

MINISTRY OF INTERIOR OF THE SLOVAK REPUBLIC

**EVALUATION REPORT ON IMPLEMENTATION OF ACTIONS  
CO-FINANCED BY THE EXTERNAL BORDERS FUND**

(Report set out in Article **52(2) (a)** of Decision No **574/2007/EC**)

**Bratislava, 24 June 2010**

**SLOVAK REPUBLIC**

Evaluation report on Implementation of actions co financed by the External Borders Fund

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(Report set out in Article 52(2) (a) of Decision No 574/2007/EC)

Report submitted by the Responsible Authority of: (Member State)

SLOVAK REPUBLIC.....

Date:

24/06/2010.....

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**GENERAL INFORMATION TO BE PROVIDED BY THE  
RESPONSIBLE AUTHORITY ON EVALUATION EXPERTISE AND ON  
METHODOLOGY**

- Did you have recourse to an evaluation expertise to prepare this report?

No

**EVALUATION REPORT ON THE RESULTS AND IMPACTS OF ACTIONS  
CO-FINANCED BY THE EXTERNAL BORDERS FUND**

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## **Part I**

### **Summary of the Multiannual Programme 2007-2013**

#### **ANALYSIS OF REQUIREMENTS IN THE MEMBER STATE AND STRATEGY TO ACHIEVE THE OBJECTIVES**

##### **1. ANALYSIS OF REQUIREMENTS IN THE MEMBER STATE**

###### **- The requirements in the Member State in relation to the baseline situation**

The analysis of requirements was based on outcomes of evaluation reports on readiness of the SR for the entry into the Schengen area and the National State Border Protection Management Plan of the SR as a medium-term and long-term planning document in the field of protection of external borders of EU on territory of SR for years 2007 – 2010.

The requirements of the relevant national authorities responsible for integrated border management development, above all Ministry of Interior of SR, Ministry of Finance of SR (Customs Directorate of SR), and Ministry of Foreign Affairs of SR have been taken into account. They concern especially efficient organization of control as well as surveillance including management of the flow of person at external borders (missing landing area for helicopters, outdated or lack of equipment of border crossing points and airports -camera and monitoring systems, special operating equipment for interventions against illegal crossing external border, control of transport of persons and goods and the related organized crime, for discovery of false and falsified travel documents and means of transport as well as need for establishing the radio communication network with secured and controlled operation among relevant authorities), as well as collection of data and risk analysis (missing of information system of illegal migration and international protection) and functioning of other information systems (Schengen Information System, Visa Information System). Another part of requirements was identified in the field of unified application of provisions of legal regulations of the Community on crossing of external borders and enhancement of management of activities organized by consular and other services of Member States in the third countries (language education of border guards, expert education of border guards and consular staff as well as customs officers).

- The operational objectives of the Member State designed to meet its requirements

The overall (global) objective of the multiannual programme for the External Borders Fund in the SR was defined as follows: “Securing protection of the EU external borders in SR via strengthening capacities of all relevant authorities of the Slovak Republic“.

In order to fulfil the overall objective the following operational objectives have been set:

1. Strengthening efficiency of the control system of the external border at border crossing points and international airports as well as surveillance between border crossing points.
2. Increase of ability of the relevant authorities of integrated management of the external border protection to execute control and surveillance at external borders via securing the most up-to-date technical equipment, means of transport and communication technique.
3. Enhancement of functioning of the national part of the Schengen Information System and the national part of the Visa Information System.
4. More efficient monitoring, evaluation and management of migration flows through risk analysis and strengthening combating illegal migration and criminality related to the external border crossing.
5. Enhancement of performance of tasks related to application of legal instruments of the Community in the field of external border and visas and strengthening capacities and expertise of authorities responsible for management of external borders and consular offices.

These objectives were determined in a way that ensures internal coherence and complementarity of activities that will be financed from state budget of SR and types of supported actions from External Borders Fund.

## **2. STRATEGY TO ACHIEVE THE OBJECTIVES**

### **Priority 1: Support for the gradual establishment of the common integrated border management system as regards checks on persons and the surveillance of the external borders**

Through implementation of actions under the priority shall be the support of further building of integrated system of the EU external border management in the SR ensured. Above all it is necessary to equip all relevant national bodies with modern operational and technical equipment and create conditions in which they will be able to fulfil their duties in the protection of external borders. The actions under the priority will be focused on the state border of SR with Ukraine and on international airports as well. They will contribute to fulfilment of operational objectives 1 and 2.

#### **Examples of actions to be supported under the priority:**

##### **Operational objective 1**

- actions for support of use of aviation technique and improvement of the intervention ability of patrols at the external land border of the Slovak Republic with the Ukraine;
- actions for strengthening security of border crossing points and international airports and performance of the external border protection via building and modernization of complex monitoring camera systems;

##### **Operational objective 2**

- actions for equipment of individual units of border police and customs administration active at the external land border and international airports with necessary special operating equipment and technique in order to enable custom officers to efficiently carry out the tasks of controls on persons entrusted upon them under Slovak law"; (such as e.g. special emergency vehicles, communication technique, special detection instruments, instruments for discovery of false and falsified travel documents) and increase of efficiency of performance of control and surveillance at the external border;
- actions for improvement of the information exchange, communication and coordination of intervention in case of occurrence of risk situation on national level and creation of efficient, strategic and operating coordination of all authorities responsible for the external border management and among these authorities and other authorities;

Within the priority the actions aimed at modernization and building of communication networks will partly fulfil the specific priority 1.

### **Priority 2: Support for the development and implementation of the national components of a European Surveillance System for the external borders and of a permanent European Patrol Network at the southern maritime borders of the EU Member States**

*n/a*

**Priority 3: Support for the issuing of visas and the tackling of illegal immigration, including the detection of false or falsified documents by enhancing the activities organised by the consular and other services of the Member States in third countries**

*n/a*

**Priority 4: Support for the establishment of IT systems required for the implementation of the Community legal instruments in the field of external borders and visas**

Actions focused on construction, operation and update of information systems on national level that are necessary for implementation of legal instruments of the Community in the field of external borders, visas and illegal migration shall be financed in the framework of multiannual programme of External Borders Fund. These will cover above all actions for the support of building and operation of national part of Schengen Information System and national part of Visa Information System. At the same time for the fulfilment of operational objectives of SR it is necessary to implement action aimed at specialised information systems for the collection, evaluation and analysis of statistical data. The purpose shall be the enhancement of quality of risk analysis and fight against illegal migration and crime related to illegal crossing of borders especially facilitation. These actions shall contribute to fulfilment of operational objectives 3 and 4.

