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Transition Facility

Interim Evaluation of Transition Facility Projects

The Slovak Republic

Sectors:

- Justice and Home Affairs
- Internal Market
- Economic and Social Cohesion

Author:



in consortium with



Date: 14 December 2006

This report has been prepared as a result of an independent evaluation by CEEN Economic Project and Policy Consulting and Euroformes being contracted under the Transition Facility programme. **The views expressed are those of CEEN Economic Project and Policy Consulting and Euroformes and do not necessarily reflect those of the Government Office of the SR.**

Government Office of the Slovak Republic
Aid Co-ordination Unit, E-mail: phare@vlada.gov.sk



ABSTRACT

Background

This Country Evaluation Summary of the Transition Facility in the Slovak Republic covers 2004 and 2005 programmes and was conducted during the period August – December 2006. The reporting format follows the Interim Evaluation Guide and uses the standard evaluation criteria, namely *relevance*, *efficiency*, *effectiveness*, *sustainability* and *impact*. This Summary should serve mainly the Joint Monitoring Committee purposes (scheduled for 12 January 2007).

Key Findings

Most of the Transition Facility Programmes are *relevant*, being linked to the respective EU and other national and government's documents. The projects under review often follow the previous Phare and other EU support to the key areas of assistance, however the scope is rather limited due to the available funds. The Transition Facility support has been provided also to some progressive areas, especially in the field of the eGovernment. The programme designs have improved, however the Wider Objectives remain often vague and the biggest weakness is the definition of usable Indicators of Achievement. Institution Building, especially to the newly created institutions remains relevant, with the twinning arrangements being usually well-chosen vehicles to deliver the respective assistance. Some of the programmes were over-ambitious with the lack of the absorption capacity.

The key problem of the *efficiency* was the delay in programmes' implementation. Lengthy approval of the tender documentation and the contracting from the side of the Central Finance and Contracting Unit at the Ministry of Finance has been mostly caused by the transfer to the Extended Decentralised Implementation System and also due to the enforcement of the Public Procurement Act. Phare and Transition Facility implementing units are quite stable, however their future, including the use of the valuable project management experience was rather unclear.

The evaluation of the *effectiveness* was mostly based on the 2004 projects, as almost none of the 2005 ones were at the implementation stage at the time of this Summary. Also the poor quality of the Indicators of Achievement hindered their use for the evaluation of the effectiveness criterion. Transition Facility often helps to improve co-ordination and co-operation among institutions or plays a mediation role overcoming communication barriers in key areas, such as Food Safety, Consumer Protection or Fight against Drugs. Some early tangible effects could be reported, especially from the Institution Building activities, such as the comprehensive training has clearly enhanced the knowledge of judges, prosecutors, higher court officials, tax officers and internal auditors. In the Schengen field, Twinning Light has helped to set-up the core group of persons to fight documentary fraud. Also the Prosecution should soon perform better in implementation of the new Penal Code via the improved Information System.

Evaluation of *sustainability* and *impact* was rather difficult, mostly due to the pre-implementation stage of most of the projects. However, most of the Transition Facility interventions should be sustainable, such as the assistance to the Agricultural Paying Agency or the Justice Academy due to their good performance and secure financing. However, turnover of staff represents a threat for some of the interventions, especially in the field of Food Safety. Forecasts of *impact* are mostly positive, as for instance in the area of the judiciary support, where the successfully implemented projects should ultimately decrease the administrative burden of judges and the workload of courts, using among other tools the alternative dispute resolution. Concrete savings could be expected from the assistance to the Statistical Office, where dramatic cuts in the costs of the future censuses could be reached when implementing new tools and methodology in collecting data.

RECOMMENDATIONS FOR THE CONSIDERATION OF JOINT MONITORING COMMITTEE MEMBERS

| Ref. | Key Issue | Recommendation |
|------|---|--|
| 1 | In spite of previous EU support, including the provision of training and the ACU effort, there is not much improvement in the quality of Indicators of Achievement of the Transition Facility programmes; they often miss baselines and benchmarks and cannot be used for Monitoring and Evaluation purposes. | The Aid-coordination Unit of the Office of the Government should organise a training session on definition of indicators of achievement and their use for the relevant implementing bodies managing Transition Facility Funds and also bi-lateral assistance using the current 2004 external Technical Assistance for the Interim Evaluation of the Transition Facility. The budget for the training could be used from the saved funds originally allocated for the provision of the two country summary reports. |
| 2 | The future role of the Phare and Transition Facility implementing units at several ministries and institutions is rather unclear, including the potential use of the experienced staff. | Phare and Transition Facility Implementing units and the relevant ministries and institutions should prepare a phase-out strategy of the respective units, showing their future role within the state administration institutions, (such as service point for project preparation or in the management of Structural Funds). |
| 3 | The previously criticised lack of the respective staff at the Department for the Fight Against Corruption has in the meantime worsened. The absent absorption capacity to implement the 2005 Fight Against Corruption project for the Office of the Government is worrying. | If the recipient/s of the 2005 Fight Against Corruption project is/are not assigned in the meantime, the JMC should consider re-allocation of the respective funds or parts thereof. |

