IB JLS 01	Support to the General Prosecutor's Office to Undertake Inspection & Evaluation of Prosecutors	Albania	<p>Reviewing of relevant structures, procedures and the legal framework; Defining and establishing specific roles and responsibilities; Propose a system that allows for reward through promotion and salary increase; .. Developing a platform centrally within the General Prosecutor's Office to enable regular evaluation and inspection to be effective; Define, design and develop method of selection and training of prosecutors for inspection and evaluation duties; Establishing structured continuation training; Adoption of a coherent and strategic approach to human resource issues.</p>	TW
05MAC01/02/102	Support to the Public Prosecutor's Office	FYROM	<p>Establishment of the new Department for Prosecuting Organised Crime and Corruption; Training provided to the public prosecutors, their deputies and administrative staff in fulfilment of their</p>	TA

ID	Project title	Country	Objective/ Expected results	Instrument
			new roles and responsibilities under the new Laws; technical advice in the drafting of related legislation on Salaries for Public Prosecutors and establishment of new systems of financing the Public Prosecution service.	

We notice by scanning the set objectives and expected results of these interventions that they contain elements which can justify the choice of either the instrument chosen in practice, or the one that was not chosen. In the second cited case, the twinning project in Croatia for the upgrading of Human Resources Management (HRM) and training systems, it could be argued that someone very familiar with public systems is likely to achieve better results in activities such as “identifying actors and their interaction within the system” and “drafting amendments to relevant regulations” in the field of performance assessment. Advocates of TA will insist that in order to achieve results such as forging a training strategy for the police academy and designing a new HRM system, broader experiences than those of a single EU MS are needed. Concerning the project in Kosovo, it could be argued that at least parts of it could be entrusted to a TA provider (for example compiling legislation, publishing the law journal etc). It appears that the choice for a twinning approach was justified by the opinion (as expressed in the ‘lessons learned’ section of the fiche) that TA contributes through focussing on achieving short-term results rather than on sustainable capacity building.”

An even more interesting case is offered by projects undertaken in the same country, but for which different modalities have been chosen. Obviously, such a situation can only occur in a country where a “critical mass” of projects is being implemented such as Turkey, from which the following examples were taken.

Table A.3.31 Examples of comparable projects using different instruments in one country (Turkey)

Twinning Project	TA Project
Improving the Skills of Forensic Experts (IPA 2008)	Training Programme on the Istanbul Protocol: Enhancing the Knowledge Level of Non-Forensic Expert Physicians, Judges and Prosecutors (PHARE 2005)
The project purpose is to improve the capacity of the forensic experts in the Council of Forensic Medicine, Criminal Laboratories of Police and Gendarmerie by training and to bring the forensic analysis methods in line with the EU standards.	<ul style="list-style-type: none"> training of physicians who are not expert on forensic medicine regarding the Istanbul Protocol in order to be able to perform an appropriate examination of possible victims of torture; training of prosecutors and judges regarding the Istanbul Protocol in order to improve their ability to prosecute and assess torture cases.

The reasons for choosing one or the other instrument can be in most cases easily identified. For example, the IPA 2008 project entailed several study visits and workshops,

in addition to “traditional” training sessions. Making use of established institutional networks (as well as setting up direct relations between specialists) might therefore be more a more productive approach for attaining the objectives.

Finance

Table A.3.32 Total number of TA and twinning projects in the sector Finance

	Albania	BiH	Croatia	FYROM	Kosovo*	Montenegro	Serbia	Turkey	Total
TW	4	2	15	1	1	2	3	7	35
TA	2	3	10	11	6	3	1	6	42
Total	6	5	25	12	7	5	4	13	77

* under UNSCR 1244/99.

Finance is one of the areas grouping a relatively large number of projects. All countries have benefited of at least one TA and one twinning projects between 2005 and 2008. The cluster groups projects on various themes and to different sort of institutions. For example, twinning support was extended to tax directorates (Croatia, Albania, Bosnia and Herzegovina), to custom administrations (Albania, Croatia, Montenegro, Turkey), to Central Banks (Albania) and to auditor offices (Kosovo). Projects encompassed the fight against corruption, improving public finance management, capacity building and system design and set up. The TA projects covered roughly the same themes, though more technical aspects. Several TA projects also dealt with issues of decentralisation.

It is interesting to note that the proportion of twinning and TA projects varies from country to country. In Serbia and Albania, more twinning projects than TA projects were implemented over the period, while in the Former Yugoslav Republic of Macedonia and Kosovo the scale tips heavily in favour of TA. Little information is available for several of the Former Yugoslav Republic of Macedonia TA projects (as retrieved from contract noticed available online). The ones on which slightly more information is available include some in which TA could have a clear comparative advantage. Examples include Public Finance Management Support to Municipalities -CARDS 2005 and technical assistance for Improvement of the Customs IT Systems – IPA 2007. In some other cases the subject matter could plead in favour of twinning (Component 1 of technical assistance for Further alignment of legislation with the *acquis* in the field of Customs, which included expected results such as reaching a sufficient level of legislative alignment with the *acquis* and establishing the legal foundations of customs activities). Capacity of the Former Yugoslav Republic of Macedonia counterparts to host a twinning projects might have played an important role in this choice, as the region already witness several examples of combined twinning/ TA interventions (see below, paragraphs on Croatia and Turkey).

