1. Basic Information
   1.1. CRIS number: 2002/000-605-01.04
   1.2. Title: Support to the European Integration process - Flexible reserve
   1.3. Sector: Public administration
   1.4. Location: Poland

2. Objectives:
   2.1. Wider objective
       Enhance the European integration process
   2.2. Immediate objectives
       To provide assistance (advisory, training, twinning light, short and medium-term expertise) to meet the needs relating to EU-driven adjustments and accession negotiations that are unforeseen at present, but may emerge in the near future. In particular this flexible facility may help to achieve some of the following immediate objectives (depending on actual needs):
       - to assist the adoption and implementation of the *acquis communautaire* in policy areas in which governmental activities are still necessary,
       - to strengthen the institutional and operational capacity of public administration institutions with the view to future functioning in the European Union,
       - to enhance human resources of public administration institutions in order to properly function in the structures of the European Union,
       - to assist the accession negotiations process.
   2.3. Priorities of NPPM and AP
       The National Programme of Preparation for Membership in the EU and the Accession Partnership will be point of reference as regards the identification of the needs to be answered by the project. The short- and medium-term priorities identified in both documents will be referred to in the measures proposed for financing under the project. The problems and recommendations identified in the course of accession negotiations as well as in the Regular Reports and the Commission reports including Phare reviews could also provided basis for potential measures to be financed under the project.
   2.4. Contribution to the Preliminary National Development Plan: not applicable
   2.5. Cross Border Impact: not applicable

3. Description
   3.1. Background and justification
       Poland’s membership in the European Union has been posing new challenges to the public administration institutions and the society. On the one hand, the ongoing process of adopting and implementing the *acquis communautaire* trigger the need for reinforcing the administrative capacities and enhancing the skills and competencies of the human resources. A lot has already been done in this respect by means of European Union assistance channelled mainly through the Phare programme. Introduced in 1998 the Institution Building programme has been a major vehicle in delivering specialised expertise and assistance in the process of adopting and implementing the *acquis*, establishing the necessary structures or adjusting those already existing to the European Union standards and requirements. The major areas of adjustment and where the Phare assistance has been concentrated are those identified in the Accession Partnership and the National Programme of Preparation for Membership. Despite the efforts made so far under the Phare programme and other assistance instruments as well as the ongoing programming of future assistance there is a necessity to have an instrument that could meet the needs unforeseeable at present that will be identified on an ad hoc basis and requiring immediate intervention. Moreover, the projects financed under annual Phare budgets are relatively big and do not allow for financing small though important initiatives and priorities. The programming and
implementation cycle of approximately 3-4 years does not provide the conditions for speedy financing of most urgent needs or gearing assistance to the specialised needs of a given moment in time.

The current project is supposed to assist in running small or medium-sized measures including TA contracts, twinning light contracts, institutional and financial audits, small-scale supplies of equipment and specialised expertise in specific sectors as well as across priorities identified in the above-referenced documents. The instrument is supposed to react quickly to the needs and demands that arise during the EU integration process. The project may also cover the needs identified during the accession negotiations such as expertise of economic, social, legal and institutional nature.

3.2 Linked activities

PL9212 – SIERRA – Support for implementation of the Europe Agreement; the general objective of the programme was to support measures undertaken by the Polish government with regard to implementation of the Europe Agreement and general preparation of Poland for gradual integration into the European Communities.

PL9316 Fiesta II – Flexible Reserve for Technical Assistance; the general objective of the programme was to assist the government in developing and implementing reform measures and institutional support that were complementary to main programmes of co-operation and which were supposed to contribute to their effective implementation.

PL9707 European Union Institution Building 1997; the wider objective of the programme was to assist Poland in the process of acceding the European Union through the creation of a modern and efficient public administration capable of effectively implementing the acquis communautaire. The efforts were concentrated among others on:
- further approximation and enforcement of Polish legislation,
- upgrading the efficiency of administration staff in order to improve the public administration functioning according to the EU standards,
- building public awareness of the accession process,
- assistance to the Office of the Committee for European Integration in the areas of co-ordination and monitoring of pre-accession process, adjustment of Polish legislation to EU requirements, negotiation process, use of the assistance resources and preparation for future utilisation of Structural Funds.