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GLOSSARY OF ACRONYMS

| | |
|-------|---|
| ACU | Aid Co-ordination Unit |
| APA | Agricultural Paying Agency |
| CAP | Common Agriculture Policy |
| CES | Country Evaluation Summary |
| CFCU | Central Finance and Contracting Unit |
| CCTIA | Central Control and Testing Institute for Agriculture |
| ESC | Economic and Social Cohesion |
| EU | European Union |
| FAD | Fight against Drugs |
| FM | Financing Memorandum |
| IA | Indicator of Achievement |
| IE | Interim Evaluation |
| IB | Institution Building |
| INT | Internal Market |
| IO | Immediate Objective |
| IS | Information System |
| IT | Information Technology |
| JAS | Judicial Academy |
| JHA | Justice and Home Affairs |
| JMC | Joint Monitoring Committee |
| LEA | Law Enforcement Agency |
| M&E | Monitoring and Evaluation |
| MoA | Ministry of Agriculture |
| MoI | Ministry of Interior |
| MS | Member State |
| OoG | Office of the Government |
| RTA | Resident Twinning Adviser |
| SAP | Schengen Action Plan |
| SF | Structural Funds |
| SHMI | Slovak Hydrometeorological Institute |
| SMSC | Sectoral Monitoring Sub-committee |
| SR/SK | Slovak Republic |
| TA | Technical Assistance |
| TF | Transition Facility |
| ToR | Terms of Reference |
| TW | Twining |
| TWL | Twining Light |
| UIBF | Unallocated Institution Building Facility |
| WO | Wider Objective |

1 INTRODUCTION

1.1. BACKGROUND AND SCOPE OF EVALUATION

1. This Country Evaluation Summary (CES) (as requested by the respective Terms of Reference (ToR)) has been prepared by the Consortium CEEN Economic Project and Policy Consulting GmbH and Euroformes s.r.o. It is based on the Transition Facility (TF) Interim Evaluations (IE)s in the Slovak Republic (SR/SK) being conducted during the period August – December 2006¹. The CES covers the Justice and Home Affairs (JHA) sector, presented in figures and the corresponding text and preliminary key findings of the Internal Market Development (INT) sector, presented only in the text. The scope corresponds to the agreed modified evaluation plan by the Aid Co-ordination Unit (ACU) of the Office of the Government (OoG). The programmes covered include both 2004 and 2005 TF.

2. The current structure of the monitoring sectors being covered by the TF IE as well is as follows:

| Sector | TF Report Nr. | Programmes/Projects Covered | Date of the IE Report | Overall Rating |
|--------------------------------|--------------------|--|-----------------------|----------------|
| Justice and Home Affairs (JHA) | R/SK/TF/JHA/06.001 | 2004/016-764.03.01; 2004/016-764.08.03; 2004/016-764.03.02; 2005/017-464.03.01; 2005/017-464.03.03; 2005/017-464.03.04; 2005/017-464.03.01 | 31 October 2006 | Satisfactory |
| Internal Market (INT) | R/SK/TF/INT/06.002 | 2004/016-764.01.01; 2004/016-764.08.03; 2004/016-764.08.01; 2004/016-764.05.01; 2004/016-764.07.01; 2004/016-764.06.01; 2004/016-764.02.01; 2004/016-764.02.02; 2004/016-764.02.03; 2004/016-833; 2005/017-464.01.01; 2005/017-464.01.02; 2005/017-464.01.03; 2005/017-464.01.04; 2005/017-464.06.01; 2005/017-464.07.02; 2005/017-464.07.01; 2005/017-464.02.03; | in progress | n.a. |

¹ The reporting period has been shortened due to the change of both key experts in August 2006.

| | | | | |
|------------------------------------|--------------------|--|-------------|------------------|
| | | 2005/017-464.02.01; 2005/.017-464.02.02 | | |
| Economic and Social Cohesion (ESC) | R/SK/TF/ESC/06.003 | 2004/016-764.04.02; 2004/016-764.04.01; 2005/017-464.05.01; 2005/017-464.05.02; 2005/017-464.04.01; 2005/017-464.04.03; 2005/017-464.04.02 ; | in progress | n.a ² |

1.2. REPORTING FORMAT

3. The TF reporting follows the previous Phare format, as defined in the respective IE Guide, as well as in the ToRs for the current contract and was approved in the Inception Report. For the evaluation purposes also the widely accepted standard five criteria have been used, namely *relevance*, *efficiency*, *effectiveness*, *sustainability* and *impact*³.

1.3. PURPOSE OF THE EVALUATIONS

4. This Report should serve the Joint Monitoring Committee (JMC) purposes, which is scheduled for 12 January 2007. It should provide information on the key issues and lessons learnt of the respective programmes, propose recommendations how to improve implementation of the current and future TF programmes.

² Both INT and ESC reports were in the draft form at the time of this CES. The first Draft INT was submitted on 30 November 2006 with a preliminary rating Satisfactory.

³ *Relevance* relates to the project's design and concerns to the extent to which its objectives address real needs. *Efficiency* concerns how well activities have transformed inputs into outputs. *Effectiveness* assesses whether the project's purposes have been achieved. *Sustainability* evaluates whether project outcomes are likely to continue after external funding ends. *Impact* denotes the relationship between the project's purpose and overall objectives.