The Former Yugoslav Republic of Macedonia example above is one of the several dealing with the reinforcement of customs administrations. In the same field, Croatia implemented a system of interlinked projects, combining both twinning and TA. The common objective of these projects, supported through PHARE 2005 and 2006 was to align the systems of the tax and custom administration of Croatia to the European systems. The tax administration obtained twinning and TA support to implement the

VAT Information exchange system (VIES) and VES (VAT on e-services). The customs were supported in adopting TARIC, NCTS, EMCS and other tools used in the EU. The split between twinning and TA components was judicious, with the most technical elements (such as software adaptation) relegated to specialized companies (e.g. IBM) while the management and capacity building, which in this case included on the job training were undertaken through twinning arrangements (all with Austria as partner).

Turkey also followed a similar model. Under PHARE 2006, three closely related twinning projects and two TA contracts were clustered to modernize the Turkish customs administration. The twinning projects included capacity building, NCTS and IMTS components, while the TA projects came to complement the latter two components (NCTS and IMTS). The project fiche does not offer indications concerning the choice of the modality beyond mentioning that “*twinning partnership is going to be very useful for this project*”. From the project sheet, it also becomes evident that the cluster of projects was part of a string of similar projects that supported the reinforcement of the Turkish Custom administration (the current project being already phase three of a larger scheme). As in Croatia, clear mandates are spelled out for the TA and twinning components of the intervention. The Turkish Customs modernization process continues under IPA 2007, with a phase four which is implemented through a twinning light project aimed at training Turkish staff at an upgraded Customs Laboratory.

Motivated by the same objective (improving the operational capacity of its customs service), Montenegro has opted for a twinning project under IPA 2008. The areas of intervention and expected results seem to justify this choice. The project planned to improve the governance in the sector (by reducing staff turnover, speeding up procedures etc); to align legislation and procedures with the EU *acquis* ; and to enhance the implementation of the integrated border management (reducing corruption, on-going support for the implementation of the new powers of the customs officers etc). Similarly, Albania and Serbia chose twinning as modality for implementing custom reform-related projects under IPA 2008. The twinning project in Serbia had two components on risk analysis and risk management and on post-clearance audit. It was meant to complement and enhance the results of another parallel training project by UNODC. The Albanian project aims to modernize the control and monitoring of customs systems based on the EU standards and practice through the implementation of best managerial, operational models recommended by EU blueprints and safety standards, enhancement of human resource capacities, use of specialised equipment providing secure movement of goods and passengers, facilitation of trade through introduction of simplified procedures.

The examples above illustrate that in the field of custom modernization, both TA and twinning were widely used over the past years. The scope of necessary reforms (technical, procedural and institutional) substantiates the flexibility in the choice of instruments. In the cases studied above the modality choice seems to have been carefully considered.

Another area of concentration of finance-related projects is that of decentralisation of financial management. The majority of projects of this type were undertaken as TA projects, although the activities undertaken are often linked to the implementation of decisions already made after the alignment of systems to European ones. Sometimes, the

description of TA projects can come very close to those normally associated with the twinning modality. For example, the description of the project “Capacity Building of the Ministry of Finance and Treasury in Decentralisation Implementation System at Bosnia and Herzegovina” (129133 CARDS 2006) reads: “The project shall provide three Long Term Experts (LTE) who will work with, coach, mentor, train and advise their counterparts in the Ministry of Finance and Treasury. The Experts shall be located with their counterparts who shall be members of the senior management of the Ministry. The project shall include provisions for Short Term Expertise to supplement the LTEs in cases where specific expertise is required to be applied to the Ministry.” However the choice of TA as instrument seems in line with good practices, as this project did not aim to help with the acquis adoption, but with more implementation-related tasks, in a recently established and not well manned organisation.

Structural funds

Table A.3.33 Total number of TA and twinning projects in the sector Structural funds

	Albania	BiH	Croatia	FYROM	Kosovo*	Montenegro	Serbia	Turkey	Total
TW			2						2
TA			1	3					4
Total			3	3					6

* under UNSCR 1244/99.

The TA project in Croatia, implemented under PHARE 2006, was aimed at development institutional capacity for the management of EU Structural Funds Post-Accession. The first of the twinning projects, a twinning light under PHARE 2006 was aimed at strengthening the administrative capacity for management and implementation of IPA/ESF. The second one is designed to provide assistance with transition to EDIS under IPA Component II and with preparations for management of Objective 3 under Cohesion Policy. However, since this IPA 2008 project is still in its initial set-up stages (twinning fiche in ex-ante procedure), its shape might still change.

