

Better results and smoother uptake – guarantee partners' involvement during EU funds implementation and monitoring

Despite some shortcomings of partners' involvement during the Programming of the EU funds for 2014–2020ⁱ, environmental partners could significantly improve the mainstreaming of environmental protection requirements throughout Partnership Agreements and Operational Programmes. All the more it is important now to further ensure conditions which enable partners to contribute to the integration of environmental considerations during the implementation and monitoring of EU regional development funding.

Put the formally strengthened role of civil society into operation during implementation and monitoring:

- Enable timely access to all relevant information
- Involve partner into decision-making processes
- Include partner into strategic considerations
- Increase stakeholders' capacity

The partnership principle in Cohesion Policy is supposed to provide for a comprehensive and early stage involvement of all stakeholders into planning, implementation, monitoring and evaluation of EU funds' investments. Such involvement and engagement can foster various benefits and added value such as enhancing collective commitment and ownership of the EU policies and investments, increasing knowledge and expertise in project design and selection, and efficient project implementation, as well as ensuring greater transparency in decision making processes and the prevention of fraud and misuse of taxpayers' money.

For more information

Markus Trilling

EU Funds Coordinator
CEE Bankwatch Network
/ Friends of the Earth Europe
Rue d'Edimbourg 26
1050 Brussels – Belgium
Tel +32 2 893 10 31
markus.trilling@bankwatch.org

Partnership strengthens democracy and a consensual policy culture, and supports the limited administrative capacity of public administration in this area. The assurance of more effective utilization of restricted public sources results in quality enhancement of supported projects and finally in the better absorption of funds.

And last but not least, it is conducive to real decentralization and democratization of EU funds, strengthens the feeling of public ownership of supported projects and the legitimacy of EU cohesion policy, giving real value to the principle of subsidiarity as enshrined in the EU treaties: subsidiarity in the EU as it is played currently, i.e. the power play between national governments and the EU supranational level, falls short in realizing the basic idea of subsidiarity, namely that decision should be made on that level which is best suited. The partnership principle gives the unique opportunity to realize subsidiarity in its comprehensive sense, and thus should be further promoted as essential pillar of the European Union's political system.

Entering the next phase of the policy cycle, implementation and monitoring for European Structural and Investment Funds spending 2014–2020, partners from CEE countries involved in the programming drew conclusions on how to further improve the quality of partnerships:

Access to information

The requirements for public availability of information on the financing of regional programmes and major projects are inadequate given the amount, impact and significance of EU public financing. Member states shall post all relevant information at a central website, such as preparatory documentation, project selection criteria and selection processes, the composition of committees, the list project proposals, selected projects, beneficiaries, auditing, monitoring and evaluation criteria and reports. Processes leading to decisions, and the implementation and enforcement of them, should be clear and accessible to anyone.

Materials presented at monitoring committees' meetings shall be available publicly at the relevant authorities' web sites as soon as possible after the meeting. National authorities shall publish the lists of monitoring committees' members, their names and organisations they represent at the authorities' web sites. All comments submitted by the different Monitoring Committee members to any document subject to consultation should be made accessible to other

members of the Monitoring Committee.

Participation in decision-making processes and Monitoring Committees

In the past Monitoring Committees often have not been the place where investment decisions were taken, they were rather a compulsory requirement for member states where the critical members (European Commission and NGOs) had only a background actor role. To increase the weight of Monitoring Committees their scope of competence should be enhanced, in terms of adopting any change to the relevant programming and implementation documents, in dealing with the “horizontal” performance of programmes, and in project selection and evaluation. NGO experts should be comprehensively involved in teams assessing and scoring projects applying for Structural and Cohesion Fund support as it is already good practice in some countries, e.g. Slovakia.

Accomplishing subsidiarity and strengthening democracy

In order to operationalize the subsidiarity principle in the EU, to increase efficiency and effectiveness of decision making on that level which is best suited, there should be financial instruments established within operational programmes for enhancing the social capital in general, including community development, public participation, and advocacy. Civil Society Organisation, the associations and platforms should be eligible to such kind of financial instruments. The inclusion of partners into municipalities’ project planning should be included as an eligibility condition for the project in question.

Supporting stakeholders

The administrative and financial barriers in access to funding from European Union Funds for NGOs should be reduced and capacity building being provided for stakeholders.

It is crucial to allow for pre-financing of NGOs and micro beneficiaries to decrease the necessity to bridge the initial project period through commercial loans. This limits the risk of insolvency and creates costs in case the reimbursements are delayed.

The given legal options (Article 5 CPR in combination with the Code of Conduct) to fund NGOs’ activities aimed at participation in implementation and monitoring should be fully employed (e.g. in the form of global grant schemes

or through technical assistance projects).

Partners' direct costs (e.g. travel) related to their participation in planning, monitoring, project evaluation or other partnership-based bodies should be reimbursed. Personal costs related to carrying out monitoring of implementation should be covered either by a specific project or through technical assistance to allow capacity building. Monitoring Committees should also provide their members with opportunities for training, as well as funds for engaging expert consultants, when necessary. Those costs could be covered from technical assistance of a given programme.

