

## FAQ

1. **Are we expected to list budget headings only or also provide some estimates? The second could be rather tricky since we have no idea, if shortlisted, how many projects and in what areas we are to monitor.**

Both a list of budget headings (salaries, fees, travel, meetings, communications etc.) and also some estimates are expected. More than the estimates themselves (i.e. figures), what really matters is how the applicants justify and calculate these estimates, based on their answers to questions 4 and 5 (intended approach and capacity needs assessment). Applicants should explain the reasoning behind each budget heading and the allocation of budget to each of them as well as showing how they would be able to adapt/scale this up or down depending on the size of the project that will ultimately be selected for an IP.

2. **Is there any problem in case a Civil Society Organisation (CSO) has no capacity and expertise to play itself the role of the monitor in phase 2 and therefore wants to get external experts (i.e. lawyers, technicians, a construction company etc.) on board acting exclusively as coordinator?**

When civil society has the expertise to act as monitor, it is particularly well placed to play this role given its independence both from bidders and the authority, and its sole incentive to protect the public interest. **Even if civil society does not have the required expertise 'in-house', it can reach out for expert support for a particular IP process**, combining specific expertise with its own institutional capacity. In this situation, the expert monitor would sign the monitoring agreement with the NGO.

So, it is possible and acceptable that for sector specific projects or projects with challenging procurement, the CSO would need to attract / hire specific experts (for example, PP experts, engineers, sector specific experts, legal expert). The CSO should still apply as the monitor as **the CSO will take the responsibility for the full Integrity Pact (IP) monitoring process**, which *could* also include the decision to attract (and find) experts with appropriate qualifications and qualities (independence, integrity, knowledge, capacity, accountability and commitment). So, the CSO will be responsible for verifying if an expert to be hired has the necessary qualifications and qualities (including, checking absence of the conflict of interest for an expert). The **CSO bears the overall reputational risk** of integrity, independence and accountability of the Integrity Pact they are implementing. As such, there is no call for EOI for only 'coordinating' the IP. The same CSO should coordinate the IP and take the responsibility of carrying out the monitoring (through the contribution of consultants, if needed).

Smaller countries seeking specific expertise e.g. engineers could also look at outsourcing to foreigners but then they need to factor in translation.

3. **If and under which conditions would private companies be considered as eligible Civil Society Organisation (CSO) co-candidates?**

In theory, a monitor could be private, governmental or non-governmental. However, **for the purpose of the Commission's funded pilot project "Integrity Pacts - civil control mechanisms for safeguarding EU funds" private companies would not be considered as eligible co-candidates**. Through this project the Commission specifically wants to promote the role of civil society as an independent monitor for safeguarding EU funds against fraud and corruption. The advantage of having NGOs perform as monitors is that their participation brings civil society involvement and therefore increases the transparency, accountability and legitimacy of the process. Social

accountability and civic engagement are powerful tools which should be used more widely, including, in the context of Cohesion Policy implementation.

In case a CSO would like to benefit from a specific expertise which they do not have 'in-house' they could envisage to hire specific experts (see reply to Question No 2).

#### 4. Is there any official form that should be followed if a Civil Society Organisation (CSO) wants to sign a preliminary cooperation agreement with a Managing Authority?

There is no obligation to have a preliminary cooperation agreement between a Managing Authority and a CSO, as both actors will have to apply separately. However, if some preliminary discussions have already taken place or if a preliminary cooperation agreement exists (formally or informally), the Managing Authority and the respective CSO **are encouraged to mention** it in their respective applications to the calls for Expression of Interest.

#### 5. Should a Managing Authority be encouraged to come up with a particular project that will ideally start being implemented at the beginning of 2016 (expected kick-off of Phase 2 for the pilot project "Integrity Pacts - civil control mechanisms for safeguarding EU funds") so that we ensure the Monitor's involvement from the earliest possible stage (before the tender process)? In other words, what is the ideal timing for the selected project?

Although it is tentatively planned that Phase 2 of the pilot project "Integrity Pacts - civil control mechanisms for safeguarding EU funds" could start at the beginning of 2016, that **doesn't mean that all different IP pilots in Member States should necessary start at the same time**. Ideally, each of the IP pilots should start at the time which is best for that particular selected EU funded project. Monitoring should not start too early (when there is limited value added to do monitoring or when a project is in a very early stage of preparedness) or not too late in the process (when crucial decisions determining the implementation of a particular project have been already taken). So, for each project the ideal timing for the start of IP monitoring could be slightly different, depending on the project itself.

To read more on IP implementation timing: see pages 29 and 30 of **Integrity pacts in public procurement: an implementation guide**.

[http://www.transparency.org/whatwedo/publication/integrity\\_pacts\\_in\\_public\\_procurement\\_a\\_n\\_implementation\\_guide](http://www.transparency.org/whatwedo/publication/integrity_pacts_in_public_procurement_a_n_implementation_guide)

#### 6. If a Managing Authority (MA) is selected but no Civil Society Organisation (CSO) has applied or has been shortlisted, what happens?

Integrity Pacts are collaborative endeavours. They can be effective only if all key stakeholders – public authorities, politicians, businesses and civil society alike – cooperate. Thus the instructions of both Calls state: "*Pilot Integrity Pacts can only be implemented in countries where both a public authority and a civil society organisation are shortlisted*".

Although the Commission has launched two separate Calls for Expression of Interest (EOI) - a Call for Expression of Interest for public authorities and a Call for Expression of Interest for civil society organisations – Managing Authorities / Intermediate Bodies / Beneficiaries and CSOs can start discussing their possible collaboration already during the preparation of their EOI (before 25 June) thus minimising the risk of the above mentioned situation materializing.

Relevant to this question, please read also FAQ No 5.

7. In the call for Civil Society Organisations (CSOs) in point 4.2 it is written “Joint submissions by several organisations are encouraged”. Does that mean that joint application from organisations in different countries is encouraged?

No, we **do not encourage or envisage** a joint submission by several organisations based in different countries.

There is no one-size-fits-all recipe for Integrity Pact implementation therefore country specific situation in relation to integrity, transparency and accountability in a society always should be taken into account and it is very important.

Point 4.2 in the call for CSOs it is written with the thought to encourage the cooperation of several CSOs working in the same Member State (**if** there are several CSOs who have experience and knowledge on civil society monitoring of public procurement).