The very small number of projects in this category confirms the fact that the majority of allocated funds still goes into helping the Balkan countries and Turkey with implementing the acquis. Projects destined to prepare the countries for dealing with structural funds become more frequent as countries progress with the acquis implementation and the prospective for joining the EU draw nearer.

Standardization and certification

Table A.3.34 Total number of TA and twinning projects in the Standardisation and Certification sector

	Albania	BiH	Croatia	FYROM	Kosovo*	Montenegro	Serbia	Turkey	Total
TW	1							1	2
TA	2	3	2	1			1	3	12
Total	3	3	2	1			1	4	14

* under UNSCR 1244/99.

Only two twinning projects were undertaken in the area of standardization and certification. One in Turkey under PHARE 2005, aimed to establish a product safety system in Turkey through strengthening the existing market surveillance structures; and another one in Albania (IPA 2008) on improvements of the Public Procurement, Concessions and Public Auctions systems in Albania.

The TA projects classified in this group also seem to fit well the instrument chosen for their implementation. They are for the most part linked to relatively technical subjects, such as establishing computerized systems for improving the transit of products (Serbia), improving the metrology system in Bosnia and Herzegovina or supporting a Patent office in Kosovo with setting up a system for enforcement of Intellectual Property Rights. The two projects undertaken under CARDS 2006 in Albania relating to the creation of a vineyard cadastre and the support of the accreditation agency could be considered good candidates for a mix of twinning and TA approach. In the first mentioned case, the set up of a database and the registration of vineyards per se are clearly TA tasks, but the transposing of the EU legislation might have led to more national ownership if support was provided through twinning. In the second case, legal assistance in order to align Albanian practices to the EU *acquis* was, like the other components (capacity building, public awareness etc), implemented in a TA project context, while the use of a twinning legal expert could have also been considered. However, by and large, since these are only relatively small activities in larger projects (yet not large enough to justify a full-blown twinning budget), the choice of TA as modality was probably justified.

Statistics

Table A.3.35 Total number of TA and twinning projects in Statistics

	Albania	BiH	Croatia	FYROM	Kosovo*	Montenegro	Serbia	Turkey	Total
TW		1	3	1				1	6
TA	3	1	2	2	1	1	3	4	17
Total	3	2	5	3	1	1	3	5	23

*under UNSCR 1244/99.

The group of projects classified as “statistics” are relatively homogeneous, as they strive to address statistical shortcoming both at “central level” (Bureaus of Statistics) and in other institutions that have to feed statistical data into the system or process it. The majority of projects aim at building institutional capacity and upgrading systems. Themes covered range from National Accounts, to censuses, to agricultural statistics and business registers.

Projects in the field of statistics have been targeted both at Central Statistics Bureaus but also at line ministries. For example, under IPA 2007, three projects were destined to reinforcing the statistics capacity of three different ministries. These more specific projects built on previous ones, such as a TA project in 2005 which upgraded the statistical system in Turkey by, inter alia upgrading the system for evaluating and publishing statistical data and improving the quality and management of the Statistical System (revision of the classification system, improvement of National Accounts, upgrade of IT infrastructure).

Turkey also benefited from a twinning project dubbed “Capacity building for the compilation of accounting data in all institutions and agencies within the general government sector in the context of e-government”, which dealt with improving the statistics abilities of the personnel in the ministry of finance. The fact that a twinning modality has been chosen may have been justified by the confidentiality and secrecy issue: Turkey is very hesitant to give private TA providers insight in confidential government information. At least some of the activities of the project could be considered plausible TA “candidates” (for example the development of a data collection software).

The Bosnia and Herzegovina “Statistics” twinning project implemented in 2005 also raises some questions with respect to the choice of modality. It involved three separate beneficiary organisations and covered a host of areas, from Business Registers and National Accounts to Agricultural, External Trade, and Finance Statistics. It also attempted to strengthen the institutional infrastructure of Bosnia and Herzegovina Statistics Institutions on aspects linked to transfer of know-how and investments in human resources. Although a large number of short-term expertise was provided for in the design of the project, it is not immediately evident why this expertise had to be couched in a twinning context. Furthermore, in most other countries of the region (Serbia, Montenegro, Albania), TA or a mix of twinning and TA is more frequently chosen for achieving such results.

Croatia received a big push in the reform of its statistics system in 2005, when three closely-related projects have been implemented – one TA and two twinning projects for the adoption of the acquis. The two twinning projects targeted the organisational capacity in specific priority areas for the recipient country, namely Business Statistics and Household Based Surveys on the one hand and the Business Register and Classifications, National accounts and Agricultural Statistics on the other hand. The mandate of the TA contract covered all of the aspects touched on by the two twinning projects, but was clearly defined in terms of very specific activities that it would deal with. For example, in the area of National Accounts, the TA was only meant to establish a database, while in the area of Agriculture statistics, the TA input was restricted to the establishment of economic accounts.