2. KEY FINDINGS AND LESSONS LEARNED FROM THE IMPLEMENTATION OF TF/ PHARE

5. Key evaluation findings from the evaluation of the 2004/05 TF according to the 5 DAC criteria and the lessons learnt for the future.

2.1. Relevance

6. *The TF Programmes are vastly relevant*, being closely linked to the respective EU and national documents, such as the 2003 Country Monitoring Report, the Memorandum of Understanding on the TF 2004 – 2006 Implementation and other sector-related documents, for instance the Schengen Action Plan (SAP), the National Programme for the Fight against Drugs or the Common Agriculture Policy (CAP). Many TF projects are focused on the transposition of the respective EU Directives, such as the Food Safety, where Slovakia has been lagging behind compared to the other Member States (MS), or the introduction of the new Measurement Instruments Directive and the reinforcement of the administrative capacity in this area. Most of the programmes remain relevant also under the new Government, notably the Schengen ones; however some areas seem to have lost clear priority, for instance the fight against corruption.

7. The TF assistance is often a follow-up of the previous Phare and other EU support to the traditional areas, such as training of judges, implementation of the SAP or the Law Enforcement Agencies (LEA)s support. However, the scope of the supported areas is smaller, due to the available resources for the TF in Slovakia. Also new areas have been assisted, such as the intellectual property rights for the Ministry of Culture, also the Ministry of Health being an important beneficiary for the Economic and Social Cohesion Sector (which was not the case for the previous pre-accession assistance).

8. *Programme designs have improved*, especially the quality of programme documents, such as Project Fiches and the definition of the respective objectives, mostly at the project purpose level. However, the Wider Objectives (WO/s) often remain too vague. The biggest weaknesses have been found in the definition of the corresponding Indicators of Achievement (IA)s, as these are rarely measurable, they miss baselines and benchmarks. Overall, the use of the log frames for the Monitoring and Evaluation (M&E) purposes is rather limited. In the case of the Unallocated Institutional Building Facility (UIBF) the respective log frames were missing completely.

9. *TF intervention has been often provided to the progressive areas*, such as Information Systems (IS) development or upgrade for the General Prosecution, the Slovak Statistical Office, the Nuclear Decommissioning Agency or the Cadastre. Though implementation of the state-of-the-art technologies could be praised, the EU support, for instance to software development sometimes only subsidises the lack of state budget's resources to cover costs of local experts. Also the previously criticised isolation of the Information Technology (IT) support remains a problem, especially in the area of the LEAs, with most of the problems on the side of the Ministry of Interior (MoI).

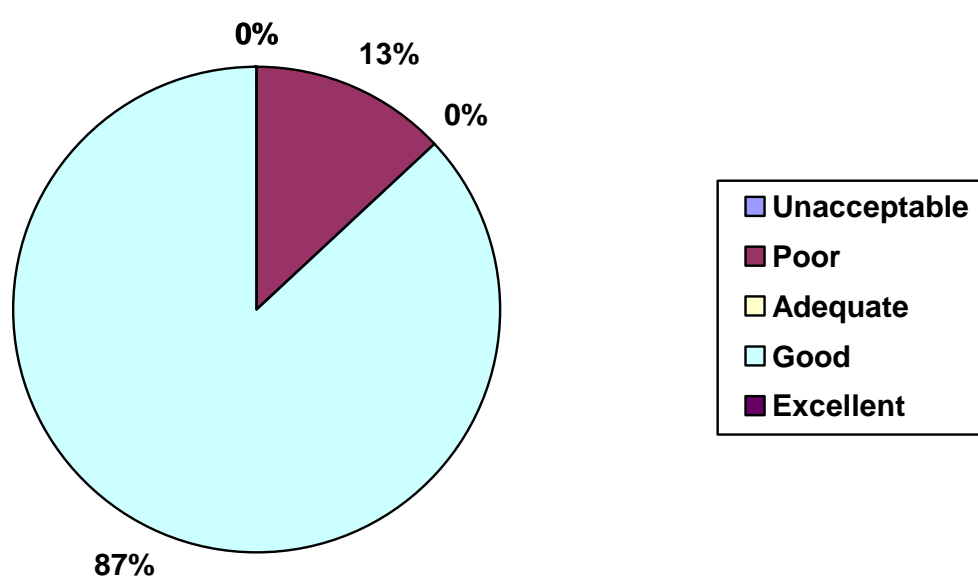
10. **Institution building (IB) support even in the post-accession era remains relevant**, especially for the newly created institution, such as the Agricultural Paying Agency (APA) or the Judicial Academy (JAS) or their parts. For instance, the Control Section of the APA has been established as the last section of the Agency, thus being a good candidate for the TF assistance from a MS with well-developed control functions and the broad menu of the market interventions in use of the respective peer institution.

