



**Minutes of the Sectoral Monitoring Subcommittee Meeting  
JUSTICE AND HOME AFFAIRS**

1.	<b>Location:</b> Office of the Government of the SR, Námestie slobody 1, Bratislava
2.	<b>Date:</b> 16 June 2005
	<b>Participants:</b> Mr Ladislav Setnický, Section for European Affairs, Office of the Government of the SR Ms Kornélia Čajková, Aid Coordination Unit, Office of the Government of the SR Ms Denisa Kútyová, Aid Coordination Unit, Office of the Government of the SR Mr Martin Orth, Aid Coordination Unit, Office of the Government of the SR Ms Andrea Daubnerová, National Fund, Ministry of Finance of the SR Mr Peter Bagin, National Fund, Ministry of Finance of the SR Ms Silvia Czuczorová, Central Finance and Contracting Unit Mr Juraj Zajac, Central Finance and Contracting Unit
3.	Mr Miroslav Papuščák, Central Finance and Contracting Unit Ms Martina Zuberská, Central Finance and Contracting Unit Ms Silvia Tancošová, Central Finance and Contracting Unit Mr Ladislav Csányi, Ministry of Interior of the SR Mr Peter Zvara, Ministry of Interior of the SR Ms Margita Petrovičová, Ministry of Justice of the SR Ms Veronika Kulíková, Department for Fight Against Corruption, Office of the Government of the SR Ms Dana Lóžiová, General Secretariat of the Board of Ministers for Drug Dependencies and Drug Control Ms Lucia Kiššová, General Secretariat of the Board of Ministers for Drug Dependencies and Drug Control Mr Richard Tóth, Civil Service Office
4.	<b>Minutes taken by:</b> Ms Denisa Kútyová, Aid Coordination Unit, Office of the Government of the SR
5.	<b>Minutes approved by:</b> SMSC members by written procedure

**Agenda of the Meeting**

1. Sectoral Monitoring Report

- follow-up of the implementation of the programmes/ projects covered by the SMSC;
- recommendations for the improvement of the implementation of the programmes/ projects covered by the SMSC;

2. Conclusions, suggestions for the Joint Monitoring Committee.

The Sectoral Monitoring Sub-committee (SMSC) meeting was chaired by Ms Kornélia Čajková, Acting Aid Coordination Unit (ACU) Director on behalf of the National Aid Coordinator (NAC).

The above-mentioned agenda was adopted.

Ms Čajková informed about the letter that the European Commission addressed to the NAC concerning the transfer of the essential activities of the Phare Transition Team in the EC Representation to DG Enlargement in Brussels by the end of June 2005. That is why all official correspondence regarding the implementation of Phare and Transition Facility (requests for project fiche modifications, reallocations, extensions, etc.) shall be directed to the DG Enlargement's address as of 15 June 2005. Furthermore, the official representation of the Commission services will be mainly limited to the Joint Monitoring Committee and no official presence will be ensured for the monthly meetings, steering committees, SMSCs, etc. However, Ms Čajková pointed out the continuous importance of reporting and monitoring activities for proper implementation of Phare and Transition Facility projects in Slovakia.

## **Ad 1) Sectoral Monitoring Report**

Ms Kútyová briefly introduced the Sectoral Monitoring Report (MR) for the Justice and Home Affairs Sector issued by the ACU covering twenty-two projects for the period from 1 January to 30 April 2005 (the cut-off date). She introduced the main objectives as well the main concerns of ACU in the JHA sector.

JHA sector is a comprehensive one, comprising twenty-two projects from Phare FM 2002 and 2003 and Transition Facility 2004.

The main objectives of this sector are Justice; Schengen Border Management; Migration and Asylum; Fight against Crime, Corruption and Drugs; Public Administration and Civil Service; Prosecution and Law Enforcement.