Other projects

Table A.3.36 Total number of TA and twinning projects among other projects

	Albania	BiH	Croatia	FYROM	Kosovo*	Montenegro	Serbia	Turkey	Total
TW – other projects	-	3	2	-	1	-	2	-	8
TA – other projects	1	2	2	2	2	-	6	1	16
TA – Telecomm	-	1	1	1			1	1	5
TA- PSD	1	5	2	5	2	1	2	5	23
TA- CBC		2					1	5	8
Government,	2	6	1	12	7	1	9	18	56

civil society & governance									
Total	4	19	8	18	12	2	21	30	116

* under UNSCR 1244/99.

In this section, we endeavour to analyse the twinning projects labelled “other”, as well as the TA projects that do not fit in any other twinning category. In order to give slightly more structure to the analysis, we grouped the latter in four different groups, “TA other projects”, “TA Private Sector Development”, “TA- Cross-border cooperation” and “TA-government, civil society and governance”. In addition, we have included in this section the TA projects linked to field “7- Telecommunications” in which no twinning projects have been undertaken.

Three of the nine twinning projects labelled by their programme managers as “other” are twinning light projects. Although the project aimed at Bosnia and Herzegovina’s participation in European Community Programmes for Lifelong Learning and Youth could have also been classified as a TA project, it can also be argued that as a twinning it can bring additional benefits, since it can already, from the preparatory phase, start setting up the network that would be needed further to participate in the programmes concerned. Also the choice for twinning as modality for Institutional Capacity Building of the Republic Geodetic Authority (RGZ) to manage land and real property information in Serbia seems logical.

The TA projects that have been classified in the “other” category include a project linked to cartography (Provision of Digital Ortho Photomaps. Serbia, CARDS 2005), translation-related projects (as the ‘support to the translation and coordination unit project’ in Serbia) and projects designed to help beneficiary countries with the overall administration and coordination of support programmes (such as IPA Programming and Project Preparation Facility Serbia, CARDS 2006 and Project Pipeline for IPA/EU Structural Funds at Republic of Croatia).

The private sector development TA projects have been grouped to the extent possible under one category. TA for all of these projects obviously appeared to be the logical choice, although some of them had links with national policy making, e.g. “EU Support to SME and regional Economic Development” (CARDS 2005), as well as “EU Support to SME policy and Institutional Capacity Development” (IPA 2007), both implemented in Bosnia and Herzegovina. The first project was supposed to “work in a coordinated manner on different strategic and institutional levels focusing on creation of policy and regulatory framework for SME development, capacity building measure targeting different stakeholders and actors, and public- private sector dialogue.”

Finally, some of the TA projects aiming at to overall government reform could also be envisaged as twinning projects, from the perspective of the tasks at hand. For example, “Strengthening the Ministry of European Integration in Albania” under CARDS 2005 was supposed to support the ministry to play a coordinating role for European integration and ensure the effective use of Community assistance programmes. The project was also foreseen to strengthen the policy making capacities of the Government central and line agencies, and to provide support to the Parliament and regulatory bodies to improve their

ability to perform regulatory and oversight functions. It could be argued that this was fairly and squarely within the realm of twinning, but matter of institutional maturity might have had a bearing on the choice of modality. The project ‘Capacity building of the Office of the Coordinator for public administration Reform’ in Bosnia and Herzegovina was implemented as TA. The project fiche also makes reference to a twinning light project, but apparently it was not implemented as such.

Conclusions

Under the EU support instruments which are the scope of this evaluation a total of 181 twinning projects have been contracted, for a total value of EUR 189.1 million, and 448 TA projects with a combined value of EUR 928.7 million, excluding TA contracts with a value below EUR 200,000. Twinning therefore accounts for 29 percent of the portfolio in terms of number of projects, and 17 percent in terms of funds committed. Out of the 181 twinning projects, 33 were twinning light projects.