11. **Twinning (TW) and twinning light (TWL) have proven to be the well-chosen vehicles** for delivery of the IB support. As reported previously, the twinning arrangements could be assessed as the best forms for providing the IB assistance, especially once the partners are well chosen and the contacts are kept also after the end of the EU support. For example the TW and the TWL projects for the Central Control and Testing Institute for Agriculture (CCTIA) with the UK partner seems to work well, also due to the flexibility of experts to accommodate the pressing needs of the beneficiary institution. The TW for the Tax Directorate with the Danish partner is also assessed positively and appreciated as it facilitates an intensive transfer of know-how and experience mostly in the area of tax fraud. On the other hand underestimation of the Beneficiary needs has brought problems in implementation of the 2004 Transport project.

12. **Some of the programmes are over-ambitious** bearing in mind the available timing for their implementation and the absorption capacities. The above mentioned refers especially for the programmes for the Office of the Government, such as the implementation of the programmes for the fight against drugs or corruption. The situation with the absorption capacity of the 2005 Fight against Corruption programme was especially worrying due to the collapse of the respective Department at the OoG.

13. **Relevance rating usually reaches satisfactory results** with 87 percent of projects being good and only 13 poor (see Figure 1 below).⁴

Figure 1 Relevance



⁴ The sample projects include only the JHA Sector.

2.2.Efficiency

14. ***The key problem has been the delay of programmes' implementation.*** Various delays have been observed during the TF evaluation. It often takes two and more years to implement a programme, thus no improvement to be reported compared to the Phare instrument. The long lead-time is especially detrimental for the support in the IT sphere, where the progress in development of new technologies is especially speedy and the technological obsolescence is the key factor. As an example the Electronic Registry project for the Cadastre could serve, where the tendering is even more complicated, due to the specific technical requirements of the system.

15. Lengthy approval of the tender documentation and contracting from the side of the Central Finance and Contracting Unit (CFCU) at the Ministry of Finance SR has been caused mostly by the transfer from the Decentralised Implementation System to the Extended Decentralised Implementation System and preparation for the implementation of the relevant local legislation, which caused delays in contracting of the Phare 2003 projects, not allowing parallel contracting of TF 2004 ones. Further delays have been caused by the enforcement of the new Public Procurement Act in the middle of the contracting period for the TF 2004 and the need to adjust the respective tendering documents. Also procedures, manuals, other documents needed to be changed and the respective staff of the CFCU re-trained. Moreover, the successful bidders have often applied remedy procedures, which has also contributed to late contracting.

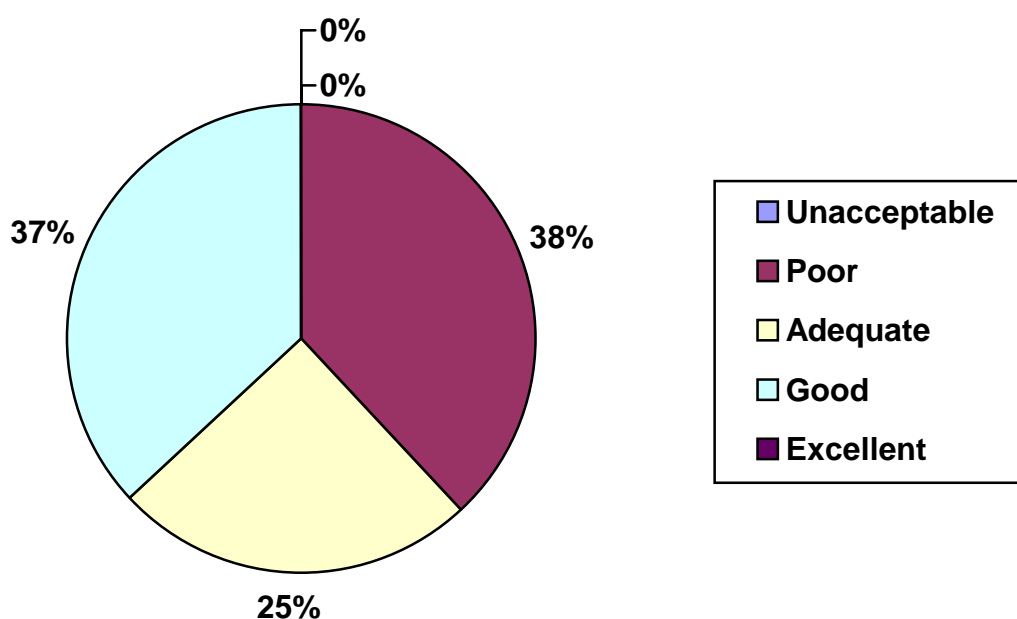
16. The commitment and disbursement rates show poor results, with only very limited commitment of the 2005 programmes and very late contracting of the 2004 ones. For instance, at the time of this Report only one 2005 JHA Programme was contracted and none from the AGRI Component. Timing of the tendering has been negatively influenced also by the cross-sectoral nature of some projects, such as in the area of Customs.

17. ***Phare and TF implementing units at the respective ministries seem to be quite stable,*** being staffed with experienced people, such as at the Ministry of Justice or Agriculture (MoA) or the Environmental Agency of the Ministry of Environment. However, their future role is rather unclear, including their inclusion in the pro-active participation of Slovakia in the transfer of know-how abroad, especially to the accession and the new MS. Though they possess the valuable experience in managing EU and other donor funds in Slovakia, due to the decline of TF programmes, the plans exist to reduce the respective staff as well (such as the MoA). On the other hand a positive example of using the Project Cycle Management experience has been noticed at the MoI, where the progressive director has implemented a change and the respective department to serve as a one stop shop for the whole Ministry in the area of project preparation.