**Examples of actions to be supported under the priority:**

**Operational objective 3**

Enhancement of functioning of the national part of the Schengen Information System and the national part of the Visa Information System

- actions aimed at update and modernization of the national part of SIS including the related technical equipment;
- actions securing update of N-VIS MoFA SR application in relation to all relevant legislative, technological changes and knowledge;

**Operational objective 4**

- actions focusing on building efficient system for methodological collection, evaluation and analysis of relevant information and statistical and administrative data on illegal migration and crime related to illegal crossing of external borders in accordance with annex II of Regulation of European Parliament and Council (EC) no. 562/2006 from 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders;

Activities within priority 4 related to support of functioning and update of national platforms of SIS and VIS directly fulfil specific priorities 1 and 2.



## **Priority 5: Support for effective and efficient application of relevant Community legal instruments in the field of external borders and visas, in particular the Schengen Borders Code and the European Code on Visas**

The purpose of education actions financed under the priority 5 will be elimination of deficit of necessary abilities and knowledge of police management and members of border and aliens police identified during the Schengen evaluation in 2007. The contents of education activities will not only be in line with the outcomes of Schengen evaluation process but also with Common Core Curriculum for Border Guards on the middle level of police management (MidLevel) and basic level of education (BG) but also with prepared Common Core Curriculum for experts in the field of travelling documents, risk analysis, identification of transferred vehicles and kynology.

The education actions of consular officers shall be consistent with necessity of regular education of delegated consular officers for the purpose of visa policy in accordance with their rotation. The education of customs officers shall be in consistence with needs identified during the performance of their tasks related to integrated border protection management in SR and could include also language training. All these actions will contribute to fulfilment of operational objective 5.

### **Examples of actions to be supported under the priority:**

- actions focused on enhancement of knowledge and information on the Community legal instruments in the field of external borders for members of border and aliens police, above all on deepening knowledge and skills at detection of false and falsified travel documents, stolen vehicles and searched/unwanted persons (profiling);
- actions focused on language education of members of border and aliens police;
- actions aimed at education of employees of MoFA of the SR assigned by performance of visa administration at consular sections of representative offices of the SR, in the field of N-VIS and alteration and falsification of documents;
- actions focused on enhancement of knowledge and information on the Community legal instruments in the field of external borders for customs officers with a view to ensure that also custom officers can carry out properly the tasks of controls on persons entrusted upon them under Slovak law

**Finally, list the most important indicators set out in Part 3 of the Multiannual Programme 2007-2013 and the corresponding quantified/qualitative targets, broken down by Priority:**

*Maximum 5 indicators for each Priority*

#### Priority 1

Name of indicator	Type of indicator	Starting value	Target value
% of increase of efficiency of air monitoring of the state border section of the SR with the Ukraine	outcome	50%	100%
% rate of increase of monitored premises of border crossing points and international airports	outcome	80%	95%
Reduction of time of control and surveillance	outcome	30 min per vehicle, 5 min per person	5 min per vehicle, 1min per person
Increase of efficient national and transnational radio communication including creation of security surveillance over system operation	outcome	0 %	20 %
Increase of external border protection	impact	yes/no	

#### Priority 2

n/a

#### Priority 3

n/a

#### Priority 4

Name of indicator	Type of indicator	Starting value	Target value
Type of existing version of SIS	outcome	SISone4all	SIS II
Connection to central visa database built by the EU	outcome	no	yes
Early implementation and more efficient application of legal instruments of the Community in the field of external borders and visas	impact	yes/no	
Integration rate of operational, investigation and analytical instruments in one information system	outcome	0%	100%
Enhancement of efficiency of fight against illegal migration and criminality related to crossing external border	impact	yes/no	

#### Priority 5

Name of indicator	Type of indicator	Starting value	Target value
Improvement of knowledge on legal regulations of the Community	outcome	yes/no	
Improvement of language skills of border and aliens police officers	outcome	yes/no	
More coherent application of EU rules and standards at control of borders and performance of visa agenda	impact	yes/no	

## **Part II**

### **SUMMARY OF THE ANNUAL PROGRAMMES 2007, 2008 AND 2009**

**(excluding Technical Assistance measures and Information and Publicity)**

#### **1. Summary of actions under Priority 1 in the annual programmes, 2007 through 2009**

Actions to be implemented under the “awarding body” method

not applicable

Actions to be implemented under the “executing body” method

In the framework of annual programmes 2007 – 2009 actions were aimed at implementation of operational objective 2 of the multiannual programme. They were concentrated on purchase of necessary special operating equipment for national authorities active at the external land border and international airports, namely:

- border police units (equipment for detection of false and falsified travel documents, special monitoring and service vehicles and monitoring system able to detect movement of persons on the ground),
- customs administration units (thermocameras, fibrescopes, reading devices for travel documents and special vehicles as well as radio communication stations).

The purpose of these actions was to increase of efficiency of performance of control and surveillance at the external border in the detection of false and falsified travel documents, performance of second line control and processing of expert opinions for the purpose of criminal proceedings, in the field of fight against illegal migration as well as organised crime related to crossing of external borders.

As concerns the customs administration implemented actions provided for higher effectiveness of controls on persons entrusted upon customs officers under Slovak law and improvement of the information exchange, communication and coordination of intervention in case of occurrence of risk situation on national level and creation of efficient, strategic and operating coordination of all authorities responsible for the external border management and among these authorities and other authorities.

#### **2. Summary of actions under Priority 2 in the annual programmes, 2007 through 2009**

Actions to be implemented under the “awarding body” method

not applicable

Actions to be implemented under the “executing body” method

not applicable

### **3. Summary of actions under Priority 3 in the annual programmes, 2007 through 2009**

Actions to be implemented under the “awarding body” method

not applicable

Actions to be implemented under the “executing body” method

not applicable

### **4. Summary of actions under Priority 4 in the annual programmes 2007 through 2009**

Actions to be implemented under the “awarding body” method

not applicable

Actions to be implemented under the “executing body” method

Actions planned under the priority 4 related to pursue of operational objectives 3 and 4 of the multiannual programme and concerned:

- update of the national part of Visa Information System (N-VIS) on consular offices and border crossing points in relation to all relevant legislative changes; implementation of final ICD (*Interface Control Document*) and DTS (*Detailed Technical Specification*) for connection of N-VIS with VIS and testing of this interface under European Commission supervision; preparation for implementation and roll-out of system of taking the fingerprints from the visa applicants,
- regular updating of the national part of the Schengen Information System II, ensuring the functioning of national SIRENE Office and the implementation of new functions within the meaning of currently applicable technical rules and specifications (ICD and DTS) adopted by the European Commission in connection with gradual realisation of the central database of the SIS II.
- introduction of a complex information system of migration and international protection that shall reflect the state in the field of legal and illegal migration including granting of international protection in order to quality processing of these data, to use them and provide them to the relevant European institutions. It shall be concurrently the main document for deciding within the risk analysis and providing strong evaluation and analytical functions which concurrently provide a possibility of interconnection to other information systems, consistent access to data and their protection and which shall offer complex search functions and intelligent possibilities of data comparison. The system should enable quantitative extension of the range of the data processed and qualitative change in the form of processing not only alphanumerical but also biometric data. The part of the system related to data on asylum and international protection shall be co-financed from the European Refugee Fund.

