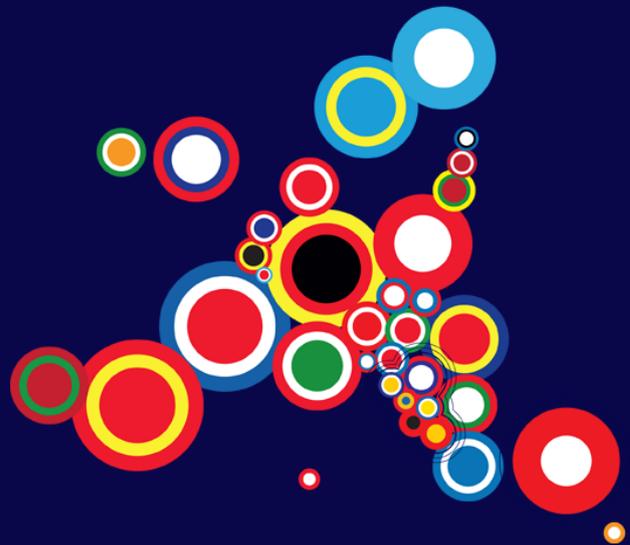




## INSTRUMENT FOR PRE-ACCESSION ASSISTANCE (IPA II) 2014-2020

### SERBIA

#### EU Integration Facility – Direct management



The Action is part of a two-pronged approach (under direct management and under indirect management) to contribute to strengthening the capacity and accountability of the Serbian public administration to assist the Government in the preparation for EU membership. The support will be instrumental for alignment with the EU acquis and development and implementation of relevant reforms and strategies. The Action will also secure the support to priority needs unforeseen throughout the programming process, but that would later appear relevant to the accession negotiations, acquis alignment and institution building in various sectors, by allowing a faster response to the priority needs.

Specifically, the Action will allow financing of Technical Assistance for the successful programming and preparation of major investment and other projects (Project Preparation Facility – PPF) included in the Single Project Pipeline.

Finally, the Action will provide support in determining relevance and fulfilment of objectives, efficiency, effectiveness, impact and sustainability of EU assistance to Serbia.

<b>Action Identification</b>	
<b>Action Programme Title</b>	Annual Action Programme for the Republic of Serbia for the year 2018
<b>Action Title</b>	EU Integration Facility Direct Management
<b>Action ID</b>	IPA 2018/ 041-249/1/Serbia/European Integration facility – Direct Management
<b>Sector Information</b>	
<b>IPA II Sector</b>	1. Democracy and governance
<b>DAC Sector</b>	15110
<b>Budget</b>	
<b>Total cost</b>	EUR 10.000.000
<b>EU contribution</b>	EUR 10.000.000
<b>Budget line(s)</b>	22.02 01 01
<b>Management and Implementation</b>	
<b>Management mode</b>	Direct management
<i>Direct management:</i> <b>EU Delegation</b> <i>Indirect management:</i> <b>National authority or other entrusted entity</b>	EU Delegation in Serbia
<b>Implementation responsibilities</b>	Results 1, 2 and 3: Ministry in charge of European integration
<b>Location</b>	
<b>Zone benefiting from the action</b>	Republic of Serbia
<b>Specific implementation area(s)</b>	Republic of Serbia
<b>Timeline</b>	
<b>Final date for concluding Financing Agreement(s) with IPA II beneficiary</b>	At the latest by 31 December 2019
<b>Final date for contracting, including the conclusion of contribution/delegation agreements</b>	3 years following the date of conclusion of the Financing Agreement, with the exception of cases listed under Article 114(2) of the Financial Regulation
<b>Indicative operational implementation period</b>	6 years following the conclusion of the Financing Agreement
<b>Final date for implementing the Financing Agreement (date by which this programme should be de-committed and closed)</b>	12 years following the conclusion of the Financing Agreement

<b>Policy objectives / Markers (DAC form)</b>			
<b>General policy objective</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Main objective</b>
Participation development/good governance	<input type="checkbox"/>	√	<input type="checkbox"/>
Aid to environment	√	<input type="checkbox"/>	<input type="checkbox"/>
Gender equality (including Women in Development)	<input type="checkbox"/>	√	<input type="checkbox"/>
Trade development	√	<input type="checkbox"/>	<input type="checkbox"/>
Reproductive, maternal, newborn and child health	√	<input type="checkbox"/>	<input type="checkbox"/>
<b>RIO Convention markers</b>	<b>Not targeted</b>	<b>Significant objective</b>	<b>Main objective</b>
Biological diversity	√	<input type="checkbox"/>	<input type="checkbox"/>
Combat desertification	√	<input type="checkbox"/>	<input type="checkbox"/>
Climate change mitigation	√	<input type="checkbox"/>	<input type="checkbox"/>
Climate change adaptation	√	<input type="checkbox"/>	<input type="checkbox"/>

## 1. RATIONALE

### PROBLEM AND STAKEHOLDER ANALYSIS

Serbia is making significant progress in the accession to the European Union (EU). The European Council (EC) granted Serbia the status of candidate country in 2012. The Stabilisation and Association Agreement (SAA) between Serbia and the EU entered into force in September 2013. Accession negotiations were launched in January 2014. The analytical examination of the EU acquis (screening process) started in September 2013 and has been completed for all 35 chapters in March 2015. The EC assessed that Serbia should be capable of assuming the membership obligations in the medium term in almost all areas of the acquis, provided that the alignment and adoption of legislation is accompanied by its effective implementation and enforcement. Serbia has opened 12 negotiation chapters of the acquis (Chapters: 32, 35, 23, 24, 5, 7, 25, 20, 26, 29), while two chapters (25 and 26) have been provisionally closed. Furthermore, there are lot of chapters which are either ready or are in an advanced stage of preparation for the opening, while for the nine chapters where opening benchmark(s) have been set, the administration is working hard to fulfil them.

Accession negotiations will increasingly require that Serbia improves the capacity of public administration for taking over the membership obligations. Capacity development is needed both in terms of developing adequate institutional structures, but also in terms of ensuring the sufficient number of qualified experts and competent civil servants with knowledge to work on the harmonisation of the national legislation with the acquis, including the improving the quality of policy and legal drafting processes, effective enforcement of harmonised legislation and management of EU and public funds. Increasing accountability and professionalism of administration, de-politicisation and transparency, more transparent management of public finances, and better services for citizens on all government levels is the main horizontal precondition for addressing reforms.

The **sector approach** still requires support to line ministries and relevant sectorial institutions in preparation of sector related strategic documents. In addition, support is needed in order to prepare mature investment projects with a full set of project documentation in line with EU procedures for programming and EU procurement rules, including capacity building focusing on infrastructure tender procedures and other related complex tenders.