18. ***The role of the ACU remains key in managing the TF.*** However, after the previous quite stable period, the staff changes, including the Director and the M&E Cell to be reported recently as well. The ACU being now more active also in managing the bi-lateral assistance, notably the Norwegians in Slovakia. The ACU could play also a role in the respective Structural Funds (SF) funds, namely in the area of the knowledge economy, as this being recently transferred under the OoG auspices, however without clear definition of the managing structures.

19. *Efficiency rating shows mixed results* (see also Figure 2 below) being split evenly among poor, adequate and good results.

Figure 2 Efficiency



2.3. Effectiveness

20. Though the quality of IOs has improved, the *respective IAs remain poor*. As mentioned before, and also in the corresponding reports covering the Phare assistance⁵, the quality of the IAs is poor and does not enable their use for the evaluation of the effectiveness purposes. Moreover, even if the respective IA is usable for the M&E, the monitoring data is not available in the corresponding reports, such as in the case of the 2004 TWL for the JAS. Also the missing log frames have been reported for the JHA UIBF projects and the corrective actions hopefully taken following the evaluators' recommendations.

21. As very little 2004 projects were under implementation and almost none 2005 ones, the fulfilment of the effectiveness criterion was often forecasted based on the quality of the project's design. However, even at this stage we can report some tangible effects from the TF assistance, especially from the IB interventions. For instance, the 2004 assistance to the JAS in the form of a comprehensive training has clearly enhanced the knowledge of

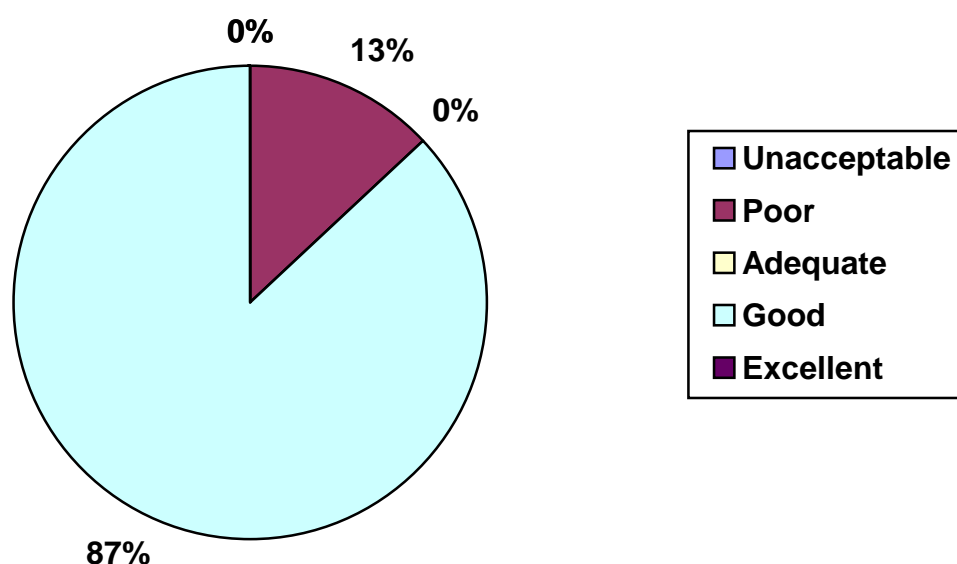
⁵ Phare Interim Evaluation Summary, Slovak Republic, D&D, 19 September 2006

judges, prosecutors, higher court officials and has a potential that they will perform their roles better, including implementation of the EU *acquis*. In the Schengen field, the respective TWL has helped to set-up the core group of persons to fight the documentary fraud. Also the Prosecution should soon perform better in implementation of the new Penal Code via the TF intervention in its IS. Also finance projects have delivered their first results in modernising the public finance management system, especially in the area of accounting & reporting, internal and tax audit, where new methodologies and training materials were developed.

22. ***TF often helps to improve co-ordination among institution*** as the key stakeholders often do not communicate or co-operate accordingly in the relevant areas, such as the Food Safety or the Fight against Drugs (FAD). The TF projects, especially TWs often play a mediation role in bringing the relevant bodies together to solve the common problems and overcome historical barriers to co-operate with however, limited immediate effects to materialise. Moreover, these ambitious tasks often occupy too much capacities of the respective Resident Twinning Adviser (RTA), especially once performed at the different levels (local, regional, national) and when too many stakeholders are involved (such as the 2004 TW FAD).

23. ***Projections of effectiveness are mostly good*** with 87 percent of projects reaching good rating and only 13 percent poor (see also Figure 3 below).