PL0.01 Flexible Reserve (2001) – support to the European Integration Process such as assistance in running small or medium-sized measures including TA contracts, twinning light contracts, institutional and financial audits, small-scale supplies of equipment and specialised expertise in specific sectors.

3.3 Results
The possible results/outputs of the projects could be:
- increased level of adjustment of Polish legislation to the acquis;
- effective implementation of acquis communautaire in the priority sectors;
- the process of accession negotiations enhanced,
- administrative structures responsible for handling structural and regional policies strengthened and better prepared to participate in the Structural and Cohesion Funds;
- the system of managing European Union financial assistance decentralised,
- greater efficiency of the personnel of the public administration institutions responsible for handling EU matters,
- capacity to evaluate the results of the pre-accession programmes increased.

3.4. Activities
The project will be used to carry out the following possible activities and measures:
- Technical Assistance support to government administration in implementing the *acquis*; including support to legal harmonisation and enforcement, specialised expertise, studies, analysis and assessment reports and papers related to the challenges and requirements of the EU integration process, analysis related to negotiation chapters, preparations for future successful running of structural and regional policies, preparation of relevant administrative structures for future absorption of structural assistance of the EU, assistance in preparations for the decentralisation process, support to building up of the capacity to better evaluate the results obtained under pre-accession programmes and future structural assistance;

- Institutional/financial audits of institutions designated for future functioning and cooperation in the European Union institutional structures and systems, including the system of managing pre-accession assistance and Structural Funds;

- strengthening the human resources and capacities through specialised trainings, workshop and traineeships for civil servants in the areas of law harmonisation, *acquis* implementation, negotiation chapters etc.; the activities financed by the project will be coordinated with and complementary to other training measures financed under Phare; the needs for such interventions should have an ad hoc character and be conditioned by the current needs;

- twinning light assistance to public administration institutions involved in adoption and implementation of the *acquis*; the instrument will be proposed if specialised needs relating to *acquis* adoption and implementation are identified outside the regular programming cycle or as complementary to the existing projects; under this instrument involvement of Member State medium or short term experts is envisaged as well as other measures such as trainings, workshops, study visits etc;

- if necessary, provision of equipment on a small scale as an accompanying measure to the ones described above.

4. Institutional framework:
The project will be supervised by the Office of the Committee for European Integration and implemented by the CFCU – Cooperation Fund. The funds will be allocated to specific measures, projects etc. on the basis of the PAO’s decisions. The PAO will receive requests for assistance, proposals of projects etc from public administration institutions or identify the needs and formulate projects directly. The projects that are positively assessed and approved by the PAO will be sent to the European Commission Delegation for endorsement. Standard DIS contracting procedures will follow, unless twinning light is applicable.

5. Budget:

<table>
<thead>
<tr>
<th></th>
<th>Investment</th>
<th>Institution Building</th>
<th>Total Phare</th>
<th>National co-financing</th>
<th>Total</th>
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<tbody>
<tr>
<td>Flexible Reserve</td>
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<td>1 475 196</td>
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<td>Total</td>
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<td>1 475 196</td>
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</tbody>
</table>

The initiatives, projects, TA and twinning light contracts, audits, etc. can be co-financed by the beneficiaries.

6. Implementation arrangements:

6.1. Implementing Agency

**PAO:** Krystyna Gurbiel, Undersecretary of State, Office of the Committee for European Integration, Al. Ujazdowskie 9, 00-918 Warsaw, Poland, Office: ul. Bagatela 14, ph. + 48 22 455 52 41, fax + 48 22 455 52 43.

**CFCU:** Wojciech Paciorkiewicz, Director, Foundation “Cooperation Fund”, 00-400 Warsaw, ul. Nowy Świat 6/12, ph. + 48 22 661 76 86, fax + 48 22 661 76 13.

6.2. Twinning
Twinning light projects can be financed under the project

6.3. Standard procedures
All the measures: TA contracts, audits etc. will be implemented according to the rules and procedures specified in the Decentralised Implementation System Manual. Where necessary and as appropriate this reserve can also be used to allocate further funding to any of the other projects mentioned in the Phare 2002 programme for Poland

6.4. Contracts
It is estimated that around 25 measures, twinning light and TA contracts, audits, etc will be financed for the amount of the 1,475,236 EUR

The PAO will retain his contractual and financial responsibilities for the implementation of the project. In particular, the PAO will approve formally the proposals and requests for assistance, sign contracts and ensure adequate monitoring and financial control. The management of the project will be decentralised from the PAO to the CFCU. The ex ante approval of the Commission’s Delegation in Poland will be required for all the proposals, contracts etc.

