1. Basic information
1.1. Désirée Number: PL0003.15
1.2. Title: Strengthen acquis implementation at regional level
1.3. Sector: Administration -
1.4. Location: Poland

Twinning code: PL2000/IB/OT03

2. Objectives
2.1. Wider objective:
The wider objective is to ensure that the acquis is not only incorporated into legislation but also applied. To date much of the emphasis on institution building has been at national level but the recent administrative changes in Poland have created new regional administrative structures with responsibility for matters which were previously the responsibility of central government. It is essential to ensure, therefore, that these regional structures have both the capacity and the capability to implement those aspects of the acquis which fall within their remit. In particular it is felt that the administrative capacity at the level of powiat and gmina is still largely insufficient.

2.2. Immediate objectives:
Much work is being done in identifying the steps necessary for full implementation of the acquis. It is apparent, however, that the assessment of the impact of implementation upon the local administrative structures in the light of their new responsibilities is insufficient. The first immediate objective therefore is to identify the capacity needs, in terms of financial, human and other resources, at gmina, powiat and regional level in order for them to carry out their responsibilities regarding implementation of the acquis. The second immediate objective is to ensure that, in the light of the above analysis, the relevant self government administrations have the necessary administrative capability to carry out their responsibilities. This will involve considerable upgrading of the skills of the staff in these administrations. Finally, for the sustainability of these actions, it is essential to ensure that ongoing support for capacity and capability building at local and regional level can continue in the future through training of local experts in acquis implementation issues.

2.3. Accession Partnership and NPAA Priority
The AP identifies the importance of implementation of the acquis beyond the adoption of the relevant legislation. The present project therefore addresses a variety of short term and medium term priorities of the AP related to the implementation of the acquis.
Under the priority 30.6 (preparation of regional administration for participation in the selected policies of the EU and in the Community funds and programmes) the NPPM identifies the need for specialised training on the powiat and gmina levels. The Commission’s progress report of October 1999 indicates that “Poland needs to pay particular attention to a clear distribution of responsibilities and procedures between and within the central and the self-governmental administration”.

2.4 Contribution to National Development Plan: n.a.
2.5 Cross-border impact: n.a.

3. Description
3.1. Background and justification:
Until end ‘98 Poland consisted of 2489 municipalities and 49 voivodships governed by the representative of the central government (voivod). The generally positive experience with municipalities resulted in widespread support for further decentralisation of the State. Since 1/1/1999 the following levels of territorial authorities are in operation:

Municipality (gmina): Gminas exist since 1990 and are responsible for fulfilling basic common needs of a locality: provision of water, energy, cleaning, waste management, local public transport, local roads, basic medical and educational services, physical planning, culture, sport etc. It has full responsibility for local development, including preparation of local strategy. Gmina control 17,5% of public money most of which is a subsidy from the central government for clearly defined tasks.
County (powiat): governed by the county council (headed by chairman) and county executive body (zarzad) headed by starosta. The powiat in a way plays a supplementary role providing to the local population services which can not be effectively provided on the gmina level: hospitals, high schools, social care institutions, and certain roads are typical responsibilities of the powiat. Gminas located in a given powiat are

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nevertheless not subordinated to it. There are 373 powiats of which 65 are ‘powiats grodzkie’: cities having the rights of the powiat (most of them have more then 100,000 inhabitants).

Region (województwo): regional assembly (sejmik) headed by chairman (przewodniczacy). Regional government (zarzad) is headed by „marszalek” nominated by the assembly. Self-governments has, a.o., full responsibility for strategy and economic development of the region. There are 16 regions in Poland. De facto on the regional level the power is shared by the government representative (“voivod”) and elected bodies. The voivod is responsible for public safety, standards and conformity of laws.

Due to the reform, the regional, powiat and gmina administrations will have to create internal structures and procedures and develop skills to enable them to carry out their responsibilities. While much is already being done to assist these administrations, this assistance is being targeted primarily at the regional level to support the strategic planning process at that level. While in certain areas of the acquis, e.g. environment, considerable work is already being done in terms of identifying the impact at gmina and powiat level, it is clear that there is an overall need to assess thoroughly the impact which the adoption of the acquis will have on the roles and responsibilities of gminas and powiats and the consequent resource implications. This project will seek to identify the impact on the administrative structures at powiat and gmina level, in terms of capacity and capability, of adopting and implementing the acquis; enhance the capability of the administrative staff through the provision of advice and training; and ensure the provision of ongoing capacity building support for staff at gmina and powiat level through the training of local experts in acquis related implementation issues.

3.2. Linked activities:
The current project will draw upon the results gathered during the implementation of a number of Phare projects specifically targeting the issue of preparing regional authorities for future functioning in the EU. It is essential that compatibility among various actions undertaken within this framework is assured and constantly monitored by the Office of the Committee for European Integration.