## **5. Summary of actions under Priority 5 in the annual programmes 2007 through 2009**

### Actions to be implemented under the “awarding body” method

The action shall be aimed at securing specific language knowledge of members of border and aliens police in English language. The objective shall be to achieve an improvement of the English language command by one level.

### Actions to be implemented under the “executing body” method

The action aimed at increase the qualification, proficiency and practical ability at ensuring visa policy in compliance with the Schengen acquis, for employees assigned with the performance of consular actions on embassies and consulates and employees of Ministry of Foreign Affairs of SR, that will carry out tasks in the field of visas regarding new needs resulting from application of the Schengen acquis, a new Visa Information System and emphasis put on the issue of false and falsified documents. The realisation of trainings shall significantly contribute to enhancement of expert readiness and capability of consular employees to fully and smoothly ensure fulfilment of the Schengen acquis and it had substantially changed and enhanced the quality of the current system since in the previous system the elements of periodicity, complexity and special education for the area of document falsification and change were absent.

## **6. Any significant change to the actions of the programmes concerned (revisions of annual programmes and revisions of the financial breakdown lower than 10%)**

The annual programme 2007 required the revision of financial breakdown planned for technical assistance - the originally planned amount was increased to maximum allowed amount, e.g. 7% of the EU contribution plus 30 000 €. These amounts were reallocated from amounts planned for action 3 and action 5 of 2007 annual programme and included changes to actions under two priorities. This change was reported in the progress report as long as it does not exceed 10% of the Community contribution for annual programme.

The change of unit of Ministry of Interior of SR that will be responsible for implementation of national project under action 3 of the 2007 annual programme stemmed from the necessity to ensure coordination, technical integrity and ownership of established system including its further maintenance. The unit originally identified as final beneficiary will be in position of end user of the system.

For the annual programme 2008 any revision was necessary.

In the framework of implementation of 2009 annual programme reallocation of small amount from action 2 to action 1 was necessary, that was lower than 10 % of Community contribution (change involved only priority 1). This change will be reported in the progress report. Since the implementation of projects only started in February 2010 some other changes might occur in the following months.

<p style="text-align: center;"><b>Part III</b></p> <p style="text-align: center;"><b>IMPLEMENTATION OF THE PROGRAMMES IN THE “AWARDING BODY” METHOD</b></p>
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Did you implement the 2007, 2008 and 2009 programmes in the “awarding body” method (as defined in Article 7 (2) of Commission Decision 2008/456/EC of 5.3.2008 - the External Borders Fund Implementing Rules), at least for part of the programmes?

Yes

**III.1      Share of the overall EU contribution to the programmes granted in the “awarding body” method from 2007 to 2009**

For each programme year from 2007 to 2009, enter the share of the overall EU contribution to the programme (excluding the EU contribution for technical assistance) which was granted in the “awarding body” method (in percentage, no decimal)

- |                   |  |
|-------------------|--|
| - Programme 2007: | 2 % of the EU contribution to the programme (excluding the EU contribution for technical assistance) |
| - Programme 2008: | 3 %  |
| - Programme 2009: | 2 %  |

### **III.2      Calls for proposals**

For each programme year from 2007 to 2009, please provide the number and calls for proposals organised for the implementation of the annual programmes in the “awarding body” method

- Programme 2007:            1

- Programme 2008:            1

- Programme 2009:            2

### **III.3      Proposals received, selected and funded after calls for proposals**

Number of	Programme 2007	Programme 2008	Programme 2009	TOTAL 2007-2009
Proposals received	3*	3*	4	7
Projects selected	1*	1*	4	5
Projects funded	1*	1*	1	2

\*Note: 1 joint call for proposals for 2007 and 2008 annual programmes was published and one project was proportionally cofinanced from both annual programmes

Have all projects selected for funding after calls for proposals been funded?  
No

- If No, explain why:

In the 2009 annual programmes 2 calls for proposals have been organised. Two proposals have been selected in each of them. In the 1<sup>st</sup> call both applicants refused to accept conditions and necessary changes to their applications imposed on them by the selection committee as precondition for funding of their proposals. After the 2<sup>nd</sup> call for proposals only one proposal could obtain funding because its budget covered the whole amount allocated for this call.

### **III.4 Projects funded in the “awarding body” method without a call for proposals**

Projects funded in the “awarding body” method without a call for proposals	<i>Programme 2007</i>	<i>Programme 2008</i>	<i>Programme 2009</i>	<i>TOTAL 2007-2009</i>
Number	0	0	0	0

### **III.5 Total number of projects funded in the “awarding body” method in the programmes 2007, 2008 and 2009**

Number of ...	Programme 2007	Programme 2008	Programme 2009	TOTAL 2007-2009
Projects funded after calls for proposals (see table III.3)	1 *	1 *	1	2
Projects funded without a call for proposals (see table III.4)	0	0	0	0
TOTAL Projects funded in the “awarding body” method	1 *	1 *	1	2

\*Note: 1 joint call for proposals for 2007 and 2008 annual programme was published and one project was proportionally cofinanced from both annual programmes.



<p style="text-align: center;"><b>Part IV</b></p> <p style="text-align: center;"><b>IMPLEMENTATION OF THE PROGRAMMES IN THE “EXECUTING BODY” METHOD</b></p>
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Did you implement the 2007, 2008 and 2009 programmes in the “executing body” method (as defined in Article 8 of Commission Decision 2008/456/EC of 5.3.2008 - the External Borders Fund Implementing Rules), at least for part of the programmes?

Yes

**IV.1      Share of the overall EU contribution to the programmes granted in the “executing body” method from 2007 to 2009**

For each programme year from 2007 to 2009, enter the share of the overall EU contribution to the programme (excluding the EU contribution for technical assistance) which was granted in the “executing body” method (in percentage, no decimal).

- |                   |   |
|-------------------|---|
| - Programme 2007: | 98 % of the EU contribution to the programme (excluding the EU contribution for technical assistance) |
| - Programme 2008: | 97 %  |
| - Programme 2009: | 98 %  |

## **IV.2      Calls for expression of interest or for proposals or similar selection method**

For each programme year from 2007 to 2009, please provide the number of calls for expression of interest or for proposals or similar selection method organised for the implementation of the EBF annual programmes in the “executing body” method

- Programme 2007:            4

- Programme 2008:            2

- Programme 2009:            3

## **IV.3      Proposals received, selected and funded after calls for expression of interest, call for proposals or similar selection method in the “executing body method”**

Number of ...	Programme 2007	Programme 2008	Programme 2009	TOTAL 2007-2009
Proposals received	4	2	3	9
Projects selected	4	2	3	9
Projects funded	4	2	3	9

Have all projects selected for funding after calls for expression of interest, call for proposals, or similar been funded?