7. Implementation schedule:
THE PROJECT WILL BECOME OPERATIONAL AFTER SIGNATURE OF THE LAST FINANCING MEMORANDUM PHARE 2002. THE REQUESTS FOR ASSISTANCE WILL HAVE BEEN RECEIVED BY THE DEADLINE SET 2 MONTHS BEFORE. All contracts will be signed until end September 2004. The final payments will be made until end September 2005.

8. Equal Opportunity:
All actions of the Project will respect equality between men and women.

9. Impact on the environment: not applicable

10. Rate of return: not applicable

11. Investment criteria: not applicable

12. Conditionality and sequencing:
**Annex 1: LogFrame**

**Project title:** Support to the European Integration process
- Flexible reserve

**Date of drafting:** July 2002

**Planning period:** January 2003 - September 2005

**Total:** 1 475 236 MEUR
  - Phare 1 475 236 MEUR

### Wider objective

<table>
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<tr>
<th>Indicators of Achievement</th>
<th>Sources of information</th>
<th>Assumptions and Risks</th>
</tr>
</thead>
<tbody>
<tr>
<td>- All negotiation chapters closed</td>
<td>- Commission’s Regular Reports</td>
<td>- Political commitment on both sides to pursue accession negotiations maintained</td>
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<tr>
<td>- Acquis functioning in the Polish legal system</td>
<td>- Official documents submitted to the Association Committee and the Association Council</td>
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<tr>
<td>- Accession Treaty agreed</td>
<td>- Official documents in the negotiation process</td>
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### Immediate Objectives

**To assist the adoption and implementation of the acquis communautaire in policy areas in which governmental activities are still necessary**

To strengthen the institutional and operational capacity of public administration institutions with the view to future functioning in the European Union

To enhance human resources of public administration institutions in order to properly function in the structures of the European Union

<table>
<thead>
<tr>
<th>Indicators of Achievement</th>
<th>Sources of information</th>
<th>Assumptions and Risks</th>
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<tbody>
<tr>
<td>- Acquis adopted according to the government’s plans and declarations</td>
<td>- Commission’s Regular Reports</td>
<td>- Effective functioning of the legislative procedures for EU legislation</td>
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<tr>
<td>- Networks among Polish administration institutions and the EU institutions and Member States established and functioning</td>
<td>- Government and EU reports and publications</td>
<td>- Commitment to timely and effective implementation of EU assistance programmes, national co-financing provided</td>
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<tr>
<td>- Effective and timely implementation of EU assistance programmes</td>
<td>- Press and NGOs publications</td>
<td>- Reaching agreement/ compromise in negotiation chapters</td>
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<td>- Subsequent closing of negotiation chapters</td>
<td>- Findings of the Joint Monitoring Committees in pre-accession programmes</td>
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### Results/Outputs

increased level of adjustment of Polish legislation to the acquis;
effective implementation of acquis communautaire in the priority sectors;
the process of EU negotiations enhanced, administrative structures responsible for handling structural and regional policies strengthened;
the system of managing European Union financial assistance decentralised,
greater efficiency of the personnel of the public administration institutions responsible for handling EU matters

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<tr>
<th>Indicators of Achievement</th>
<th>Sources of information</th>
<th>Assumptions and Risks</th>
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<tr>
<td>- the bulk of the acquis adopted</td>
<td>- Accession Partnership</td>
<td>- The position of civil service reinforced and stable</td>
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<td>- Units responsible for coordination and supervision of Structural and Cohesion Funds well established</td>
<td>- National Programme of Preparation for Membership</td>
<td>- New civil servants recruited for priority sectors and where the need for staffing appear</td>
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<td>- Ex-post control of EU assistance programmes functioning</td>
<td>- Sectoral Monitoring Subcommittee Reports</td>
<td>- Legal basis for establishment of necessary administrative structures in place</td>
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<td>- Institutional and financial audits positively conducted</td>
<td>- Audit reports</td>
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### Activities

- Technical Assistance, expertise / Audits / Twinning light / Trainings, traineeships
## Annex 2: Implementation, Contracting and Disbursement schedules

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Phare Budget Allocation Cost Estimate (in MEUR): 1.475.196