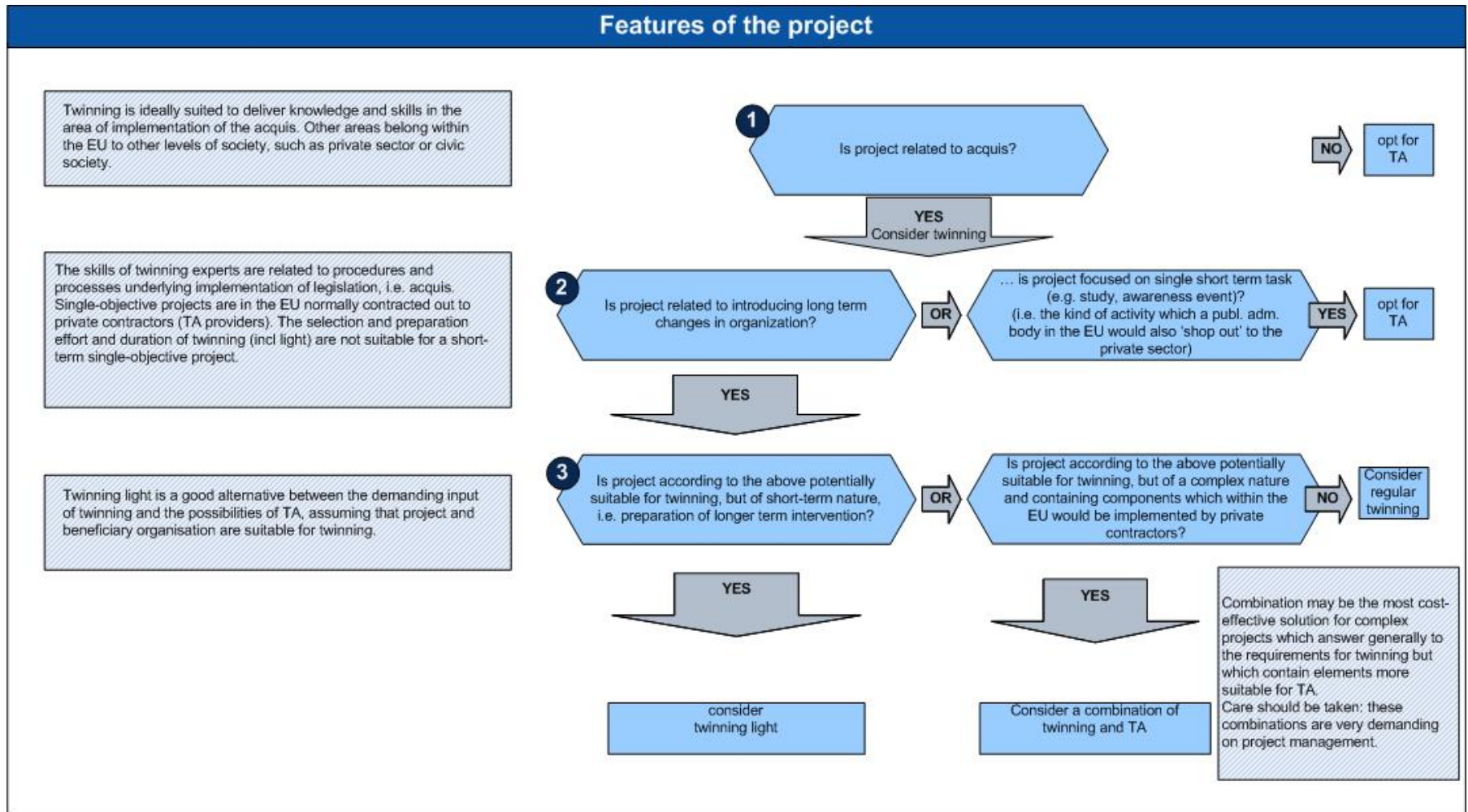
Twinning is most concentrated in the sectors ‘Justice and Home Affairs’, ‘Finance’ and ‘Agriculture and Fisheries’. Together these sectors account for 58 percent of all twinning projects. The *acquis* relevance of these sectors is an important explanatory variable. Furthermore, twinning as a share of the total project portfolio increases over the years, and is more concentrated in the candidates than in the potential candidates. Croatia is the only country that has a larger share of twinning than of TA projects.

Looking at the relation between the nature of the assignment, in general the fact that TA or twinning has been selected can be explained by the fact that the assignment is either or not *acquis* related and the beneficiary organisation does or does not belong to the public sector. A large number of projects falling in the *acquis* and public sector category has however been implemented using TA. Reasons here may be of a practical nature, e.g. the maturity of the beneficiary organisation or even a lack of interest from the side of twinning providers.

Annex 4 Blueprint for Selection of Instrument

Note: The blueprint presented here should be seen as a simple orientation instrument and be interpreted with due flexibility, taking each individual situation into consideration.

Blue print for selection of instrument twinning, twinning light, TA or a combination



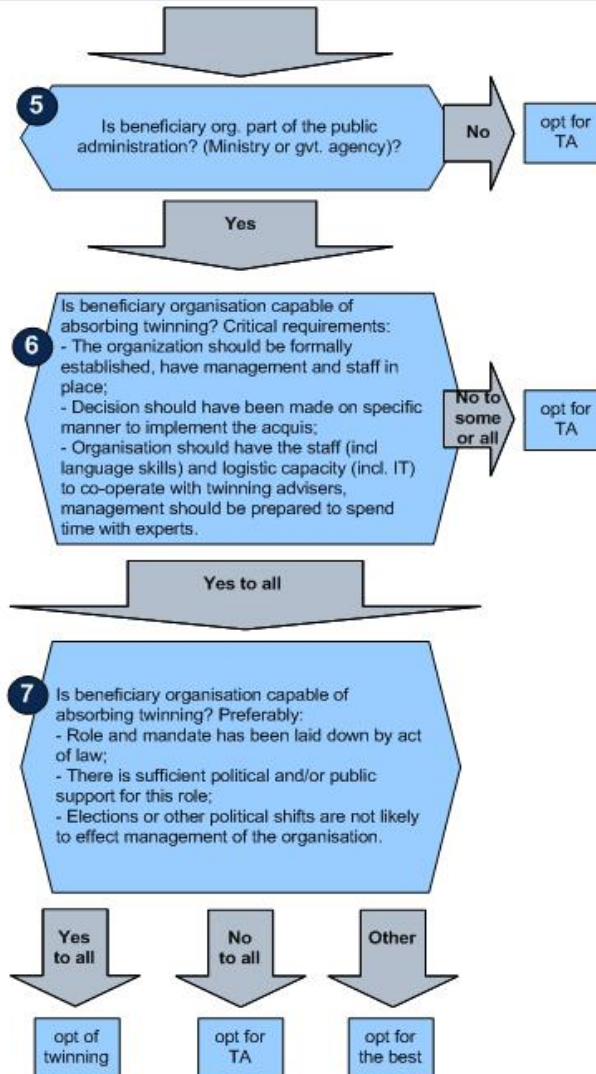
Features of the beneficiary organisation