A challenge for the effective utilisation of available IPA II resources is the insufficient capacity of the national administrations, both at central and local level, for strategic design, planning, permitting, inspection, enforcement, monitoring, and project management of large investment projects. In the past, the lack of a system for project identification, and problems with land expropriation, delays by national and local authorities to issue building permits, disputes over land ownership, and delays with preparation of technical documentation for investment projects have caused considerable delays for the implementation of investment projects.

International Financial Institutions (IFI) active in Serbia, have provided loans for major infrastructure projects mainly in transport, environment, energy and competitiveness (small and medium-sized enterprises) sectors. However, there are substantial amounts of still undisbursed funds, due to the fact that central and local administration lacks capacities for strategic design, planning, permitting, inspection, enforcement, monitoring, and project management of large investment projects. Weak project identification, problems with land expropriation, delays by national and local authorities to issue building permits, disputes over land ownership, and delays with preparation of technical documentation for investment projects, have caused considerable delays for implementation of investment projects until now, sometimes even putting the IPA and IFI funded projects at risk.

In response to these weaknesses, Serbia has been working on improving its regional policy and coordination of structural instruments through the sound preparation for a sector approach under IPA II by developing the Methodology. The Methodology allows the identification of strategically significant projects and their prioritisation into sequenced project pipeline - Single Project Pipeline for investments. Given the currently restrictive fiscal climate, the Methodology allows focusing available resources on strategically 7 significant infrastructure projects i.e. on those projects which will make the largest contributions (impacts) towards the achievement of national policy objectives for accession and for socioeconomic development in general, especially having in mind that large scale investments in infrastructure will be needed to meet the legislative requirements and to achieve the standards set out in Chapters 14, 15, 21 and 27 of acquis (transport, energy,

trans-European networks and environment and climate change, respectively).

Finally, the Action also includes an allocation for the conduction of evaluations. In line with general principles for evaluations of IPA II assistance and Sector Approach EU assistance shall be subject to evaluations. Evaluations may be carried out at policy, strategic, thematic, sectoral, programme and operational level as well as at country or regional level, and the results of evaluations shall be taken into account by the IPA monitoring committee and the sectoral monitoring committees.

The Better Regulation Guidelines and the DG NEAR Guidelines on linking planning/programming, monitoring and evaluation both confirm the relevance of use of evaluations, through the application of appropriate quantitative and qualitative methodologies, for the improvement of programming in all sectors.

### Main Stakeholders

In terms of the institutional framework, Serbia has established structures to coordinate and carry out the process of accession negotiations. The Chief Negotiator has been appointed and is supported by the Negotiation Team. National line institutions have a key role in the accession negotiations, in accordance with their respective competences. The Coordination Body for the accession process has been established to deliberate on the most important issues and streamline accession-related tasks. In total, 35 negotiation groups will be functional during the accession process, while the ministry in charge of European integration provides operational support to the Negotiation Team. The ministry in charge of European integration, by its legal mandate as the NIPAC Technical Secretariat, will be the direct beneficiary of the support, but mainly as coordinator interacting with the institutions eligible for assistance, in order to consolidate the quality of proposals and allocate the funds available.

In order to provide a suitable forum when it comes to the planning of investments in infrastructure, a National Investment Committee (NIC) was established in October 2014 and supports the strategic process of selection and prioritisation of infrastructure projects resulting in the SPP. It is co-chaired by the Minister of Finance and the Minister for EU Integration (NIPAC) and is composed of the ministers responsible for construction, transport and infrastructure, energy, environment, economy and public administration reform. Representatives of the EC, IFIs, and the wider donor community are invited as deemed appropriate to be observers at NIC meetings. The continued support to preparation of projects listed in the SPP remains necessary to ensure the readiness of Serbia to effectively absorb IPA and future EU funds in strategically relevant sectors.

### **OUTLINE OF IPA II ASSISTANCE**

This Action is designed to provide targeted and thematic assistance to the institutions for further supporting alignment and enforcement of the *acquis* in Serbia and to address the needs for infrastructure development in line with the Single Project Pipeline. Future EU support will be even more effective and planned based on the recommendations streaming from evaluations. This Action includes:

Negotiations and Policy Developments Envelope under direct management: Through this envelope, support will be provided to any necessary actions supporting the EU accession process, which cannot be identified in the programming phase, as they will depend on the progress of Serbia's harmonisation of legislation and institution building. The support shall also be dedicated to back-up smaller-scale projects. In order to maintain the momentum of important reforms on the medium-term, administration in Serbia needs properly configured assistance to keep progressing on several tracks in parallel.

The action will provide specific and flexible *ad hoc* expertise to support EU accession-related, reforms, including the fulfilment of the accession negotiations requirements, and to support the preparation, implementation, monitoring and evaluation of actions under IPA. In order to obtain full EU membership, Serbia is required to meet all conditions deriving from the stabilisation and association process and the Copenhagen criteria and ensure the stability of democratic institutions. This requires the quick reaction of the national administration and different actors in their efforts to manage the EU integration process, to mitigate risks which might jeopardise the EU future of the country and to ensure proper utilisation of the available pre-accession assistance.

It will provide support required by the Serbian institutions in the process of alignment of the legislation to the EU *acquis* is usually planned in a structured way and included in the regular IPA programming exercise. However, experience from previous programming rounds shows that some relevant actions relating to the accession process were unforeseeable at the time of programming, and proved to be in need of support from

IPA. For that purpose a relatively flexible financing envelope needs to be established through the Negotiations and Policy Developments Envelope.

PPF: An additional goal of the facility is to continue building capacity of the Serbian authorities for the effective programming of EU funds and for the management of project preparation both at the local and the central government level. In relation to the Single Project Pipeline (SPP), the Project Preparation Facility (PPF) will also support the Technical Secretariat of the National IPA Coordinator (NIPAC TS) – ministry in charge for European integration (MEI) and the responsible line ministries in further reviewing and amending as necessary the strategic relevance criteria applied in the *Methodology for the Selection and Prioritisation of Infrastructure Projects* (hereinafter: the Methodology) so that they reflect the most recent sector strategies.

This Action aims to finance a new phase of the Project Preparation Facility. The aims will be the preparation of project documentation for projects included in the SPP, which will be selected based on the recommendations of the Gap assessments carried over 2014-2016.

The present action will focus on finalising the technical documentation for the most mature projects selected in the key areas of the SPP. In addition, the PPF activity will also provide support to the development of other types of projects and to the programming process in a number of sectors, as required.

In addition, support to the Joint Assistance to Support Projects in European Regions (JASPERS) initiative aims to accelerate Serbia's preparations for the absorption of the EU funds by supporting the development of a project pipeline of projects in the environment, transport, energy and regional competitiveness sectors.

Support to the conduction of evaluations is also part of the action, with the aim of ensuring the conduction of evaluations in accordance with an agreed evaluation plan, covering a number of sectors implemented in particular from IPA II funding for Serbia, and focusing on innovative or sensitive projects, as well as on any intervention exceeding EUR 10 million, with the purpose of generating lessons learned and recommendations for future programming in those sectors in Serbia.