- The preparation of the administrative structures at the regional level following the administrative reform of 1999 has been supported by the Phare 1997 European Integration Programme (Public Administration Reform project).
- In order to further address the training needs of public administration employees at voivod level a training programme has been developed under Phare’99 IB, focusing on some general issues related to EU mechanisms, policies and institutions (1.2 M€).
- Preparation of regional administration for participation in EU structural policy (Phare 2000) is proposed by the Ministry of Economy and is specifically targeted at assisting 11 Marshal’s Offices in the preparation of institutional, administrative and budgetary structures in the regions for the future participation in both the pre-accession economic and social cohesion actions and in the EU structural policies.
- HRD for Pollution Prevention and Control (Phare 2000) will be implemented as a centrally planned but regionally and locally (powiat, gmina) implemented training programme on practical implementation and enforcement of EU environmental directives.
- Taiex workshops on Enforcement of EU legislation at the sub-national level

3.3. Results/outputs:
This project addresses three specific issues: impact assessment to provide an understanding at national, regional and local level of the impact of the implementation of the acquis at gmina and powiat level, and a recognition of the resources which will have to be made available to local authorities in order for them to meet their responsibilities in implementing the acquis; development of the skills within the powiat and gmina administrations (provision of advice, guidance and training to the staff of the relevant institutions); and ensure the sustainability of these efforts by setting up a team of professional trainers to provide ongoing support to authorities at gmina and powiat level.

3.4. Activities:
Twinning arrangement for the following tasks: an analysis of the relevant sections of the acquis to determine which implementation responsibilities rest with gminas or powiats; an analysis of the current responsibilities and relevant financial resources of gminas and powiats; and a comparison of both of the above in order to determine the gap both in terms of administrative capacity and capability and in terms of finance.

The PAA (2 years), supported by a team of short term advisers, each with particular expertise in one of the areas of the acquis, would undertake the analysis and impact assessment. Once this has been completed, a substantial amount of training will be needed at powiat and gmina level, requiring the identification of specific training/guidance needs and delivery of training courses, seminars, workshops, etc. The PAA will draw up a training programme for powiat and gmina administrations addressing the specific issues identified.
in the impact assessment. EU twinning experts would implement this training programme at local level. Appr. 4000 people from gmina and powiat administrations will participate in this training (five two-day seminars per region).

**Technical assistance:** a training programme would be developed targeted at local experts with the potential to develop the skills to provide ongoing support to the gminas and powiats in terms of acquis implementation related issues. This would include the identification of potential trainers, the preparation of training material and the training of the selected trainers (appr. 5 from each region, i.e. 90 in total) The ToR for this component will be drawn up in co-operation with the PAA.

### 4. Institutional framework

The Office of the Committee for European Integration will be responsible for the overall co-ordination and supervision of the project. The Monitoring Committee for Training Programmes (OCEI) will ensure coordination of the project with other training programmes. At regional level, coordination of activites will be ensured by Regional Monitoring Committees which will be set up for each beneficiary voivodship. They will consist of the self-governmental representatives, Representatives of the OCEI, twinned MS, and other local partners. To this aim cooperation with European Information Centres established in major Polish cities will be proposed. The Department for European Information and Training in the OCEI will be responsible for managing the project implementation, assisted by a leading European Information Centre.

### 5. Detailed Budget

<table>
<thead>
<tr>
<th></th>
<th>Investment</th>
<th>Institution</th>
<th>Total</th>
<th>Poland</th>
<th>IFI</th>
<th>TOTAL</th>
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</thead>
<tbody>
<tr>
<td><strong>1. Twinning Covenant No. 1</strong></td>
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<tr>
<td>PAA (24 months) including assistant</td>
<td>375,000</td>
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<td>30,000</td>
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<tr>
<td>Impact assessment (Short term advisers to review each of the screening chapters)</td>
<td>250,000</td>
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<td>50,000</td>
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<tr>
<td>Analysis of the acquis to identify the issues which are the responsibility of self government</td>
<td>375,000</td>
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<tr>
<td>Analysis of the capacity of self government to meet these responsibilities</td>
<td>175,000</td>
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<tr>
<td>Identification of capacity ‘gap’ and assessment of training and resource needs</td>
<td>560,000</td>
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<td>400,000</td>
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<tr>
<td>Development and delivery of training programme in each of sixteen regions</td>
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<tr>
<td><strong>2. Non-twinning contract No. 1</strong></td>
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<tr>
<td>Training of trainers (at least five from each region, min. 90 in total)</td>
<td>625,000</td>
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<tr>
<td><strong>Total</strong></td>
<td>2,360,000</td>
<td>480,000</td>
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</table>

The Polish authorities have assured that the Government cofinancing is available either through the reserve budget foreseen specifically by the Ministry of Finance for this purpose each year, or directly through the budget of the relevant Ministry.

### 6. Implementation arrangements

**6.1. Implementing Agency:**

PAO: P. Samecki, Undersecretary of State at the Office of the Committee for European Integration Al. Ujazdowskie 9, Warsaw. Tel.: 4822 694 75 42, 4822 694 7195, 4822 694 6064. FAX: 4822 694 7194, 4822 625 0380. CFCU: Foundation “Cooperation Fund”, 6/12 Nowy Swiat St., 00-400 Warsaw. The CFCU is responsible for handling tendering, contracting and payments of contracts and shall be responsible for preparing projects and managing their technical implementation.