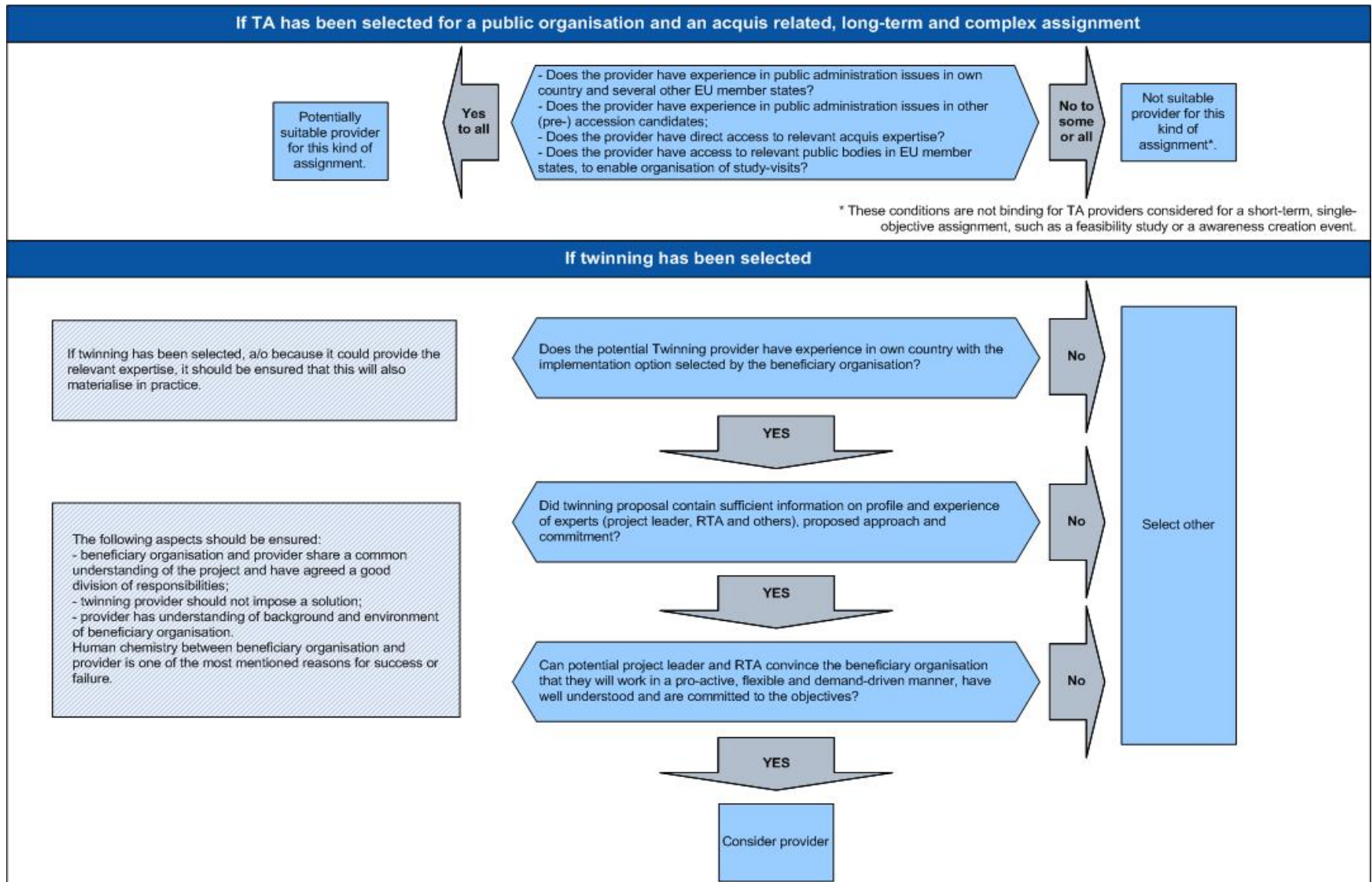
Twinning is ideally suited to deliver knowledge and skills in the area of implementation of the acquis. Other areas belong within the EU to other levels of society, such as private sector or civic society.