Yes

**IV.4                      Projects funded in the “executing body” method without a call for expression of interest or for proposals or similar**

Projects funded in the “executing body” method without a call for expression of interest or for proposals or similar selection method	<i>Programme 2007</i>	<i>Programme 2008</i>	<i>Programme 2009</i>	<i>TOTAL 2007-2009</i>
Number	0	0	0	0

**IV.5                      Total number of projects funded in the “executing body” method in the programmes 2007, 2008 and 2009**

Number of ...	Programme 2007	Programme 2008	Programme 2009	TOTAL 2007-2009
Projects funded after calls for expression of interest, calls for proposals, or similar selection method(see table IV.3)	4	2	3	9
Projects funded without such calls (see table IV.4)	0	0	0	0
TOTAL Projects funded in the “executing body” method	4	2	3	9

## **Part V**

### **SUMMARY DESCRIPTION OF THE PROJECTS FUNDED IN THE “AWARDING BODY” METHOD AND IN THE “EXECUTING BODY” METHOD 2007 - 2009**

#### **1. Summary description of the projects funded under Priority 1 in the annual programmes, 2007 through 2009**

##### In the “awarding body” method

not applicable

##### In the “executing body” method

Five projects implemented in the annual programmes 2007 – 2009 under priority 1 concerned purchase of necessary special operating equipment for national authorities responsible for protection of external land border and international airports - border police units (equipment for detection of false and falsified travel documents, for carrying out of second line control of travel documents and for processing expert opinions necessary for criminal proceedings, special monitoring and service vehicles and monitoring system able to detect movement of persons on the ground) and customs administration units (thermocameras, fibrescopes, reading devices for travel documents and special vehicles as well as radio communication stations).

Purchased equipment contributed to ensure speed and fluency of control performance on border crossing points at the external land border of SR with Ukraine and external air border at international airports in SR and to enhancement of efficiency of the controls performed and successfulness of discovery of illegally transported persons or goods and fight against illegal migration and organized crime. The ability of respective units of Border and Aliens Police to detect false and falsified travel documents and to process expert opinions increased by 70% and contributed to higher level of performance of control and protection of external EU borders in Slovakia. The outcomes of projects implemented under the 2009 annual programme are not known by June 2010.

**2. Summary description of the projects funded under Priority 2 in the  
“executing body” method in the annual programmes, 2007 through 2009**

In the “awarding body” method

not applicable

In the “executing body” method

not applicable

**3. Summary description of the projects funded under Priority 3 in the  
annual programmes, 2007 through 2009**

In the “awarding body” method

not applicable

In the “executing body” method

not applicable

#### **4. Summary description of the projects funded under Priority 4 in the annual programmes, 2007 through 2009**

##### In the “awarding body” method

not applicable

##### In the “executing body” method

Three projects were financed under the priority 4 in the annual programmes 2007 and 2008; the 2009 annual hasn't covered actions under this priority. One project comprised of activities related to update of the national part of Visa Information System (N-VIS) on consular offices and border crossing points in relation to all relevant legislative, application and technological changes that included the development of an interface between national and central system and the N-VIS user support. Another project concerned preparation of Compliance tests ICD253 in Playground according to central TS including analysis of supplied testing scenarios (Compliance Test Design Description), change and configuration of testing tools, preparation of testing scenarios and data, execution and evaluation of informal tests (testing in Playground environment) for the national part of Schengen Information System. Due to postponement of development of central database of the SIS II the project activities were changed to further development of national SIRENE Office system. Third project provided for establishment of a complex information system of migration and international protection that shall reflect the state in the field of legal and illegal migration including granting of international protection in order to quality processing of these data, to use them and provide them to the relevant European institutions. Concurrently it shall be the main source of information for deciding within the risk analysis. The part of the system related to data on asylum and international protection has been co-financed from the European Refugee Fund and from state budget of SR.

#### **5. Summary description of the projects funded under Priority 5 in the annual programmes, 2007 through 2009**

##### In the “awarding body” method

Two projects implemented under the awarding body method provided for English language training of border police guards in Border Police units located on external land border of SR with Ukraine and international airports. Several examinations of acquired level of language knowledge were carried out – at the beginning of language courses, during the training and training was concluded by final examination and delivery of certificates attested by Ministry of Education of SR. Various levels of language knowledge were covered from beginners and new employees to advanced level of knowledge. One project was co-financed from both 2007 annual programme (action 4) and 2008 annual programme (action 3) the project fulfilled results of both annual programmes. Another project of similar scope and purpose is being implemented under the 2009 annual programme.

### In the “executing body” method

One project was implemented under the 2007 annual programme aimed at organisation training of employees of consular offices and employees of Ministry of Foreign Affairs who will be performing the consular agenda on consular offices, in field of visa policy and working meeting of these employees, aimed at coordination aspects of consular services. The training comprised of various lectures about changes in consular regulations, Community law of visa and consular affairs, new methods in false and falsified travel documents identification. The training and working meeting significantly contributed to enhancement of knowledge of consular employees of changes in visa policy following the entry of Slovak republic in Schengen area, new regulations in Community visa policy, application of common visa rules and use of experience of consular offices of member States including the flexible implementation of knowledge in area of security risks.

#### **6. Summary description of the projects funded in the “awarding body” method without a call for proposals, in the annual programmes 2007 through 2009**

not applicable

#### **7. Summary description of the projects funded in the “executing body” method without a call for expression of interest, a call for proposals or similar selection method, in the annual programmes 2007 through 2009**

not applicable

#### **8. Explain any significant change to the distribution of the projects funded in the “awarding body” method, by Priority and by Specific Priority, in the annual programmes 2007 through 2009**

Any changes to the distribution of the projects funded in the “awarding body” method, in the annual programmes 2007 through 2009 were necessary.

#### **9. Explain any significant change to the distribution of the projects funded in the “executing body” method, by Priority and by Specific Priority, in the annual programmes 2007 through 2009**

Any changes to the distribution of the projects funded in the “executing body” method, in the annual programmes 2007 through 2009 were necessary.

## **10.Highlight any significant change (other than the distribution referred to under points 8 and 9) to the projects funded in the “awarding body” and “executing body” method in the annual programmes 2007 through 2009**

In the “awarding body” method  
not applicable

In the “executing body” method

In the framework of 2007 annual programme small reallocation of amounts planned for action 3 (priority 4) and action 5 (priority 5) to technical assistance was necessary. The change of unit of Ministry of Interior of SR that is responsible for implementation of project under action 3 of the 2007 annual programme stemmed from the necessity to ensure coordination, technical integrity and ownership of established system including its further maintenance. The unit originally identified as final beneficiary will be in position of end user of the system.