Figure 3 Effectiveness



2.4.Sustainability

24. ***Most of TF IB interventions should be sustainable***, such as the assistance to the APA, which is now fully staffed and performs its role in providing financial sources from the state budget and EU funds to farmers, food processors, foresters and fishermen. Also

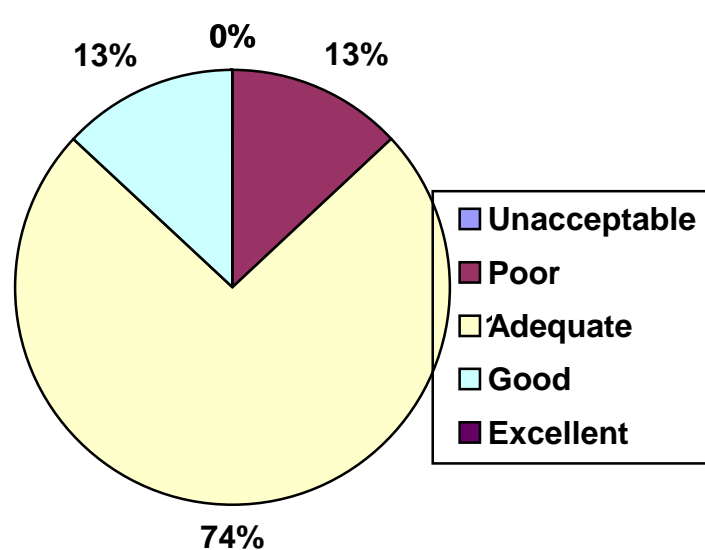
the, with the delay established, JAS is now a functioning institution providing training to judges, prosecutors or court officials and their candidates. The group of the trainers of the 2004 TF JAS intervention should form a core staff of trainers. Moreover, the new Government has expressed its commitment to broaden the Academy with new premises to be renovated till the end of 2006. Another example of a stable and well-performing organisation is the Slovak Hydrometeorological Institute (SHMI) – a frequent recipient of Phare and TF assistance in the area of Water Framework Directive implementation, possessing at the same time an efficient coordination and monitoring system of the project management.

25. Legal base is usually present for most of the effects to be sustainable, as in the form of the relevant national legislation or the transposition of the respective EU directives. However, in some cases, especially the progressive areas of TF assistance, for instance the 2004 Statistics would require changes of the legal norms, such as on the personal data protection or adoption of whole packages of legislation, which was rather unclear at the time of the evaluation.

26. Staff fluctuation becomes a real threat for sustainability of some TF projects. With some exceptions, we have witnessed massive staff changes in most of the sectors under review, such as the CCTIA or the Public Health Office. Besides the natural fluctuation, the staff changes have been caused by low salaries in some of the institutions (such as CCTIA) but also due to developments after the early parliamentary elections in June 2006 (such as under the 2004 Internal Audit project). Also the abolition of the Civil Service Office makes firing and hiring of the staff by individual ministries and institutions easier. Moreover, the new Government has announced more budget cuts for the year 2007 and the plans to reduce the respective staff in the public sector (about 20 percent).

27. Sustainability rating is mostly neutral with majority of 74 percent of projects being rated as adequate and poor and good evenly reaching 13 percent (see Figure 4 bellow).

Figure 4 Sustainability



2.5. Impact

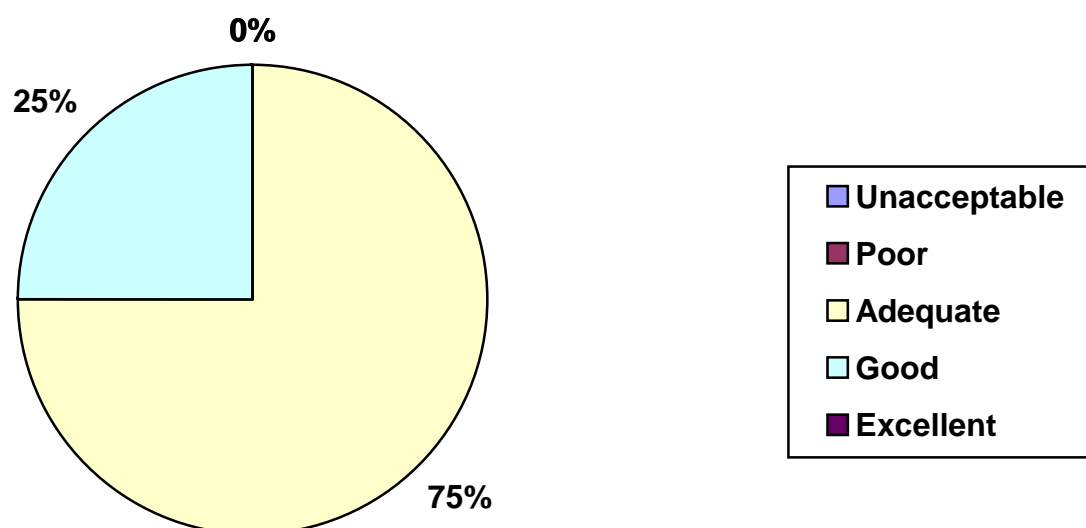
28. **Evaluation of impact is often difficult** due to combination of problems, such as (i) too broad and vague WOs, (ii) missing or unmeasurable IAs, (iii) pre-implementation status of the projects, (iv) missing monitoring data. Early impact evaluation has been therefore made again based on the projects' design and/or first effects observed.