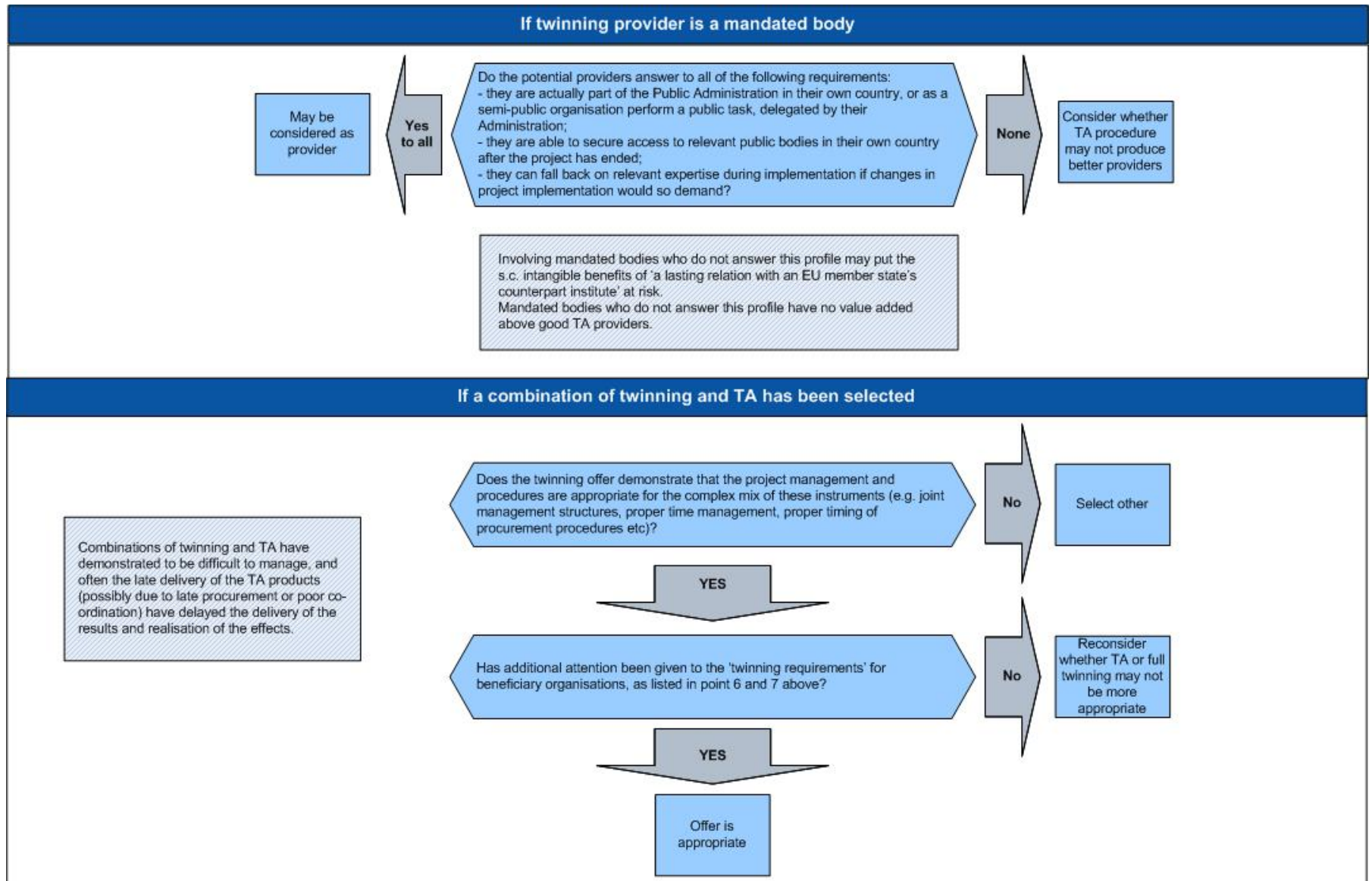
Twinning is suitable for *strengthening* capacity of existing organisations in performing a public function, it is not suitable for *building* organisations from scratch.
 Twinning advisers have experience in their member state's selected solution to implement the relevant acquis, TA is better suited to organise an overall view over different alternative methods, to facilitate a choice.
 Twinning is invasive, if there is no local staff available to work with the twinning experts, results will not be sustainable.
 Insufficient public embedding of the beneficiary organisation may pose a serious sustainability risk.
 It is understood that many organisations may not answer to all requirements. Some are critical, others preferable. If not all preferable conditions are fulfilled, dialogue will have to lead to an 'intelligent' choice between TA, twinning or a combination. This may differ from country to country.

Brain drain is a risk, irrespective of the choice of TA or twinning. Project should have measures included which can mitigate the effects of brain-drain, such as manuals, procedures laid down in written form etc.