## **11.Important projects funded in the annual programmes 2007 to 2009**

2007 annual programme

The project of establishing the information system of migration and international protection, a complex information system able to collect and analyse data on legal and illegal migration including international protection has been of a great value in light of national requirements. Previously a specialized information system for collection, analysis, evaluation of operative information and support of investigation of cases concerning facilitation and illegal migration of border police existed in basic configuration. At the same time, the migration office has had simple information system for collection of data on asylum seekers and decisions in asylum procedure at its disposal. After the completion of the project one integrated system was created that enables relevant authorities to process data on immigration to the territory of the SR and on emigration from the territory of the SR, especially on illegal migration in the territory of the SR and monitoring these flows in relation to individual EU Member States as well as in relation to the third countries. These data are supplemented by the data on nationality, personal data of illegal migrants, biometric data – a photograph, finger prints, data on administrative proceedings and litigations related to immigrants, data on granting permissions for stay in the territory of member states, international protection and data on measures eliminating illegal immigration and solutions in individual steps of work with illegal immigrants including a decision on ending proceedings. The system serves as a tool for preparing risk analysis aimed at a strategic level of management of migration flows and protection of external borders. The Slovak Republic is thereby able to fulfil its obligations stemming from the EU legislation, e.g. regulation of European Parliament and Council 862/2007 on Community statistics on migration and international protection as well as regulation of European Parliament and Council 562/2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code) (Annex II).



## 2008 annual programme

The project providing border and aliens police units located on external land border and international airports in SR with necessary special equipment for the purpose of identification of false and falsified documents greatly contributed to increase of ability of the authorities of integrated management of the external border protection to execute control and surveillance at external borders as a objective of multiannual strategy of EBF. By installation of high-quality, up-to-date technology allowing identification of protection elements of identification papers at the second line control workplaces not only current requirements on their performance but also future increasing quality demands and new identification procedures could be met. Improving the quality of written and visual documentation allows for higher quality processing of expert opinions for the purposes of criminal proceedings within the meaning of Slovak Criminal Code. The ability of respective units of border and aliens police to detect false and falsified travel documents and to process expert opinions increased by 70% and contributed to higher level of performance of control and protection of external EU borders in Slovakia.

## 2009 annual programme

Due to on-going implementation of projects under 2009 annual programme that started only in February – April 2010 the projects' results are not known by June 2010.

### **12. Description of one “success story”, among all the projects funded in the annual programmes 2007 to 2009**

The implementation of project aimed at language education of members of border police was successful from all points of view – activities were carried out properly, within the planned schedule, the expected numbers of participants and participants that successfully finished the trainings were achieved, satisfaction with quality and organisation of education was confirmed by target group (participants). Also from the financial and project management point of view the project proceeded smoothly and without almost any problems.

### **13. Description of one “failure”, among all the projects funded in the annual programmes 2007 to 2009**

None of projects implemented under respective annual programmes could be identified as failure; all of them achieved expected results and objectives. Assessment of 2009 projects is not known by June 2010.

**Part VI**

**TECHNICAL ASSISTANCE**

**INFORMATION AND PUBLICITY**

### 1. Technical assistance

As long as in Slovak Republic the common management and control system for all four funds of the general programme Solidarity and Management of Migration Flows has been established, the expenses for technical assistance for annual programmes concerned for each fund were entirely merged in accordance with article 14 of Implementing Rules for each fund and a simple and representative apportionment formula for allocation among annual programmes was applied.

*The apportionment formula for TA Plan 2007/ 2008*

Fund	Annual program	Allocation of technical assistance	Share on total budget
TA EBF <sup>[1]</sup>	2007	120 160.35 €	21.27 %
	2008	90 000.00 €	15.94 %
TA EIF	2007	70 698.11 €	12.52 %
	2008	72 137.16 €	12.77 %
TA ERF	2008	125 216.37 €	22.17 %
TA RF	2008	86 598.31 €	15.33 %
<b>Plan 2007/2008</b>		<b>564 810.30 €</b>	<b>100 %</b>

*The apportionment formula for TA Plan 2009*

Fund	Annual program	Allocation of technical assistance	Share on total budget
TA EBF	2009	100 000.00 €	26.96%
TA EIF	2009	72 442.83 €	19.53%
TA ERF	2009	106 175.04 €	28.63%
TA RF	2009	92 291.22 €	24.88%
<b>Plan 2009</b>		<b>370 909.09 €</b>	<b>100 %</b>

From the Technical Assistance following measures were funded:

- *expenditure relating to preparation, selection, appraisal, management and monitoring of actions* (including computing equipment and consumables, preparation and translation of programming documents);
- *expenditure relating to audits and on-the-spot checks of actions or projects;*
- *expenditure relating to publicity;*
- *expenditure relating to information, dissemination and transparency in relation to actions* (regular update of Solidarity funds website, lecturing);
- *expenditure relating to monitoring visit, informal meetings with other member states and meetings in the framework of implementation of actions* (including the expenditure relating to functioning of Monitoring Committee for general programme Solidarity and management of Migration Flows);
- *expenditure relating to salaries including all social contributions in the following cases* (expenditure on salaries for special internal employees of Ministry of Interior of SR and Ministry of Finance of SR, carrying out duties exclusively related to implementation of annual programmes – programming, implementation, monitoring, evaluation, financial management, controls and audits, expenditure on external consultants carrying out tasks related to preparation of internal management regulations for responsible, certifying as well as audit authority);
- *expenditure relating to education of employees, travelling of employees for the purposes of the programme.*

## **2. Information and Publicity**

### **- Information and publicity activities by the Responsible Authority**

Publicity is provided in compliance with the Publicity plan for the respective programming years for all funds of the general programme Solidarity and Management of Migration Flows. The responsible authority provides information to general as well as targeted public through various communication instruments. The general information, news and upcoming events are presented on the website of the responsible authority [http://www.minv.sk/?solidarita\\_a\\_riadenie\\_migracnych\\_tokov](http://www.minv.sk/?solidarita_a_riadenie_migracnych_tokov), special part of it forms website of EBF <http://www.minv.sk/?fond-pre-vonkajsie-hranice>, in Foreign Aid News magazine published on monthly basis and recently as well on Facebook <http://www.facebook.com/#!/pages/Solidarita-a-riadenie-migracnych-tokov/116913351664362?ref=ts>.

The website has been developed in first half of the year 2008 and information are published continuously, e.g. the annual programme after the Commission Decision has been adopted, and the call for proposals after it was published.