The main concerns of ACU in this sector were mentioned as follows:

- Most of the 2002 Phare twinning projects were successful, however some problems concerning supply components were encountered, since these were highly delayed (e.g. “Schengen” project, “Dublin” project).
- Lack of cooperation in the project implementation where more than one beneficiary is involved (e.g. MoI – exchange of information between LEAs, Migration Office/MoI and MoJ – Special Software).
- Late implementation of NP 2003 projects due to switch of public procurement to national legislation, late submission of TS, ToRs, DPF by the beneficiaries, frequent need for Project Fiche modifications are causing late contracting or non-contracting of funds at all. In this respect all ACU considers all non-contracted 2003 projects as risky.
- Almost no progress with implementation of NP 2004 projects.
- Not sufficient assessment of risks as well as clear setting of conditions in the project (e.g. 2002 “Schengen” project).
- Lack of administrative capacities dealing with project implementation (e.g. Migration Office).
- Formulation of assumptions, risks and preconditions is often criticized in Sectoral Monitoring Report. Since these are taken out from Project Fiche, this is mainly the problem of programming. ACU is paying attention in programming of Transition Facility to set up measurable indicators as well proper formulation of assumptions, risks and preconditions.

### Justice

#### **2002 UIBF Increasing the security of information and data processing among LEAs**

The UIBF 2002 project is closely interrelated with the UIBF 2003 project Development of IS within the Fight against corruption programme under the Conditions of the Sector of Prisons. Both projects were designed to improve the exchange of electronic information between LEAs – that is Police, Courts and Prosecution. However, the project did not fulfill all its aims due to the lack of cooperation from the side of the Ministry of Interior covering Police part in the project. MoI started to participate on the project only in its final phase. Taking into account the very sensitive character of data (originating in Police investigation) to be exchanged, the needs of all parties had to be covered proportionally, which was not the case. The exchange of information between all involved parties was secured only in the testing process. The real exchange is running only among Courts and Prosecution. Ministry of Interior should clearly clarify their position and take further actions for improvement to participate on the exchange of information in future.

#### **2003-004-995-03-22 Strengthening the efficiency of the Judiciary**

Project is quite delayed. Tender procedure for supply of equipment was launched on 26 April 2005. ToR for DMS software is completed; the second one concerning the TA focusing on the amendment to the Civil Procedure Code, Commercial Law and Bankruptcy Law is only under completion.

### **2003 UIBF Reinforcement of Judicial capacity in the area of penal matters**

Project is running and should finish in the middle of August 2005. The project is considered so far as very successful.

### **2003 UIBF Development of IS within the Fight against corruption programme under the Conditions of the Sector of Prisons**

Project was finished on 31 January 2005 and its aims were fulfilled according to the ToR.

#### Ministry of Interior

### **2002/000.610-19 Implement the Schengen Action Plan and continue to upgrade the infrastructure at the East future external borders**

Twinning part of the project finished in April 2005 and is considered as successful. Continuation of twinning at the internal and external borders was approved under UIBF 2004 envelope and 2005 Transition Facility programme. Concerning the supply part, 4 Lots out of 6 were already delivered. Part of 630 000 EUR out of overall budget from the project was not contracted, which represents 8.66%.

### **2002/000.610-21 Support for the implementation of the Dublin Convention**

Twinning part of the project was closed at the end of last year. It was considered as very successful, since Slovakia was the first New Member State, which ratified the Dublin Convention. Concerning the supply part of the project one delivery was quite postponed, but is already resolved.

### **2002/000.610-22 Strengthening the effectiveness of investigation and prosecution procedures**

Twinning part as well TA component of the project were successfully finished.

### **2002 UIBF Special Documentation Software for Migration Office for Analysis of the Country of Origin**

The project was closely linked to the implementation of the relevant Dublin Regulation (Phare project 2002 – beneficiary of this sub-project was MoJ) and was expected to contribute to the efficient processing of asylum applications by upgrading of the IT tools of the Migration Office. In spite of the fact, that aims of the both projects were fulfilled, the project cannot be considered as fully successful. Due to the two different tenders launched for these two projects cooperation on the site of MoI/MO was problematic and compatibility of both databases (MoJ and MoI/Migration Office) was not easily ensured. Co-ordination of both projects was insufficient. Lesson learned for the future is to ensure full co-ordination and cooperation of all parties involved in the project (also one tender for the both projects would be an asset).

### **2003/004-995-03-19 Strengthening the reception capacities for asylum seekers in the SR**

Reconstruction works started in March 2005 and should finish in April 2006. Technical specification for supplies was submitted to CFCU, tender should be launched till the end of June 2005.

### **2003/004-995-03-20 Establishment of EURODAC in the SR**

Project is finished. Tender for technical equipment needed for the establishment of EURODAC in the Slovak Republic was launched in summer 2003, tender winner was chosen in November 2003. System is fully functional from 23 April 2004.