#### **RELEVANCE WITH THE IPA II STRATEGY PAPER AND OTHER KEY REFERENCES**

The **Negotiations and Policy Developments Envelope** will support enhancement of Serbia's institutional capacities and strengthen it to meet the full range of priorities deriving from the Indicative Strategy Paper, Stabilisation and Association Agreement and National Plan for Adoption of the EU acquis. The newest Commission Strategy for credible enlargement perspective for and enhanced EU engagement with the Western Balkans points out key and main pillars of the reforms in the period to come, but at the same time provides the guidelines to the Serbian authorities regarding the direction of the efforts to meet the accession criteria by 2025. There are a number of issues highlighted in the Strategy that should be tackled through this envelope, including provision of support for implementation of the initiatives targeting specific areas of interest for both the EU and the Western Balkan, such as rule of law, fundamental rights and protection of minorities, security and migration, public administration reform, etc. This envelope will provide prompt and timely support to Serbian authorities in addressing obligations stemming from the membership in different negotiating chapters.

PPF assistance will be granted in line with, and in support to the Enlargement Strategy and the Indicative Strategy Paper (ISP) for Serbia. These documents stipulate, among others, that support shall be concentrated on those interventions that bring the greatest added value in relation to the European Union strategy for smart, sustainable and inclusive growth (Europe 2020). At the regional level, PPF assistance will be provided in line with the priorities identified in the Multi-country Indicative Strategy Paper 2014-2020, but also in line with relevant EU policies and EU macro-regional strategies such as the EU Strategy for the Danube Region (EUSDR) endorsed in April 2011 and the future EU Strategy for the Adriatic-Ionian Region (EUSAIR) launched in November 2014. The PPF assistance will be in line with EU priorities and objectives presented within the Energy and Transport Connectivity Agendas. PPF is directly linked with preparation for adoption of the EU Cohesion policy, the subject of negotiation within the Chapter 22. This is also in line with the findings of the EC Annual on Serbia (2018) in relation to Chapter 22 which is specifying that Serbia is moderately prepared in regional policy and coordination of structural instruments.

Finally, the ISP gives high importance to lessons learned and recommendations stemming from conducted **evaluations** and audit missions in the programming of assistance. The evaluations envelope foreseen within this action supports the systematic use of evaluation as a method for improvement of programming in the long term period.

## LESSONS LEARNED AND LINK TO PREVIOUS FINANCIAL ASSISTANCE

Programming of funds within the **Negotiations and Policy Developments Envelope** has proven to be a very good practice allowing for flexibility in addressing unforeseen needs related to the institution building and further strengthening of administrative capacities of institutions responsible for implementation of the acquis. It is generally used to support horizontal activities arising from negotiation process and acquis transposition and enforcement which are not representing the comprehensive sector actions. The experience gained so far concerning the demand for usage of the IPA **'negotiation and policy envelopes**, demonstrates high interest of the national administration and the purposefulness of such a programming and financing tool in the national IPA package. This proved to be relevant in particular for sectors with diversified and voluminous acquis such as environment, agriculture and rural development, internal market, but also justice and home affairs. In that respect unallocated envelope ensures the reserve of funds to be mobilised with the aim to respond to emerging tasks related to the institution building and further strengthening of administrative capacities of institutions responsible for implementation of the acquis in a flexible and immediate way.

With regard to ensuring objective and transparent allocation of the funds to concrete actions and projects, it has been jointly concluded by the national institutions, primarily the MEI, and the Commission that based on the previous experience and the lessons learnt a comprehensive system of selections needed to be established. The prioritisation and decision making of the priorities funded through **negotiation and policy envelope** funds is treated as a mini-programming exercise with all seriousness that such process requires and deserves. Consequently, as of IPA 2013 the unallocated funds have been a subject of approval by the **Working Group for the Management of Negotiation and Policy Envelope Funds within the Instrument for Pre-Accession Assistance for the period 2007-2013 and 2014-2020 (hereinafter: Working Group)**. Working Group main task is to ensure objective and transparent allocation of the "unallocated funds" to concrete actions and projects, with members including the Ministry of European Integration, the Central Financing and Contracting Unit of the Ministry of Finance, the NAO Management Structure (NAO Support Office and National Fund in the Ministry of Finance) and EU Delegation. The basis for the management of the Working Group is set up in the Guidelines for the management of unallocated funds under the Instrument for pre-accession Assistance for the period 2007-2013 and 2014-2020 (hereinafter: Guidelines), which has been adopted by the representatives of the Members of the Working Group. The PPF assistance has been included in previous IPA programmes with the aim to assist the preparation of the technical documentation of projects selected from the Single Project Pipeline. The IPA 2013 programme included two facilities; PPF 6 was dedicated to preparation of project documentation for at least two large infrastructure projects in the environment and energy sectors of the Single Project Pipeline. PPF7 will provide support to the NIPAC and national institutions in the programming of IPA II funds, through sector and project assessments, preparation of project documentation, advice and capacity building. The second component will be dedicated to the preparation of technical project documentation for additional two projects from the Single Project Pipeline.

The IPA 2014 programme sets aside resources for the PPF 8 phase. It should prepare the technical documentation of at least one large project in the transport sector and two projects in the environmental sector. The IPA 2016 PPF 9 will continue with the support to preparation of technical documentation for infrastructure projects following the SPP, including the possible revision of the Methodology for prioritisation and selection of investment projects and SPP as well as the assessment of the existing documentation related to the newly identified investment projects.

The IPA 2013 support to JASPERS participation supported preparatory, management, monitoring, evaluation, information and control activities and activities to reinforce the administrative capacity of national authorities for implementing the assistance under the IPA.

## 2. INTERVENTION LOGIC

### LOGICAL FRAMEWORK MATRIX

OVERALL OBJECTIVE	OBJECTIVELY VERIFIABLE INDICATORS (*)	SOURCES OF VERIFICATION	
To contribute to strengthening legislative framework and institutional capacities, for the efficient carrying out of accession negotiations and fulfilling the requirements of EU membership	Rate of transposition of the EU <i>Acquis</i> , as measured by the % of the implementation of the Serbian National Programme for Approximation with the <i>Acquis</i>	EC Annual Reports	
SPECIFIC OBJECTIVE	OBJECTIVELY VERIFIABLE INDICATORS (*)	SOURCES OF VERIFICATION	ASSUMPTIONS
To support Serbian administration to effectively meet requirements and conditions deriving from the accession negotiations and successfully manage overall EU integration and pre-accession assistance geared towards EU membership	Number of negotiations Chapters of the <i>Acquis</i> opened and number closed	EC Annual Reports NPAA Reports	Continuous support of the GoS to European Integration process; Continuous support of the Member States to Serbia's European Integration process; Annual budget allocation by the government of appropriate levels of human and financial resources; Sufficient dedicated and qualified staff available at beneficiary institutions.
RESULTS	OBJECTIVELY VERIFIABLE INDICATORS (*)	SOURCES OF VERIFICATION	ASSUMPTIONS
<b>Result 1:</b> A prompt implementation of emerging accession related actions in the sectors covered by the EU <i>acquis</i> and policy dialogue with EU is ensured	Number of specific national institutions supported implementing selected NPE actions for the achievement of NPAA priorities	EC Progress Reports NPAA Reports	Continuous support of the GoS to European Integration process;
<b>Result 2:</b> Financially viable projects for financing by EU pre-accession/accession assistance (and possibly by IFIs and/or other donors) are developed and ready for implementation  2.1.Support to preparation of programming documents and financially viable projects for financing 2.2. Participation to JASPERS	Number of infrastructure projects from Single Project Pipeline prepared and ready to tender by 2022.	MoF reports CFCU reports	Methodology for prioritisation and selection of infrastructure projects widely and accurately followed by national institutions in the course of investments' preparation. The National Investment Committee identifies pipelines of projects
<b>Result 3:</b> Sector and thematic evaluations of assistance, in line with the sector approach are carried out	Number of recommendations deriving from the conducted evaluations implemented	Annual Reports on the implementation of IPA II assistance, and EAMR reports	