29. **Forecasts of impact are mostly positive**, as for instance in the area of the judiciary support, where the successfully implemented projects should ultimately decrease the administrative burden of judges and the workload of courts, using among other tools the alternative dispute resolution. Also the Food Safety assistance has a potential to contribute to the improved consumer protection via control of pesticides in fruits and vegetables or several areas of the environmental protection. However, current legislative changes could negatively influence the independence of the Regulatory Office for the Networking Industries, and thus limit the potential impact of the EU assistance as well.

30. **Some of TF interventions could bring concrete savings**, especially those promoting the idea of eGovernment, where, for instance the 2004 Statistics project could contribute to the dramatic decrease of costs of the future census (from current SKK 0.8m to 0.01m) via progressive methodology of collecting data.

31. **Impact rating (similarly to sustainability) reaches mostly adequate rating** with 2/3 of the projects and 1/4 being rated as good. (see also Figure 5 below).

Figure 5 Impact



2.6. Performance Rating

32. Using the agreed methodology for rating the individual programmes and sectors, the performance has been as follows:

| Criterion/Sector | Justice and Home Affairs | Internal Market | Economic and Social Cohesion |
|----------------------|--------------------------|-----------------|------------------------------|
| Relevance | 1 | - | - |
| Efficiency | -1 | - | - |
| Effectiveness | 1 | - | - |
| Impact | 1 | - | - |
| Sustainability | 1 | - | - |
| Verbal Rating | Satisfactory | n.a | n.a |

Rating Scale:

| Unacceptable | Poor | Sufficient/ Adequate or no rating possible | Good | Excellent |
|--------------------------|----------------|--|--------------|---------------------|
| -2 | -1 | 0 | +1 | +2 |
| Highly Unsatisfactory | Unsatisfactory | No rating possible | Satisfactory | Highly satisfactory |
| HU | U | N/A | S | HS |

3. RECOMMENDATIONS FOR THE CONSIDERATION OF JMC MEMBERS

| Ref. | Key Issue | Para | Recommendation |
|------|---|--------------|--|
| 1 | In spite of previous EU support, including the provision of training and the ACU effort, there is not much improvement in the quality of Indicators of Achievement of the Transition Facility programmes; they often miss baselines and benchmarks and cannot be used for Monitoring and Evaluation purposes. | 8, 20 and 28 | The Aid-coordination Unit of the Office of the Government should organise a training session on definition of indicators of achievement and their use for the relevant implementing bodies managing Transition Facility Funds and also bi-lateral assistance using the current 2004 external Technical Assistance for the Interim Evaluation of the Transition Facility. The budget for the training could be used from the saved funds originally allocated for the provision of the two country summary reports. |
| 2 | The future role of the Phare and Transition Facility implementing units at several ministries and institutions is rather unclear, including the potential use of the experienced staff. | 17 | Phare and Transition Facility Implementing units and the relevant ministries and institutions should prepare a phase-out strategy of the respective units, showing their future role within the state administration institutions, (such as service point for project preparation or in the management of Structural Funds). |

| | | | |
|---|---|----|--|
| 3 | The previously criticised lack of the respective staff at the Department for the Fight Against Corruption has in the meantime worsened. The absent absorption capacity to implement the 2005 Fight against Corruption project for the Office of the Government is worrying. | 12 | If the recipient/s of the 2005 Fight Against Corruption project is/are not assigned in the meantime, the JMC should consider re-allocation of the respective funds or their parts. |
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ANNEXES

ANNEX 1. EXECUTIVE SUMMARIES OF COMPLETED INTERIM EVALUATION REPORTS

Justice and Home Affairs

Interim Evaluation Report: R/SK/TF/JHA/06.001

This Executive Summary covers the Transition Facility assistance under the following programmes/components:

- Justice and Prosecution
- Fight against Drugs and Corruption
- Schengen Border Management

A) Objectives and Scope

The goal of this Interim Evaluation is to review the Transition Facility assistance to Slovakia under the Justice and Home Affairs Monitoring Sector. The EU support to Slovakia has been focused on the area of justice and prosecution, fight against drugs and corruption and the Schengen border management, with the total allocation of almost 4.4 M€ for years 2004 and 2005, including co-financing. For the evaluation purposes the standard five criteria have been used, namely relevance, efficiency, effectiveness, sustainability and impact.

B) Evaluation Results

Most of the programmes to the Justice and Home Affairs Sector are *relevant*. They cover the priority areas as defined in both the EU and Slovak policy documents and the respective strategies, such as the Schengen Action Plan or the National Programme for Fight against Drugs. Majority of project's designs remain relevant also under the new ruling Government, as the assisted needs are present also in the Government's Manifesto. This does not hold for Fight against Corruption. Consequently, Fight against Corruption may have to be reformulated, depending on whether the Office of the Government will remain the national coordinator for fight against corruption or not. The quality of programme documents has been improved; however some of the well-known shortages remain present, such as the vague definition of objectives and low quality of achievement indicators. This is especially obvious in the Unallocated Institutional Building Facility, where almost no relevant objectives and corresponding indicators of achievement exist.

Some of the programmes were clearly over-ambitious, such as twinning part of the 2004 Support to the Implementation of the National Programme for the Fight against Drugs 2004-2008, the one with negative implications in its realisation phase.