Due to the several unsuccessful circulations of TWL component, money was reallocated to UIBF from FM 2003 and this part of project will not be realized.

#### **2003-004-995-03-21 Modernization of technical equipment at the Slovak international airports**

Technical specifications were submitted to CFCU at the end of year 2004. Tender should be launched till the end of June.

#### **2003-004-995-03-23 Compliance with EU criteria on police co-operation and the fight against crime (DNA)**

Contract for TA was cancelled due to the incompetence of the project manager and has to be re-launched again. Technical specifications for laboratory adaptations (works component) are under revision by the beneficiary. TS for DNA equipment are completed; beneficiary has to incorporate the comments of CFCU.

#### **2003-004-995-03-24 Combating Money Laundering**

Twinning part of the project was finished. Supply component was delayed due to PF modification. ToR is under preparation.

#### **2003-004-995-01-02 Support to the Reform of the Public Administration System in the SR**

Twinning part of the project is running according to the schedule. Concerning 2 TA components of the project, they should be approved by the control department of CFCU soon and public procurement forecasts published at the beginning of July.

#### **2003 UIBF Improvement of Readiness of the Police of the Slovak Republic for Accession to the EUROPOL for the Office of International Police Co-operation**

Project was finished at the end of May 2005.

#### **2003 UIBF Improving the administrative structure in the field of migration in the light of Slovak Republic's EU membership for the Migration Office**

Project was finished on 15 April 2005.

ACU asked MoI to send the Final Reports for these two projects.

#### Civil Service Office

#### **2002/000.610-01 Support to the Civil Service Office**

The twinning part of the project was realized according to the twinning covenant with no apparent problems and delays. Project was evaluated as a successful one; all the objectives stated in the twinning covenant were fulfilled. However, there is a problem with further sustainability of the project concerning the operation of CSO in the future. The Project Establishment of a Personal Information System for the Management of the Civil Service of the Slovak Republic, was successfully terminated on estimated term, system is installed and fully operational.

#### **2003-004-995-01-01 Modernization of the Slovak Civil Service and Public Service**

MoSLaF as one of the beneficiaries finally decided to continue with the project. Project will continue according to the GGaPP procedure. The short-listing meeting will take place in the second half of June. Project implementation should start on 1 August.

## Fight against Corruption

### **2003-004-995-01-03 Fight Against Corruption**

The project consists of 3 sub-projects.

The sub-project Analysis of training of professional journalism in Slovakia was successfully finished in December 2004.

For the sub-project Transparency in functioning of State Administration and Public Self-administration contract was signed on 29 March 2005. Implementation of the project has officially started on the kick off meeting where the Steering Committee, with involvement of representatives of relevant institutions was created. Inception report was signed.

As far as no offer was submitted for the project Fine-tuning of legislative framework and sharing EU MS experience with new anticorruption institutions in Slovakia, the tender for this project will be launched again under EDIS conditions and Slovak legislation. Call for proposal was published on 3 April, tender should be launched by 3 weeks.

## Fight against Drugs

### **2003 UIBF Social and Economic Costs of Illicit Drugs Used in SR**

Project is in its implementation phase. Cooperation with the experts is good. Project is so far successful.

### **2004/016-764.03.02 Support to the implementation of the National Programme for the Fight Against Drugs 2004-2008**

Twinning Covenant for the project was approved; twinning should start in August 2005.

Concerning the Technical Assistance contract, ToR is prepared. For the implementation of Grant Scheme, Memorandum of Understanding between CFCU and Office of Government has to be signed.

### **Ad 2) Conclusions, suggestions for the Joint Monitoring Committee**

Line ministries together with the CFCU have to catch up with FM 2003 contracting delayed because of the switch from EU rules (PRAG, GPaP) to national public procurement rules. The CFCU shall prepare a reasonable contracting schedule to be followed in the remaining FM 2003 contracting period.

The ACU informed about the Commission's EDIS follow-up audit mission that will take place from 11 to 15 July 2005. On 14 July the audit will be carried out at a line ministry, too. Against this background, the Senior Programme Officers were requested to prepare necessary documentation regarding the management of Phare and Transition Facility projects within their line ministry: internal (organisational) structure, reporting lines, job description of staff assigned to the different tasks, training plans, supervision, complete project files, management plans, etc.

Ms Čajková brought the meeting to a close by thanking all those who had attended for their active participation.