For the Institution Building component a twinning covenant will be signed with an EU MS. The training component will be subject to DIS procedures.

The Office of the Committee for European Integration, Department for European Information and Training, will be responsible for implementation of the project as well as for the coordination of implementation of twinning and technical assistance components of the project.
6.2. Twinning: The project will partly be implemented through twinning with relevant institutions of selected MS. The PAA will be based in the Office of the Committee for European Integration which will also be the beneficiary of the twinning.


6.4. Contracts: 2 contracts: twinning covenant (1,735M€) and TA contract (0.625M€)

7. Implementation schedule:
7.1 Start of tendering: Q4/2000
7.2 Start of project activity: Q2/2001
7.3 Project completion: Q2/2003

8. Equal opportunity
The OCEI will be responsible for granting equal chances independently of gender.

11. Investment criteria: n.a.

12. Conditionality and sequencing
Milestones (benchmarks):
- Detailed analysis of the acquis implementation issues which are the responsibility of gminas or powiats
- Indication of the capacity of the gminas and powiats to meet these responsibilities in terms of financial and human resources, including staff skill levels
- Development of training programme to address identified gaps
- Delivery of guidance, advice and training to these local administrative structures
- 90 number of trainers trained to the level necessary to enable to provide relevant expertise to local authorities.
### Wider Objective

To contribute to ensuring that the acquis is not only incorporated into legislation but is actually applied

<table>
<thead>
<tr>
<th>Indicators of Achievement</th>
<th>Sources of Information</th>
<th>Assumptions and Risks</th>
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</thead>
<tbody>
<tr>
<td>Incorporation into the gmina and powiat development plans of the tasks necessary to implement the acquis</td>
<td>Gmina and powiat development plans</td>
<td>That powiats and gminas have adequate financial resources both from the state budget and from local sources</td>
</tr>
<tr>
<td>Adequate provision in budgets of gminas and powiats for the implementation of their responsibilities under the acquis</td>
<td>Gmina and powiat budgets</td>
<td></td>
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</tbody>
</table>

### Immediate Objectives

To identify the resources necessary for local authorities at gmina and powiat fully to carry out their responsibilities in terms of implementation of the acquis

To ensure that these local administrative have necessary administrative capacity and capability to carry out their responsibilities in terms of implementation of acquis

To ensure that ongoing support can be provided in the future though the training of local experts in acquis implementation issues at local level.

#### Results of Project

Understanding at national, regional and local level of the impact of implementation of acquis at gmina and powiat level

Recognition at national level of the resources to be made available to local authorities in order to meet their responsibilities in implementing the acquis

Enhanced capacity and capability of the administrative staff at gmina and powiat level

A team of trainers, fully versed in acquis implementation issues, and available to provide support to local authorities at gmina and powiat level

<table>
<thead>
<tr>
<th>Indicators of Achievement</th>
<th>Sources of Information</th>
<th>Assumptions and Risks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completed assessment of the impact of the adoption of the acquis on gmina and powiat administrations</td>
<td>Output of phase 1 of the project – report from the twinning experts on impact assessment</td>
<td>That sufficient numbers of prospective trainers can be identified</td>
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<tr>
<td>Incorporation into the gmina and powiat development plans of the tasks necessary to implement the acquis</td>
<td>Output of gmina and gmina development plans</td>
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<tr>
<td>Cadre of trained professionals</td>
<td>Output of phase 3 of the project – training of trainers</td>
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Understanding at national, regional and local level of the impact of implementation of acquis at gmina and powiat level

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<th>Indicators of Achievement</th>
<th>Sources of Information</th>
<th>Assumptions and Risks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completed impact assessment</td>
<td>Output of phase 1 of the project</td>
<td>That such additional funding as will be necessary is made available to the powiats and gminas</td>
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<tr>
<td>Acceptance of the recommendations by the Polish authorities</td>
<td>State budget, changes in self government legislation</td>
<td>That sufficient numbers of prospective trainers can be identified</td>
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<tr>
<td>Preparation of development plans which reflect acquis related issues</td>
<td>The development plans</td>
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<tr>
<td>Training programme completed</td>
<td>Output of phase 3 of the project – training of trainers</td>
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### Project Number

<table>
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<tr>
<th>Project Number</th>
<th>Project Title</th>
<th>Strengthen acquis implementation at regional level</th>
<th>Budget</th>
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<tbody>
<tr>
<td></td>
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<td>2.84 M€</td>
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### Date

14.04. 2000

### Period

2001-2003
### Annex 2: Cumulative implementation, contracting and disbursement schedule

**Title: Strengthen acquis implementation at regional level**

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<tbody>
<tr>
<td><strong>Planning</strong></td>
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<td><strong>Budget Cost</strong></td>
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D = design of sub-projects / C = tendering and contracting / I = contract implementation and payment