The information addressing the target group and final beneficiaries is disseminated through information meetings at the start of the implementation of each annual programme and at the various events realised by final beneficiaries themselves by short presentation of actual status quo. The potential final beneficiaries are addressed through information meetings realised after publishing of a call for proposals, which is as well published in one of the daily newspaper. Annually, the responsible authority holds a conference (80-100 people) informing on past achievements in implementation and upcoming events, as well as opens discussion to various themes raised within the projects' implementation.

## - Information and publicity activities by the final beneficiaries

Responsibilities of final beneficiaries are as well stipulated in Publicity plans and respectively reflected in grant agreements. Provision of information on co-financing from the fund on all purchased equipment, published materials and organised events is obligatory. Grant agreements as well specify for each final beneficiaries specific information and publicity activities within projects. Since the most projects concern purchase and installation of equipment, common form of publicity is designation of purchased equipment with relevant information and informing the users of the equipment of its co financing from the EU funds. Concurrently information materials and user guides contain information on co financing from EU funds as well as provision of information through web pages and press releases. The information and publicity activities are monitored by the responsible authority during implementation of projects.

## **Part VII**

### **ASSESSMENT OF IMPLEMENTATION OF THE ANNUAL PROGRAMMES 2007, 2008 AND 2009**

#### **VII.1. Assessment of the implementation of the 2007 Annual Programme**

**1. Has the 2007 programme been implemented as originally planned and broadly in line with the programme schedule?**

As concerns the actions of the 2007 annual programme, they have been implemented in line with the programme, the time schedule envisaged for the actions has to be postponed and amended mostly due to delays in approval of the programme from the part of the Commission. Moreover delays in approval of annual programmes 2007 and 2008 led to their parallel implementation. Actions planned to be implemented as individual projects were almost identical and originally planned as follow-up (language education of border police) the responsible authority had to prepare joint call for proposals for both annual programmes.

**2. Have you encountered problems on implementation of the 2007 annual programme? If so, what measures did you take?**

Due to technical difficulties in development and ownership of system (initially the information system was planned to be implemented separately on Border and Aliens Police and on Migration Office, however subsequently need for one integrated system and for single unit for maintenance of the system was emphasized) change of final beneficiary of action 3 of the programme was necessary; the envisaged final beneficiary was changed to end user and the action was implemented by different unit of Ministry.

Insufficiency of resources for technical assistance for ensuring proper functioning of management and control system was solved by increasing of envisaged amount for annual programme to maximum allowed amount.

In case the final beneficiary of project implemented under executing body method lacked enough resources for completion of project the budget of the Ministry of Interior provided for extra cofinancing.

The course and results of public procurement procedures for goods or service in some cases also determined time schedule of the projects.

**3. Has a revision of the 2007 programme by the Commission been necessary? If so, what were the main changes?**

The revision hasn't been necessary; the changes made to implemented actions were explained and approved by the Commission in the progress report.

- 4. Have you implemented the 2007 programme (the case being, the revised programme) fully? (= all or nearly all actions set out in the programme approved by the Commission, or in the revised programme approved by the Commission, could be implemented by the end of this programme)**

All actions envisaged in the annual programme 2007 were implemented in planned manner and scope. The action 4 was implemented together with action 3 of annual programme 2008 as one project due to fact that joint call for proposals was published in order to prevent double-financing and complementarity of activities.

- 5. Have the expected quantitative and qualitative results of the 2007 programme - as set out in the programme / revised programme approved by the Commission - been achieved at the end of this programme?**

For majority of actions expected quantitative results have or will have been achieved in a short future. For action 3 some results concerning the purchase of equipment haven't been achieved due to fact that larger amount of funds has to be allocated on establishment of the information system. The results of project implemented under action 4 of the annual programme (language education of border police) are combined results for both annual programmes (2007 and 2008) but they also satisfy planned results for each annual programme (e.g. number of participants, number of training months).

- 6. In the light of the implementation of the 2007 programme, do you consider that the distribution of funding between the actions was appropriate? Were the actions set out in the programme you submitted to the Commission appropriate?**

For the majority of the annual programme is implemented in the executing body mode, the actions and projects are defined to a great detail already in time of preparation of the annual programme and only external factors such as changes introduced on European level could influence them from the objectives point of view. In the framework of 2007 annual programme all actions were relevant and appropriate. Although increase of amount necessary for technical assistance and subsequent decrease of amounts planned for action 3 (priority 4) and especially action 5 (priority 5) of the annual programme was necessary, the decreased allocations for action 5 was sufficient and appropriate, the decrease of allocation for action 3 was covered by cofinancing of the whole project of building of information system from the state budget. Other three actions were financially well planned.

## **VII.2. Assessment of the implementation of the 2008 Annual Programme**

- 1. Has the 2008 programme been implemented as originally planned and broadly in line with the programme schedule?**

The programme was implemented broadly in line it was planned, the major obstacles stemmed from late approval of the annual programme as explained in previous section for 2007 annual programme.

- 2. Have you encountered problems on implementation of the 2008 annual programme? If so, what measures did you take?**

The implementation of action concerning the functioning of Schengen Information System was influenced by development on European level and some of planned activities couldn't be implemented in the period of eligibility for the annual programme (testing against system on European level). These activities have to be replaced by different activities on national level – improvements to information system of national SIRENE office.

- 3. Has a revision of the 2008 programme by the Commission been necessary? If so, what were the main changes?**

The revision of the annual programme wasn't necessary.

- 4. Have you implemented the 2008 programme (the case being, the revised programme) fully? (= all or nearly all actions set out in the programme approved by the Commission, or in the revised programme approved by the Commission, could be implemented by the end of this programme)**

All actions have been implemented as planned in annual programme; project under action 2 will be finished only in June 2010 but will be implemented in line with the scope and purpose of the action.

- 5. Have the expected quantitative and qualitative results of the 2008 programme - as set out in the programme / revised programme approved by the Commission - been achieved at the end of this programme?**

The expected results have been achieved and the projects have been implemented successfully. The results of project implemented under action 3 of the annual programme (language education of border police) are combined results for both annual programmes but they also satisfy planned results for each annual programme (e.g. number of participants, number of training months).

- 6. In the light of the implementation of the 2008 programme, do you consider that the distribution of funding between the actions was appropriate? Were the actions set out in the programme you submitted to the Commission appropriate?**

For the majority of the annual programme is implemented in the executing body mode, the actions and projects are defined to a great detail already in time of preparation of the annual programme and only external factors such as changes introduced on European level could influence them from the objectives point of view. The course and results of public procurement procedures for goods or service could also determine the final outcome of the projects. In the framework of 2008 annual programme all actions as well as financial distribution among them was relevant and appropriate.

### **VII.3. Assessment of the implementation of the 2009 Annual Programme**

- 1. Has the 2009 programme been implemented as originally planned and broadly in line with the programme schedule?**

For the implementation of projects and action of the annual programme started only in February 2010 this information is not known by June 2010.