Efficiency of the reviewed programmes shows mixed results. Vast of the projects have suffered from delays at their pre-implementation phase due to long-run approval

mostly from the side of the Ministry of Finance/the Implementing Agency – Central Finance and Contracting Unit and due to new legislation in the area of public procurement. A decreased technical capacity of beneficiary institutions has caused a delay in the pre-implementation as well. Performance of contractors and also twinning partners is usually satisfactory, sometimes even subsidising and remedying the lack of local administrative support and other design weaknesses. Moreover, in the case of 2005 Justice Academy, the institutional twinning partner has also faced a shortage of skilled technical personnel to prepare the tender documentation, which contributed to a delay. The commitment and disbursement of projects does not show very positive results, especially for the 2005 programme with only one project being contracted at the time of this Report was prepared. Some weaknesses have been noticed in the quality of reporting on project's activities, such as for the 2004 Implementation of the Schengen Action Plan – The Accompaniment Measures at the Internal Borders Schengen. Moreover, a potential delay in the first activity of the 2005 Schengen has been signalled. The delay will actually materialise in case that related activities financed from the Schengen Facility will be delayed. Such a situation would negatively influence the project implementation.

Effectiveness of most of the projects could be evaluated positively with some early effects being materialised, such as for the 2004 assistance for the Justice Academy or parts of the 2004 Schengen intervention. Predictions of successful implementation of most of the 2004 and 2005 projects are positive, mostly due to their design.

Sustainability of majority of projects effects hasn't reached the sustainable status yet, however, good perspectives for sustainability exist at least for some interventions, such as training and institution building of the Justice Academy, the top priority support to the Schengen Action Plan and Fight against Corruption among police officers.

We can expect that most of the Transition Facility projects in the Sector of Justice and Home Affairs will contribute to the fulfilment of their respective Wider Objectives, also due to their broad definition. Many of the projects incorporate a multiplication element or have a broad object, which provokes positive evaluation of the *impact* criterion, such as the 2004 Fight against Drugs.

C) Recommendations and Rating

Aid Co-ordination Unit

The Aid Co-ordination Unit at the Office of the Government, together with the respective Senior Programme Officers, the Central Finance and Contracting Unit at the Ministry of Finance, contractors and twinning partners should insure accomplishment of log frames for the Unallocated Institution Building Projects. They should be included into Inception Reports; in the case they are not present in the project documents. This should include also definition of Wider and Immediate Objectives, the corresponding Indicators of Achievement and assumptions and risks which shall serve for Monitoring and Evaluation purposes.

Resident Twinning Adviser for Schengen

The Resident Twinning Adviser for the 2005 Schengen project in co-operation with the Ministry of Interior – Border and Aliens Police should improve the quality of his reporting. The reports should be written in a structured, managerial form and to include clear identification of the outputs delivered and the corresponding achievement of goals, which again shall serve for Monitoring and Evaluation purposes.

Furthermore, in case of delayed related activities financed from the Schengen Facility, the Adviser should provide an actual work plan showing that the activity 1, which is a crucial part of the project, will be implemented properly. In case that some parts cannot be implemented, he should prepare a proposal for reallocation of resources for remaining activities that need strengthening. The Advisor can after the consultation with the beneficiary and twinning partners propose additional activities according to actual needs.

General Secretariat for Board of Ministers for Drug Dependencies and Drug Control

The General Secretariat in co-operation with the Ministry of Interior should present to the Aid Co-ordination Unit a document, showing the future role of the trained regional drug co-ordinators in the case of abolishment of the regional state-administration offices.

Aid Co-ordination Unit / Senior Program Officer/CFCU

The Aid Co-ordination Unit at the Office of the Government, in cooperation with the respective Senior Programme Officer should assess the position of the Office of the Government as the main beneficiary of the Fight against Corruption project and reformulate the project accordingly.

The Office of the Government should remain the main beneficiary only if it continues to coordinate activities related to fight against corruption in the country in the future. This needs to be reflected in strengthening of capacities of the Department of Fight against Corruption. In case that the Office of the Government will not fulfil this function anymore, we recommend to explore a possibility to bring the project under another key player in this area, such as the Ministry of Interior or the Ministry of Justice, which should become the main beneficiary.

ANNEX 2. LIST OF DOCUMENTS

| Author | Date | Title of the Document |
|---|-----------------|---|
| CEEN/Euroformes | 31 October 2006 | Interim Evaluation Report R/SK/TF/JHA/06.001 |
| CEEN/Euroformes | November 2006 | Interim Evaluation Report R/SK/TF/INT/06.002 (draft) |
| MWH Consortium | June 2006 | Phare and CBC Ex-post Evaluation 1999-2001 |
| Office of the Government/Aid Co-ordination Unit | May 2006 | Implementation Status Report of the EU Phare and TF Programmes Co-financed by the Slovak Republic |
| D&D Consulting | March 2006 | Interim Evaluation Report R/SR/JHA/0106 |
| D&D Consulting | May 2006 | Country Interim Evaluation Summary |
| D&D Consulting | June 2006 | Interim Evaluation Report R/SR/INT/0206 |
| D&D Consulting | September 2006 | Interim Evaluation Report R/SR/ESC/0306 |
| D&D Consulting | September 2006 | Country Interim Evaluation Summary |