## DESCRIPTION OF ACTIVITIES

### **Result 1 - A prompt implementation of a number of accession related actions in the sectors covered by the EU acquis and policy dialogue with EU is ensured**

The **Negotiations and Policy Developments Envelope** will support enhancement of Serbia's institutional capacities and strengthen it to meet the full range of priorities deriving from different policy and strategic documents. It will support horizontal activities arising from negotiation process and acquis transposition and enforcement such as needs mapping and gap analyses, development of strategies and action planes, preparation/revision of legal framework, training, study tours, networking, participation in workshops, conferences and similar capacity development activities.

Working Group for the Management of Unallocated Funds within the Instrument for Pre-accession Assistance for the period 2007-2013 and 2014-2020 (hereinafter: Working Group) will facilitate programming of these funds. The role of the Working Group is to review the actions proposed for financing by potential beneficiaries, to adopt the list of prioritised actions for financing and approve actions which are the most ready. Working Group is operating based on the adopted Guidelines. Selection and prioritisation of the actions for financing is done according to following criteria:

- (1) Linkage to the priorities defined within the ISP/NPAA/ NAD/Sector and Multi-sector strategies;
- (2) Significance for the completion of an on-going project, action or process;
- (3) Maturity (documentation readiness, fulfilment of conditions for start of the implementation, capacities of final beneficiaries and end recipients);
- (4) Proposal responds to an emergency (for example: floods, migration crises etc.).

### **Result 2 – Financially viable projects for financing by EU pre-accession/accession assistance (and possibly by IFIs and/or other donors) are developed and ready for implementation**

#### **Activity 2.1: Support to preparation of programming documents and financially viable projects for financing**

Serbia has high needs for infrastructure development, first and foremost, for the direct benefit of its citizens, but also in view of the accession to the EU. Investments in infrastructure will be needed to meet the legislative requirements and to achieve the standards set out in Chapters 14, 15, 21 and 27 of acquis and to contribute to development of economy and competitiveness in Serbia. It is widely recognised that the finances needed for preparing and building necessary infrastructure are greatly in excess of existing national budget resources and that Serbia's EU accession preparations will need the collective support of international donors together with loans from the main IFIs. Once Serbia joins the EU it will be able to use Structural and Cohesion Funds for infrastructure development and the strategic planning for the future use of these funds is an important part of national preparations under Chapter 22 (Regional Policy and the Coordination of Structural Instruments).

Given the currently restrictive fiscal climate, it is important to focus available resources on strategically significant infrastructure projects i.e. on those projects which will make the largest contributions (impacts) towards the achievement of national policy objectives for accession and for socio-economic development in general. However, as indicated above, to date the most important factor determining infrastructure development in Serbia has been the maturity of project documentation i.e. the quality of project preparation and therefore the extent to which available donor assistance/IFI loans can be absorbed rather than the strategic significance of potential projects.

Also, it has become clear that the identification of strategically significant projects and their prioritisation into sequenced project pipelines will play an important part in the successful implementation of the Sector Approach in Serbia. This is particularly so for infrastructure projects which generally require long preparation periods to develop the necessary documentation<sup>1</sup>.

---

<sup>1</sup> Standard project documentation covers the following: outline project design; pre-feasibility study; location permit; preliminary design; feasibility study; cost-benefit analysis; environmental impact assessment; final design; construction permit; tender documents.

Ministry of European Integration provides the technical secretariat for the National IPA Coordinator (NIPAC TS) and is leading the accession negotiations on Chapter 22. In response to the need for identifying and preparing a national portfolio of strategically relevant investments, and as a part of overall longer term planning for the usage of international assistance funds within National Priorities for International Assistance for period 2013-2017 with 2020 projections (NAD), a comprehensive Methodology was developed and adopted by the Government in 2013 and subsequently tested during 2013-2014 with the cooperation of the responsible sector ministries for the following sectors: *environment (water/ wastewater treatment and solid waste management); transport; energy and business development (industrial zones, business parks, incubators).*

This Action will establish a Project Preparation Facility (PPF) which will support the MEI and relevant national institutions in following:

- Preparation of relevant planning and programming documents;
- Support in updating the Single Project Pipeline, updating/revision of the Methodology (if necessary) Project Identification Forms, Strategic Relevance Assessments (SRAs), Gap Assessment Reports (GARs) and project passports;
- Identification, screening and selection of potential projects for financing, based on established tools for project identification and selection;
- Support to project preparation and design of feasibility studies, cost benefit analyses, environmental impact assessments, as well as all other needed relevant documentation in line with the Law on Planning and Construction and EU Best Practices up to a fully-fledged documentation ready for tendering/procurement;
- Update training needs analyses for relevant institutions/bodies, update training materials to incorporate experiences gained in earlier cycles of Programming of EU assistance, Methodology implementation and deliver training workshops and/or ad hoc trainings.

#### **Activity 2.2 – Participation to JASPERS**

Support through the proposed Action will specifically include:

- advice on the development / improvement of national sector strategies;
- advice on the conceptual development and structuring of projects;
- advice on strategic and conceptual papers supporting individual projects;
- advice on specific aspects of project preparation, such as financial and economic cost-benefit analysis, environmental impact assessment, procurement plans, design;
- review of documentation such as feasibility studies, environmental impact assessments, Natura 2000 studies, technical designs (General designs, Preliminary designs and Main designs), tender documents;
- advice on compliance with relevant EU acquis in particular environmental legislation, state aid and competition rules, transport regulatory requirements, and conformity with EU policy standards;
- assistance in the review, preparation or completion of applications for funding under the IPA II, the Cohesion Fund or the ERDF;
- typically, assistance under JASPERS will complement or supplement feasibility studies, design documents (General design, Preliminary design and Main design) funded or organised by beneficiary country but in some cases assistance under JASPERS may also involve the preparation of full feasibility studies and design documents, especially in cases where there is a lack of in-country technical assistance available;
- assistance may also cover advice on implementation issues such as project management, procurement (for example: preparation of tender documentation, advice on procurement planning, advice on calls for tenders procedures), structuring of Project Implementation Units and helping with conditions set out in the grant application.