Coordination of NGO representatives in Monitoring committees should also be supported so that timely sharing of information is possible. Technical assistance project could also be used to fund coordination capacities.

Environmental partners' participation in EU Funds monitoring and implementation in **Latvia** is non-systematic, it lacks a coordination, consistency and continuity. This is due to partners' dependency on project grants covering EU Funds monitoring activities. This issue indicates a need for operational grants supporting NGOs to implement EU Funds monitoring activities and to build their capacity. The time-frame and deadlines in Monitoring Committee for contributing to document packages prepared by ministries and other agencies are way too short (5 - 10 days) and NGOs are that fore not capable to discuss to the proposals among themselves and to prepare input on time. Although the Monitoring Committee doesn't make final decisions and there is still an opportunity for NGOs submit recommendations to the Government, it is crucial that NGOs can fully participate in every phase of adoption of EU Funds programs.

NGOs should finally be recognised as relevant partners in **Hungary** during implementation. Potentially this can happen as members of Monitoring Committees.

In **Slovakia** the focus needs to be placed on turning the formally strengthened role of NGOs within the implementation monitoring processes to a functioning system, in particular through technical support, capacity building and coordination. All this could be supported from existing technical assistance allocations. Also possibilities to create ad-hoc working groups within individual monitoring committees should be translated to practice to enable for flexible communication and good reaction time-span. This would enable to include

NGOs and experts into operational issues without lengthy commenting procedures, which are named as the main problem when inclusion of partners is considered by managing authorities.

Compared to previous programming period, it is necessary to ensure that more NGO partners who specialise in different issues can take part in monitoring in the **Czech Republic**. The number of NGO partners in some Monitoring Committees has increased compared to the past period. In other OPs, for example the very complex Integrated Regional one, this development still needs to take place. The balance of groups of stakeholders has improved, but academic institutions which could be very valuable still lack proper representation. With the current wide definition of measures listed in Operational Programmes, comprehensive involvement would require the capacity of several full time job equivalents. Technical assistance should be provided for capacity building, networking, expertise and reimbursement of time and travel costs for the partners, outreach to other stakeholders and the collection of inputs from the public should be financed from the technical assistance as well. Partners need timely and systematic information on the progress of EU funding, including the project application pipeline, the results of the scoring, and, in the moment the projects are approved, complete project documentation including the contract with attachments. This data should be made public in a machine readable form of open data.

In **Estonia** the partnership could be improved by increasing of clearness of the scope of the question in debate, how the comment will be taken into account, and how the decision-making process will be organised. Also it should be clear how and to what extent the costs of partners related to the participation in committees will be covered.

The partnership principle and practice should be applied from the very beginning of the planning process in **Poland**, including setting up the framework and selecting the key themes and targets. Partners shouldn't only be given a complete draft to comment and try to influence, but should be involved in setting up its structure. Also, partners should have channels to communicate with the European Commission during the process of consultation, and be involved in the programming from the beginning until the end. In the current set up, the final document resulting from the negotiation and approved by the European Commission is no longer subject to consultation with partners, and

may be a very different document from the one elaborated in partnership with the civil society. That in a way negates the principle of the civil society's involvement at all stages and the citizen's ownership of their development. In addition, there should be unified internal rules governing the involvement of civil society partners in the planning and decision-making processes and their implementation should be monitored and evaluated at the ministerial level.



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ⁱ <http://bankwatch.org/our-work/who-we-monitor/eu-funds/transparency-participation>,

If comparing the previous period a lot has been improved in **Latvia** which fulfils the minimum requirements in all sections, in some it is looking forward to find better solutions how to cooperate. NGOs are considered as relevant partners and experts. Managing authorities are always open to listen to comments, finding solutions and looking for networking activities.

A step back in **Hungary** at the early involvement compared to the previous period, public consultation for the citizens took place, though without giving enough time, organizing events and providing for feedback.

The **Slovak** state did not proactively reach out to the public. Stakeholders had to create their position within the process so the whole process can be described as lobby oriented.

As clearly illustrated by the evaluations in the different categories, the **Czech Republic** has ensured that partnership principle is implemented in the PA and OP preparation and plans to continue to do so in the implementation phase. However, no bigger attempts to use partnership beyond the formally required minimum were done. However, taking into account the overall political culture and habits of the administration, even this level of involvement of NGO partners can be taken as a success and creates a good precedence for involvement of civil society in decision making.

In **Poland** there is an improvement in involving the partners, especially on the regional level, which is mainly the result of the introduction of EU-level regulations and the guidelines prepared by the Ministry.

The Operational Programme "Regions in Growth" in **Bulgaria** is being negotiated in blunt violation of basic principles of the partnership principle, such as timely access to information, and sufficient space to react on authorities' proposals.