- 2. Have you encountered problems on implementation of the 2009 annual programme? If so, what measures did you take?**

Following the outcome of the first call for proposals for action 5 (priority 5) of the annual programme any project hasn't been funded (selected grant applicants haven't accepted the conditions of the responsible authority necessary for the conclusion of the grant agreement). Therefore also the time shift in the proposed implementation schedule was necessary. For the action concerned the language education of border guards where the continuity of activities is necessary, the responsible authority organised second round of application selection procedure as soon as possible and in May 2010 the implementation of the project started.

- 3. Has a revision of the 2009 programme by the Commission been necessary? If so, what were the main changes?**

So far, by June 2010, the revision of the programme hasn't been necessary.

- 4. Have you implemented the 2009 programme (the case being, the revised programme) fully? (= all or nearly all actions set out in the programme approved by the Commission, or in the revised programme approved by the Commission, could be implemented by the end of this programme)**

For the implementation of projects and action of the annual programme started only in February 2010 this information is not known by June 2010. However it is presumed that all actions will be implemented as planned in annual programme in line with the scope and purpose of the actions.



- 5. Have the expected quantitative and qualitative results of the 2009 programme - as set out in the programme / revised programme approved by the Commission - been achieved at the end of this programme?**

For the implementation of projects and action of the annual programme started only in February 2010 this information is not known by June 2010.

- 6. In the light of the implementation of the 2009 programme, do you consider that the distribution of funding between the actions was appropriate? Were the actions set out in the programme you submitted to the Commission appropriate?**

Based in the information available on June 2010 the distribution seem appropriate but only after the closing of the public procurement procedures in the framework of on-going projects we will be able to asses the appropriateness of resources allocated to actions and possible need for changes.

#### **VII.4. The Management and Control System for the Fund and the implementation of the Annual Programme 2007 through 2009**

##### **1. Has the Management and Control System of the External Borders Fund which you designed in 2007-8, been efficient for the implementation of the annual programmes so far?**

The Management and Control System in Slovak Republic has been set up as common for all four funds of the General Programme, where the Ministry of Interior of SR acts as the responsible authority and certifying authority and Ministry of Finance of SR as audit authority. Reasons for this were need for better coordination and overview of actions implemented under the funds and prevention of overlapping of activities and funding.

During the first one and half year of functioning the system provided for effective results but was influenced by delay in approval of annual programmes 2007 and 2008 and subsequent time stress for implementation of all necessary steps and procedures for these programmes. The calls for proposals in some cases were published for shorter period of time; the projects' implementation could last for one and half year at maximum. Problems were encountered in some aspects of the system, e.g. quality of documentation provided to responsible authority by final beneficiaries, problems in public procurement procedures, especially their length and administrative difficulties. The higher number of smaller projects in cases where more calls for proposals were published created larger administrative burden for the responsible authority and subsequently for other authorities. In order to streamline and simplify the processes and implementation of the programmes responsible authority took several measures, e.g. in assessment and selection of projects, intensive communication with final beneficiaries during the implementation of their projects, pre-financing of the projects, as well as in number and skills of personal capacities of the responsible authority.

**2. Please list any changes you have made in the Management and Control System of the External Borders Fund which you designed in 2007-8, bearing in mind the experiences gained/ lessons learned during the implementation of the annual programmes 2007 – 2009 and/or any comments from the Commission and/or audits**

Changes made to the management and control system stemmed mostly from the particularities of other funds of the General Programme but since the system is set up as common for all four funds they have concerned also the External Borders Fund. Among the changes were:

- incorporation of specialised units of the Ministry of Interior into the system of control and verification of eligibility of expenditure incurred to final beneficiaries of individual projects of European Refugee Fund and European Return Fund, namely the Migration Office of MoI SR and Borders and Aliens Police Office of MoI. This change was based on experience from the implementation of the European Refugee Fund II with the aim to improve the execution of the operational/technical control of the eligibility of expenditure. The responsibility for the execution of controls and for the approval of the eligibility of expenditure (approval of declarations on verification of expenditure) stays further in the responsibility of the Responsible Authority.
- Changes on composition and rules of procedure of selection committee established by the responsible authority (chairperson of the selection commission will be the Head of Department of Foreign Aid and in case of a deadlock of votes, the vote of the chairperson will be decisive). This change should provide for smother procedure of selection of the projects. The endorsement of grant agreements stays further in the responsibility of the Permanent State Secretary of the MoI SR.
- Changes in scope of authorities responsible for execution of audit operations where under the responsibility of Audit Authority the Financial Control Administrations will carry out tasks connected with audit on the final beneficiaries' level, according to their regional affiliation. This change should ensure that the AA has enough human resources to perform audits of system and projects at its disposal.

All these changes have been notified to the Commission in accordance with Implementing Rules of the funds.

## **Part VIII**

### **OVERALL ASSESSMENT OF THE RESPONSIBLE AUTHORITY ON THE IMPLEMENTATION OF THE PROGRAMMES 2007 - 2009**

#### **VIII.1. What is your overall assessment of the implementation of the External Borders Fund in your Member State from 2007 to 2009?**

The implementation of the annual programmes in general has proceeded successfully taking into account the experience from the ERF II programme, as well as Schengen Facility and system of Structural Funds.

The small number of projects as well as limited scope of beneficiaries gave the responsible authority the possibility not only to select very carefully the grant recipients and projects to be implemented, but also to monitor and control all projects to that extent that it could prevent or solve any problems or failures in their very beginning. Each project which was funded under the EBF annual programmes 2007 and 2008 accomplished its objectives and rendered expected results. The importance of actions implemented under the EBF, directly contributing to further development of integrated border management system for the Slovak Republic and types of beneficiaries (mostly governmental, national authorities) were the reasons for limited number of projects implemented in vast majority under the “executing body” method.

The responsible authority encountered few problems during the implementation of the annual programmes. Among them were:

- delays in the payments from the Commission,
- problems in low awareness of rights and duties of final beneficiaries
- lack of financial resources of final beneficiaries to co-finance the projects with own funds,
- insufficient administrative capacities of responsible authority and final beneficiaries.

The responsible managed to find solutions to identify problems, namely by means of:

- providing the pre-financing of the projects from the funds of the state budget,
- preparation of manuals and handbooks for final beneficiaries with detailed descriptions of procedures to be followed,
- providing the final beneficiaries with the pre-financing payments and 100 % of eligible expenditure of their projects. The Ministry of Interior of SR has been co-financing each project implemented under the EBF programme, the proportion of the grant being 75% EBF contribution and 25% state budget).
- enforcing the administrative capacities by means of hiring new employees, trainings, preparation of manuals of procedures.