JASPERS will also provide assistance on horizontal issues if the above areas of JASPERS intervention appear in more than one sector (in particular EIA, public procurement, state aid) and it may also include implementation of support for projects prepared with the assistance of JASPERS, if necessary: e.g. review of

procurement strategy, review of modification proposals, assistance during implementation in order to follow standard requirements for contract management (e.g. FIDIC rules).

JASPERS assistance will be provided timely and concretely with the full respect of the time constraints related to the projects assigned for JASPERS support. Issues and Guidance notes and Completion notes which would be issued by JASPERS will previously in detailed discussed with the responsible authorities aiming at clarifying eventual issues at the early stage of intervention development.

**Result 3 - Sector and thematic evaluations of assistance, in line with the sector approach are carried out**

The envelope will be used for the conduction of a number of ex-ante, mid-term and in particular final evaluations of the EU assistance, based on an approved evaluation plan and additional evaluations where deemed necessary. Evaluations will be carried out in accordance with the principles and recommendations of the Better Regulation Guidelines and the DG NEAR Guidelines on linking planning/programming, monitoring and evaluation. In line with the IPA II legal framework, NIPAC TS is responsible for organising and coordinating ex-ante, interim and ex-post evaluations of Action programmes and actions financed from IPA II assistance. Evaluations should be carried out in inclusive manner based on the Evaluation plan adopted by the IPA II Monitoring Committee and in line with the Sector Approach.

Ex-ante evaluations may be carried out in order to optimise the allocation of budgetary resources under programmes and improve programming quality. They shall identify and appraise the disparities, gaps and potential for development, the goals to be achieved, the results expected, the quantified targets, the coherence, if necessary, of the strategy proposed and the quality of the procedures for implementation, monitoring, evaluation and financial management.

Interim evaluations shall be carried out where appropriate and shall assess the performance of the assistance and results obtained and lessons learned in terms of the human and financial resources allocated in order to verify that they are consistent with the objectives set.

Ex-post evaluations shall assess the relevance, Union added value, efficiency, effectiveness, impact and sustainability of IPA II assistance in view of achieving the set objectives.

**RISKS**

<b>Risk</b>	<b>Mitigation measure</b>
Relevant ministries and other beneficiaries are hesitant to commit the necessary human resources to the preparation of relevant documents such as implementation documents	MEI and EUD should always take into consideration workload analyses of all significant implementing institutions. Continuous support by the MEI in development of the capacity of all institutions to prepare good quality documentation is a mitigating factor for this risk Ministry of Public Administration and Ministry of Finance should be involved at an early stage, to plan sufficient resources for relevant authorities in a sustainable manner. Sufficient staffing is necessary not only to implement projects, but also to ensure sustainability.
Lack of political commitment and willingness to support the actions; including the risk of changes in the Governmental structures and lack of constant coordination and cooperation between main beneficiary institutions.	The role of the MEI and the negotiating structures and the policy dialogue in the context of EU accession should be used to mitigate this risk.
Inadequate staffing and high turnover rates in the public administration influences the absorption capacities in line ministries and relevant bodies involved in the Action	Strong commitment of the Government towards implementation of the public administration reform strategy. Setting up of each programmes comprehensive monitoring and evaluation systems, a careful

	targeting and preparation of programme potential beneficiaries and extensive training should be provided to programme administration and institutions involved.
Resistance of involved institutions to implement the changes in line with the EU <i>acquis</i> requirements and engage in the inclusive and evidence-based approach in policy and legal development	Continual capacity development and raising of awareness among involved institutions and beneficiaries on necessary EU requirements which has to be fulfilled Lead institutions take stronger role in facilitating and leading sector institutions which have to respect decisions and implement them as the obligatory The implementation of the PAR strategy will contribute to strengthening of the capacities of relevant line ministries and public administration bodies in implementation of necessary sectorial reforms
Deficiency in making timely decision about actions to be funded from unallocated funds.	MEI, being Technical Secretariat to the WG for Management of Unallocated Funds will support work of the WG in making an assessment of proposed Actions

### CONDITIONS FOR IMPLEMENTATION

**Result 3:** Evaluation plan adopted by the IPA II Monitoring Committee.

### 3. IMPLEMENTATION ARRANGEMENTS

#### ROLES AND RESPONSIBILITIES

Activity 1- final beneficiary for the Activity 1.1 is the ministry in charge of European integration, in capacity of NIPAC TS/Body responsible for coordination of programming, monitoring and evaluation (BCPME), while the end recipients might be line ministries and other responsible public institutions. End recipients will be known once the action proposal has been approved by the Working Group.

Activity 2.1 and 2.2 – final beneficiary for the Activity 2.1 is the ministry in charge of European integration, while the end recipients are line ministries and other responsible public institutions at all government levels.

Result 3- final beneficiary for this activity is ministry in charge of European integration , in capacity of NIPAC TS/Body responsible for coordination of programming, monitoring and evaluation (BCPME), while the end recipient(s) is/are: ministry in charge of European integration, EU Delegation, responsible line ministries and other governmental institutions by responding to evaluations recommendations.

#### IMPLEMENTATION METHOD(S) AND TYPE(S) OF FINANCING

This Action under IPA II assistance will be implemented and managed in accordance with the rules and procedures under the **direct management** and in line with respective legislation and Manuals of Procedures.

#### **Result 1 - A prompt implementation of a number of accession related actions in the sectors covered by the EU *acquis* and policy dialogue with EU is ensured**

Activity 1: - Selection, prioritisation and implementation of the Actions for financing according to established criteria will be implemented through several service, framework and supply contracts. Types of financing for the concrete action will be known once the action proposal has been approved by the Working Group.

#### **Result 2 - Financially viable projects for financing by EU pre-accession/accession assistance (and possibly by IFIs and/or other donors) are developed and ready for implementation**

Activity 2.1: - Support to preparation of programming documents and financially viable projects for financing will be implemented through service contract.

Activity 2.2: Participation to JASPERS will be implemented through the direct grant to European Investment Bank (EIB)

EIB was selected by the MEI and relevant Beneficiaries on the basis of the conditions related to actions with specific characteristics that require a particular type of body on account of its technical competence, its high degree of specialisation or its administrative power, on condition that the actions concerned do not fall within the scope of a call for proposals - pursuant to Art.195(1)(f) FR.

The selection was made in view of the experience developed within JASPERS since 2006, documented by a steep increase of approved projects having received support from JASPERS, EIB has acquired a high degree of specialisation necessary to deliver the relevant support to Member States and candidate countries. The general rules for procurement and grant award procedures shall be defined in the Agreement between the Commission and the European Investment Bank (EIB) implementing the part of the programme.