8 Is brain-drain an issue?







Summary comparison technical assistance and twinning

Issue	Technical Assistance	Twinning
Effectiveness	<p>Responses to the web survey, as well as findings from the sample indicate that TA has similar changes of achieving effects as twinning. If a beneficiary organisation is for one reason or another not suitable for twinning, TA may be a perfectly acceptable alternative.</p> <p>Essential however is that conditions are fulfilled, as outlined in the next rows.</p> <p>For non-acquis related assignments, TA is in fact the most appropriate modality.</p>	<p>See remark on TA.</p> <p>For twinning to be (fully) effective, conditions have to be fulfilled both at the level of the provider and at the level of the beneficiary.</p> <p>Conditions for the beneficiary are:</p> <ul style="list-style-type: none"> • part of the public administration; • organisational maturity; • institutional stability; • decision on specific manner to implement the acquis has been made; • sufficient manpower, IT and space to effectively accommodate the twinning project. <p>Conditions for the provider will be treated in the cells below.</p>
Guaranteed results	<p>TA contracts specify objectives, no guaranteed results. Many respondents consider this a weak point of TA compared to twinning.</p>	<p>Twinning contracts specify 'guaranteed results'.</p>
Quality of knowledge and skills provided	<p>Responses to the web survey, as well as findings from the sample indicate that quality of knowledge and skills is considered to be generally high, comparable to twinning.</p> <p>There is a need to verify however that:</p> <ul style="list-style-type: none"> • provider has experience (within EU) in advising relevant parts of the public administration; • provider has access to acquis expertise; • provider has the possibility to organise relevant study visits and/or exchanges. 	<p>See remark on TA. The peer-to-peer approach appears to be the most suitable knowledge-exchange channel provided the beneficiary fulfils the conditions (see above). Especially skills of twinning providers of the NMS are relevant.</p> <p>There is a need however to verify whether:</p> <ul style="list-style-type: none"> • the RTA (with support of the project leader) has organisational and social skills to make the required expertise accessible, also the short-term expertise; • the twinning provider is flexible, willing to adapt solutions to the local situation and not trying to impose solutions. <p>In case of mandated bodies, it should be verified that:</p> <ul style="list-style-type: none"> • the mandated body indeed has the profile of a (semi-) public entity and is entrusted in its home country with a public function.
Intangible benefits	<p>Generally, TA contracts provide no more than required in the ToR of the contract.</p>	<p>More than half of the beneficiary-respondents reported a lasting relationship with a EU partner institution as a result of a twinning exercise. It is</p>

		<p>mentioned as one of the string points of twinning. It should be verified however, prior to selection of the provider, of:</p> <ul style="list-style-type: none"> • the provider (e.g. mandated body) is able to enable a lasting relationship with a partner institution(s) in the EU; • the profile of RTA allows for the possibility to enable a lasting relationship with the partner institution(s) in the EU. <p>A significant minority of the respondents mentioned a 'change in organisational culture' as a strong point of twinning, which was however not observed in the sample. It was generally felt that 'twinning' provides an inside view on how the acquis is mainstreamed in public administration.</p>
General efficiency	Relatively, results of TA are earlier forthcoming than those of twinning. Also other factors related to efficiency, described below, make TA generally a more efficient instrument than twinning.	<p>Efficiency of twinning suffers from a long gestation period (between selection of the provider and the actual start of the operations) and a rather rigid structure. This structure makes twinning almost exclusively suitable for assignments which have the following characteristics:</p> <ul style="list-style-type: none"> • aiming at introducing long-term changes in the beneficiary organisation; • of a long-term nature. <p>For short-term assignments answering the first criterion, twinning might be suitable. For specific projects aiming at single short-term task (study etc) twinning is insufficiently flexible and inefficient.</p>
Control	TA is controlled either by EUD or CFCU in line with the statements in the contract. Generally, TA is easier to control than twinning.	<p>Twinning is difficult to control for the beneficiary and for the CFCU. Mechanisms, such as steering committees (assessing progress reports) are in place but beneficiaries find it more difficult to act on perceived non-performance. Main reason is the political weight of the twinning providers. The lack of control is the main reason for the reservation which several (potential) beneficiaries hold against twinning.</p>
Costs	TA is in terms of fees relatively more expensive than twinning. Competition in the procurement phase, as well as more flexibility in shaping the contract, dilute the price-difference with twinning. Costs are a relatively less important element in selecting between TA and twinning.	<p>Twinning has generally lower daily fees and is, on an overall contract price basis, somewhat cheaper than TA. Some cost elements (e.g. permanent accommodation for RTA and spouse) of a twinning contract however do not apply for TA. Efficiency issues (see above) are the reason that many respondents consider twinning to be less cost-effective than TA.</p>

Brain drain	Brain drain is a problem which equally occurs under twinning and under TA contracts. If the results of the project are laid down in fixed procedures, manuals etc. this may shorten the learning curve for new staff and mitigate the effect of brain drain.

Annex 5 List of Literature and Documents consulted

General:

- An evaluation of completed twinning projects, January 2003;
- An overview of EU twinning in the former Yugoslav Republic of Macedonia;
- CARDS, Regional multi-Annual indicative programme (MIP), 2005-2006;
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