**VIII. 2 Taking into account the overall implementation of the External Borders Fund in your Member State from 2007 to 2009, what is your preliminary assessment in relation to the following aspects of the External Borders Fund on the following aspects?**

**1. Relevance of the programme's priorities and actions to the national situation**

**Please describe how relevant the programme's objectives are overall to the problems and needs identified in the field of external border control and visa policy. Has there been an evolution which required a reshaping of the intervention?**

The strategy for the multiannual programme was based on the notion that the interventions of the fund are supplementary to those implemented by the national authorities financed from the state budget. During the implementation of the programme this strategy was followed and the actions implemented under the Fund were parallel with various actions realised by national authorities in the field of border management and visa policy in Slovak Republic, i.e. in security of documents, biometrics, migration policy, return policy, cross-border police cooperation, cooperation in justice and fight against drugs. These actions have been identified as priorities of respective authorities and therefore no significant changes were necessary to their scope and purpose. Moreover in the light of financial and economic crisis the state budget for various investments projects have been seriously limited and the actions planned in the annual programmes represented stable and foreseeable instrument for fulfilment of envisaged strategy of further development of system of border management and visa policy. The operational objectives for annual programmes fully corresponded to those defined in the multiannual programme.

The change of planned interventions was necessary in the framework of development of 2<sup>nd</sup> generation of Schengen Information System based on the decision of further development of the European project.

**2. Effectiveness of the programme**

**Please highlight the key results of the programme overall and the extent to which the desired results and objectives (as set out in the multiannual programme strategy) been attained. Are the effects resulting from the intervention consistent with its objectives?**

The key results of actions implemented in the 2007 and 2008 annual programmes were establishing of database and system for systematic collection and analysis of data on migration and international protection, equipping the border guards as well as customs officers with necessary special tools and devices that would enable them to carry out their tasks more effectively and with higher quality, introduction of element of regularity and system into training and education of consular officers as well as language training of border guards. The interventions concerning Visa Information System and Schengen Information System were closely connected with progress achieved on European level and therefore in some aspects limited.

### **3. Efficiency of the programme**

**Please estimate the cost of the management of the External Borders Fund so far and whether in your opinion the programme's objectives are being developed in accordance with the original planning and at a reasonable cost.**

The costs-effectiveness of management and control of the fund was greatly enhanced by creating the common management and control system for all four funds whereby many processes could have been unified and reduced. The amounts planned for technical assistance in first two annual programmes as been sufficient only after all allocations for all four funds for respective annual programmes have been merged and the expenditures have been allocated proportionately to all annual programmes. The costs of the management of EBF represent particular part of the cost of Technical assistance as described in part VI.1. The share of technical assistance represented 7.01% of the total cumulative budget for annual programmes 2007 to 2009 (EU and national funds); for 2007 annual programme - 7,16%, 2008 annual programme – 6.99%, 2009 annual programme – 6.84%). The total allocation for an annual programme can not be the only criteria for evaluation of height of management costs. Fund management requires also activities (e.g. administrative work, publicity) which have to be done independently of the number or amount of implemented projects.

### **4. Complementarity**

**Please indicate any issues you have had with establishing the complementarity and/or synergies with other programmes and/or EC financial instruments such as the other Funds of the General Programme, the Thematic Programme on Asylum and Migration and/or the Structural Funds.**

The complementarity in English language education for members of order and Aliens Police has been established with European Return Fund, when from the EBF these activities are financed for border guards located on border crossing points (land, airports) and from the Return Fund these activities are financed for other members especially dealing with return policy. The establishment of information system of migration and international protection has been co-financed from the EBF (part concerned with legal and illegal migration under the responsibility of Border and Aliens Police) and part from the European Refugee Fund (part used by Migration office for the purpose of asylum and subsidiary protection procedures and data).

### **5. Added value**

**Please indicate how you perceive the programme's added value in comparison with existing national programmes/policies at national, regional and local level, and in relation to the national budget in the area of intervention of the External Borders Fund.**

The strategy for the multiannual programme was based on the notion that the interventions of the fund are additional and supplementary to those implemented by the national authorities financed from the state budget. These actions have been identified as priorities of respective authorities and represented clear and identifiable added value for their functioning. Moreover

in the light of financial and economic crisis the state budget resources for various investments projects have been seriously limited and the actions planned in the annual programmes represented stable and foreseeable resource for fulfilment of their duties and further development of the system if integrated border management.

**VIII.3. Any suggestions / recommendations for improvements in the regulatory framework (basic act and implementing rules) and the Commission guidance documents which would help you to streamline and improve the annual programming exercise in general?**

The programming exercise based on annual programmes is administratively more challenging and not providing enough space for adaptation of possible actions to actual needs or for more flexible approach to existing or emerging impediments from the policy (objectives) as well as financial point of view. We therefore suggest replacing the current system of multi annual programmes and annual programmes with one multi-annual program for the whole period, based e.g. on system of the structural funds. The advantage would be increased efficiency and effectiveness as well as reduction of the administrative workload.

The possibility to reallocate resources among annual programmes would solve most of the issues of late approvals of annual programmes.

**VIII.4. Any suggestions / recommendations for improvements in the regulatory framework (basic act and implementing rules) and the Commission guidance documents which would help you to streamline and improve the implementation of the actions / projects and the control mechanisms on the actions/ projects?**

The administrative requirements for the progress report are too complex and time consuming. The administrative workload could be reduced by increasing of the first pre-financing payment. This would allow Member States allocate greater resources at the initiation of projects thus increasing overall efficiency and the capacity of projects to achieve their programmed objectives and programmed spending.

The administrative operating expense for the management and control of the fund is extensive and the administrative burden on the member states is still increasing without any prospect of its decrease in the following years. However the amounts allocated for Technical Assistance is planned to decrease. Therefore we assume that should be maintained at 7% level.

A simplification and concise interpretation of the eligibility rules in line with the European Social Fund, or, for example previous ERF programmes would be also of a great help.



**VIII. 5. Any suggestions / recommendations for improvements in terms of the guidance and support by the Commission to the Member States on the implementation of the programming exercise and the management and control system?**

Reduction of time devoted to approval of the annual programme and possibility to have the programme approval decision already in March as stated in basic decision would help Member States to use the whole period of eligibility of expenditure for implementation of projects.

The interpretation of eligibility rules through manual of the Commission in some aspects brought more uncertainty and doubts than before. It is difficult to follow and implement in practice, e.g. strict interpretation of “operating grants”. In this context it should be possible for public organizations or NGOs to claim indirect costs even if they benefit from operating grants partly covering indirect costs. Instead, a mechanism preventing double financing could be established at member states level. Moreover the situation is more complicated in case of public authorities that are only beneficiaries for projects to be implemented under the “executing body” method. They are not allowed to claim indirect costs even though the eligibility rules for the fund provides for indirect costs in the executing body method.

<i>End of the report</i>
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