### **Result 3 - Sector and thematic evaluations of assistance, in line with the sector approach are carried out**

Result 3: Implementation of sector and thematic evaluations, in line with the Sector Approach will be implemented through a number of service contracts, in accordance with the plan for evaluations.

## **4. PERFORMANCE MEASUREMENT**

### **METHODOLOGY FOR MONITORING (AND EVALUATION)**

Monitoring the progress of implementation will be done in accordance with the rules and procedures for monitoring stipulated in the IPA II Implementing Regulation and Framework Agreement between the republic of Serbia and the European Commission on the arrangements for implementation of Union financial assistance to the Republic of Serbia under the Instrument for Pre-Accession Assistance (IPA II).

The overall progress will be monitored by means of several sources:

- **Result Orientated Monitoring (ROM) system** (led by DG NEAR): This will provide, as necessary and required, an independent assessment of the on-going or ex-post performance of the Action.
- **IPA II Beneficiary's own monitoring:** IPA II monitoring process is organised and led by the NIPAC, supported by the NIPAC TS/ BCPME. NIPAC is the main interlocutor between the Serbian government and the EC regarding strategic planning, co-ordination of programming, monitoring of implementation, evaluation and reporting on the overall IPA II assistance. NIPAC monitors the process of programming, preparation and implementation, as well as the sustainability and effects of programmes, aiming to improve these processes, ensure timely identification, remedying and alleviation of potential issues in the process of programming and implementation of Actions. Through the support of the NIPAC TS/ BCPME, the NIPAC prepares regular monitoring reports for the Government and the EC based on the reports drawn up by the institutions responsible for implementation. It reports on the formulation of Action, the fulfilment of preconditions for the initiation of public procurement procedures, the implementation of Action, its sustainability and effects, and organises the process of evaluation.
- **Self-monitoring performed by the EU Delegation:** This is part of the annual assurance strategy process and is done based on the ex-ante risk assessment of actions/contracts considered riskier.
- **Joint monitoring by DG NEAR and the IPA II Beneficiary:** The compliance, coherence, effectiveness, efficiency and coordination in implementation of financial assistance will be regularly (at least once a year) monitored by the IPA Monitoring Committee. It will be supported by Sectoral Monitoring Committees which will ensure monitoring process at sector level. The results of monitoring will be used in the policy-making process to propose programme adjustments and corrective actions.

Monitoring process envisages participation of various stakeholders, such as EC/EUD, NIPAC, NIPAC TS/ BCPME, NAO, NAO SO, NF, Contracting Authorities, Final Beneficiaries, AA, and other institutions and civil society organisations.

In line with the IPA II Implementing Regulation 447/2014, an IPA II beneficiary who has been entrusted budget implementation tasks of IPA II assistance shall be responsible for conducting **evaluations** of the programmes it manages.

The European Commission may carry out a **mid-term, a final or an ex-post evaluation** for this Action or its components via independent consultants, through a joint mission or via an implementing partner. In case a mid-term or final evaluation is not foreseen, the European Commission may, during implementation, decide to undertake such an evaluation for duly justified reasons either on its own decision or on the initiative of the partner. The evaluations will be carried out as prescribed by the DG NEAR guidelines for evaluations. In addition, the Action might be subject to external monitoring in line with the European Commission rules and procedures set in the Financing Agreement.

## INDICATOR MEASUREMENT

Indicator	Baseline (2)	Target 2022 (3)	Final Target 2025 (4)	Source of information
Rate of transposition of the EU <i>Acquis</i> , as measured by the % of the implementation of the Serbian National Programme for Approximation with the <i>Acquis</i>	tbc	tbc	100%	NPAA report
Number of EU <i>acquis</i> chapters opened and number closed	12 (2018) (10 opened and 2 temporarily closed) (Feb 2018)	All Chapters opened At least 22 chapters closed	All chapters closed	EC Annual Progress Report for Serbia, published on yearly basis. NPAA Reports
Number of specific national institutions supported in implementing the negotiation envelope projects for the achievement of selected NPAA priorities.	0	At least 5 institutions supported through Activity 1.1	5 (2025)	Reports on the implementation of IPA II assistance
Number of infrastructure projects from Single Project Pipeline prepared and ready to tender by 2022	5 <sup>2</sup> (Feb 2018)	15	20	Reports on the implementation of IPA II assistance
Number of recommendations deriving from the conducted evaluations implemented	0% (2017)	65% of recommendations incorporated into programming	75% of recommendations of conducted evaluations incorporated into programming	Annual Reports on the implementation of IPA II assistance, and EAMR reports

<sup>2</sup> Number of projects on the Single Project Pipeline belonging to group 1a – projects with technical documentation prepared, ready for tender preparation or tendering

## 5. SECTOR APPROACH ASSESSMENT

IPA II introduces a strategic approach towards programming of the EU financial assistance, which entails a long-term vision, coherent and comprehensive way of planning of the EU funds according to the key priorities.

The activities under this Action belong to several sectors which cannot be specified during the programming phase but rather are designed to address the most urgent needs of the relevant national institutions in the process of assuming obligations from the EU membership. They have been identified by relevant Sector Working Groups and presented in relevant national documents covering the multiannual programming period until 2020.

This Action will support the Serbian public administration at various levels to adequately respond to their respective duties and tasks in the EU integration process, and covers therefore a variety of sectors. The firm commitment of the Government of Serbia towards enforcement of the sector approach in the process of planning and programming of the international assistance have been demonstrated through the number of initiatives which contributed to the fulfilment of sector approach criteria in order to enable more strategic use of available domestic and international resources for implementation of national sector reforms and enlargement priorities.

The “*National Priorities for International Assistance in the Republic of Serbia 2014-17 with projections until 2020 (NAD)*” focus on systematic reforms needed to meet the accession criteria and to create a more attractive economic environment which will act as a driver for economic and social development. NAD defines nine sectors as the basis for sector approach and contains indicators, a set of verifiable, annual and mid-term, targets which can be used for assessing the progress of reforms. “*The National Plan for the Adoption of the Acquis*” represents a detailed, multi-annual plan for harmonizing domestic legislation with the EU regulations.

Relevant sectorial institutions developed the sector approach roadmaps which were designed to efficiently streamline necessary steps for full enforcement of the sector approach at the sectorial level. The roadmaps shall facilitate more coherent and consistent sector strategic framework. They define clear targets to be met within the defined timeframe. Streamlining of the sectorial strategic framework will be further reinforced by implementation of the Law on the Planning System in the Republic of Serbia, and accompanying by-laws which aims to regulate the planning system in Serbia and establish a purposeful, efficient, transparent, coordinated and realistic public policy planning and monitoring system.

Sector Reform Contract (SRC) for the PAR sector, IPA 2015, shall additionally strengthen capacities for public policy development and coordination in terms of planning, analysis, creation, adoption, monitoring and evaluation. The SRC activities will focus on development and adoption of a policy development and monitoring system, including methodology, templates and mechanisms for receiving and responding to policy monitoring reports.

Furthermore, the PAR SRC will contribute to the improvement of planning and budgeting of public expenditures through emphasising the importance of result based planning, better link between allocated expenditures and policy objectives, and accompanying Serbia in the gradual introduction of programme based budgeting. Preparation of the PAR SRC assumed development of first sectorial MTEF in Serbia as part of the pre-conditions to the SRC. Furthermore, the SRC actions will involve the gradual change of the budget preparation methodology allowing for the preparation of sector-based MTEF documents, linking the budget expenditures in the mid-term period to programmatic goals that are sector wide, rather than institutionally based.

PFM Strategy is adopted as a precondition to the sector budget support to PAR sector. As of 2015 all line ministries are required to produce programme budgets. Budget beneficiaries are obliged to submit three-year projections in the course of the annual budget cycle. Fiscal strategy sets the medium-term budget limits per budget beneficiary which allows for the estimates of sector budgets on the basis of individual annual budgets for the institutions. The programme budgeting mechanism can already be qualified as very instrumental for consolidating the fiscal discipline and for the transparency of public expenditure. However,

there is yet no full-fledged mid-term, sector-based budgetary planning process that could be used to develop mid-term expenditure frameworks.

Sector and donor coordination is performed in the Sector Working Groups (SWGs) forum which has been established in order to achieve efficient and coordinated process of programming and monitoring of international development assistance, especially the IPA, as well as to provide the basis for the implementation of sector approach. Primary role of the SWG is to ensure adequate forum for sector policy dialogue and reliable basis for effective planning and programming enabling strategic focus and prioritization, complementarity of various interventions and optimization of different sources of funds. It thus improves the coordination and management of international development assistance and increases its effective absorption while ensuring a transparent and inclusive dialogue among all relevant stakeholders.

Sector monitoring system is for the time being based on the following mechanisms: (i) system of indicators in "National Priorities for International Assistance for period 2014-17 with 2020 projections (NAD)", (ii) indicators defined in the sectorial and/or cross sectorial strategic documents and (iii) periodical review of the implementation of strategies and action plans relevant for the sector. Sector strategy contains outcome and result based indicators, baseline and target values. Indicators are in line with sub sector policy objectives. However, the capacities for defining proper (RACER) indicators, carrying out the monitoring and evaluation tasks on the sector level should be strengthened.

The public administration of Serbia is not equipped with general methodology, guidelines, manuals and IT system for monitoring and evaluation and they have been developed on a case-by-case basis. Evaluation is done ad hoc, without methodology, there is no internal capacity to carry out evaluation, and this refers both to sector and sub sector level. Reporting mechanism on sub sector level is not harmonised and there is no reporting mechanism on the sector level.

## **6. CROSS-CUTTING ISSUES**

### **GENDER MAINSTREAMING**

The Action, as being focused on implementing specific and urgent needs emerging from EU integration process, represents the tool that will mainstream and provide an effective guide to all actors, to better implement gender mainstreaming and thereby better serve the needs of citizens, both women and men. The Action will ensure that the internal policies, structures or operating procedures conform with and promote equal opportunity. In supporting legislative harmonisation, gender needs will be taken into consideration and provisions that enhance equal opportunities will be introduced. All Action activities will respect the principles of equal treatment and opportunities for women, especially trainings and awareness events. During all stages of the operation, the action will aspire to promote non-discriminatory practices and procedures and to prohibit any form of unlawful discrimination including race, colour, religion, national origin, political affiliation, sex, age, marital status, or disability.

The concept of gender mainstreaming will be taken into account in all stages of programmes/Action Documents development so as to enable and encourage participation of women in all areas of policy development that this Action will help formulate and support.

In 2016, Serbian Government adopted a National Strategy for Gender Equality 2016 – 2020 with an accompanying Action Plan for its implementation, as the main strategic document for promotion of gender equality in the Republic of Serbia. The Action will closely align with the provisions and measures of this strategy.

At the level of the activities the following can be recommended:

- In all the capacity building activities, vulnerability analysis, citizens' engagement and gender sensitive consultations are required. In order to contribute to local development, customer oriented services and increased accessibility of services, capacity building should cover consultations with customers (prior to infrastructure investments), service satisfaction measurement, complains management and human rights based approach, and gender mainstreaming and gender equality.
- All statistical data that will be used and collected during the intervention needs to be gender segregated and segregated according to type of settlement.
- Gender responsive SIA assessment should be conducted.
- Promotional and informative campaigns at the level of local communities (municipalities) related to the expected results of the activities should be organized as convenient. In this context, any

promotional materials that will be used need to include visual promotion of gender equality i.e. to avoid gender stereotypes.

- The activities should introduce concrete measures to support the gradual increase of the number of employed women on a local level in all fields of capacity building (and increase other target groups in capacity building activities).

## **EQUAL OPPORTUNITIES**

Equal participation of women and men will be secured through appropriate information and publicity material, in the design of action and accessibility to the opportunities they offer. An appropriate men/women balance will be sought on all the activities of the Action. All contractors shall be requested to provide monitoring data recording the participation of men and women in terms of expert inputs, as a proof of equal participation of men and women in the different phase. Enforcement of those principles is likewise ensured through specific administrative procedures applied in accordance with the Anti-Discrimination Law. In the implementation of activities under this Action, the same principles shall apply, so that participation in the envisaged activities will be guaranteed on the basis of equal access regardless of sex, ethnic origin, religion or belief, disability, age, etc. Gender equality incentives will be incorporated particularly in activities concerning capacity building. Implementing partners will be encouraged to address the specific needs and priorities of both women and men in planning processes and allocation of resources especially because of differential impacts of planned action in relation to health, education, food supplies, water and sanitation, energy and other basic supplies, as well as employment and income generating opportunities.

## **MINORITIES AND VULNERABLE GROUPS**

Furthermore, the Action will, through the Negotiations and Policy Developments Envelope, support the further alignment of the Serbian legislation to the EU standards and relevant *acquis*, in a number of sectors. Having in mind the demands of enlargement, which concern not only stability and prosperity, but also democratic values, articulated in Copenhagen political criteria for membership, the Action, through its Negotiations and Policy Developments Envelope, shall spread the message that compliance with basic democratic standards is more than a condition for entry; it is a condition of membership. Also, since one part of the Action will be implemented through this envelope, there is possibility to support activities that directly deal with minorities and vulnerable groups.

The inclusion of particularly vulnerable groups, into the preparation, implementation and monitoring/evaluation of activities implemented under this facility is strongly encouraged. Authorities at national and local level are encouraged to consider, in the design of all activities under the facility, the application of a fundamentals first approach aligned with the Western Balkans Strategy and the updated ISP for Serbia. In particular, the inclusion of Roma, and specifically Roma girls is strongly encouraged.

Furthermore, the Action will in no way cause any harm to the rights of any individuals, including minorities and vulnerable groups. Equally, having in mind the demands of EU enlargement, and that the EU has increasingly articulated its aspiration to represent not only stability and prosperity, but also democratic values, articulated in Copenhagen political criteria for membership, the Action, through its visibility and communication activities, shall spread the message that compliance with basic democratic standards is more than a condition for the EU accession.

## **ENGAGEMENT WITH CIVIL SOCIETY (AND IF RELEVANT OTHER NON-STATE STAKEHOLDERS)**

The cooperation with Civil Society Organisations (CSOs) is facilitated by the Government's commitment as part of its European Agenda. Regarding mechanisms for dialogue, two official mechanisms exist: (i) Office for Cooperation with Civil Society; and (ii) Sectorial Civil Society Organisations - SECO for the processes of IPA programming. Both are examples of good practices in terms of CSO representation in general.

The Government Office for Cooperation with Civil Society is the main institutional mechanism for the support of developing the dialogue between the Government and CSOs through offering support to its institutions in understanding and recognising the role of CSOs in policy shaping and decision making processes.

Office for Cooperation with Civil Society also established the mechanism that allows involvement of CSOs in negotiations on the accession of the Republic of Serbia to the European Union. CSO participation in this process so far included monitoring of explanatory screenings, participation in the preparation of the bilateral

screening for some negotiating chapters and participation in briefing meetings that followed bilateral screenings.

In addition, NIPAC TS - MEI established a consultation mechanism with the civil society organisation (CSOs). This mechanism is based on the consultative process with Sectorial Civil Society Organizations (SECOs) and serves as a platform that enables exchange of information and contribution of CSOs in relation to planning development assistance, particularly programming and monitoring of the Instrument for Pre-Accession Assistance (IPA).

The Platform for participation and monitoring the negotiation process with the EU, i.e. the National Convention on the European Union (NCEU) has also been established as a permanent body for thematically structured debate on Serbian accession into the European Union, between representatives of the governmental bodies, political parties, NGOs, experts, syndicates, private sector and representatives of professional organizations. Furthermore, NCEU was established primarily as body with the aim to facilitate cooperation between the National Assembly and the civil society during the process of the EU accession negotiations. The cooperation is established in accordance to the good strategic cooperation between the highest Serbian legislative body and chosen representatives of civil society, which was enforced by the Resolutions of National Assembly from 2004 and 2013.

CSOs will be included directly into the implementation of a number of actions within this Action Document. Specific attention will be paid in the framework of this action to ensure that civil society and other non-state stakeholders are consulted in the right time of the legislative and policy-making process and that the decision-makers are informed about the outcomes of the consultations.

#### **ENVIRONMENT AND CLIMATE CHANGE (AND IF RELEVANT DISASTER RESILIENCE)**

EU environmental policy aims to promote sustainable development and protect the environment for present and future generations. It is based on preventive action and among other, on fighting environmental damage at source, shared responsibility and the integration of environmental protection into other EU policies. The planned Action activities do not require any specific environmental considerations. However, due consideration will be given to preparing Environmental Impact Assessments (EIA) for potential future investments in the transport, energy, environment and other relevant sectors.

### **7. SUSTAINABILITY**

The proposed Action Document will produce sustainable results in the short run, since it does not envisage establishment or financing of the new organisational units and their running costs, however it will provide support to beneficiary institutions and structures that are already in place, but which require additional assistance in the complex process of the harmonisation with *acquis* and for the preparation for negotiations. Although there is technical support ongoing for the harmonisation with the *acquis*, for the EU negotiation preparation as well as for project preparation, the demand is still high and the need for technical assistance is likely to increase proportionally to the challenges ahead. All of the capacities developed through this intervention will be used in the future period for the further alignment as part of the accession, and they will be a crucial resource for the EU integration.

Sustainability is also given in the fact that the support for legislative alignment results eventually in adoption of the laws, by-laws, plans, etc., by the Parliament, Government or governmental bodies, ensuring that these are part of the system, and not ad hoc interventions. Trainings and training materials provided through this Action, notably in the case of the PPF component, make an integral part of the annual training plans of the Human resources management service and will be uploaded and available at all times on the MEI web site (at least via link).

In addition, in order to ensure sustainability and subsequent usage of project documentation, requirements of the Law on Planning and Construction, as well as the best EU standards in infrastructure projects' development will be followed. Likewise, the Methodology for prioritisation and selection of infrastructure projects which is to be updated and possibly expanded under this Action is itself adopted by the Government as the integral part of the NAD. Consolidation of the national project pipeline is in the core work of the National Investment Committee (NIC) which serves as the platform where all the donors and IFIs express their agreement on prioritisation and possible financing arrangements for specific projects or parts of projects (preparation or implementation). NIC co-chaired by the ministry in charge of finance and the

National IPA Coordinator to demonstrate the intention and the direction of the Government towards optimisation of usage of all available funding (grant funds, loans and national budget).

This Action will ensure that all policies and legislation will be developed according to the better regulation approach, which ensures inclusive and evidence-based policy and legislative development. The increased focus on the quality of the legislative and policy-making process will help to ensure that adopted policies and laws can be better implemented. Also, institution-building under this action will respect effective lines of accountability between institutions (agencies and parent institutions), therefore avoiding any possible fragmentation of administration.

In case of Negotiations and Policy Developments Envelope, the sustainability has to be monitored through sub-actions, since the envelope itself is not using any funds or implementing any actions. The sustainability of envelope has been ensured in the past through the successful implementation of sub-actions and through the achievement of envelope purposes and results of individual sub-actions.

Finally, the evaluations envelope will generate systemic recommendations and inputs relevant for future programming.

## **8. COMMUNICATION AND VISIBILITY**

Communication and visibility will be given high importance during the implementation of the Action. The implementation of the communication activities shall be funded from the amounts allocated to the Action.

All necessary measures will be taken to publicise the fact that the Action has received funding from the EU in line with the EU communication and visibility requirements in force. All stakeholders and implementing partners shall ensure the visibility of EU financial assistance provided through IPA II throughout all phases of the programme cycle.

Visibility and communication actions shall demonstrate how the intervention contributes to the agreed programme objectives and the accession process, as well as the benefits of the action for the general public. Actions shall be aimed at strengthening general public awareness and support of interventions financed and the objectives pursued. The actions shall aim at highlighting to the relevant target audiences the added value and impact of the EU's interventions and will promote transparency and accountability on the use of funds.

Beneficiaries of the Action will have to develop a communication plan, which will be approved by the EU Delegation.

Visibility and communication aspects shall be complementary to the activities implemented by DG NEAR and the EU Delegations in the field. It is the responsibility of the beneficiary to keep the EU Delegation fully informed of the planning and implementation of the specific visibility and communication activities.

The beneficiary shall report on its visibility and communication actions in the report submitted to the IPA monitoring committee and the sectorial monitoring committees.

