

Advisory Assistance Programme for Environmental Protection in Central and Eastern Europe, the Caucasus and Central Asia of the German Federal Environment Agency

Final Report

Project Name / Title:

Support of the Managing Authority (MA) in the Romanian Ministry of Environment and Forests by training the Intermediate Bodies (IBs) in the Management of Structural Funds in the Process of Implementing the Environment Sectoral Operational Programme

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The hereby presented information was researched and documented to the best of our knowledge and intentions. The text of the final report does not state the opinion of the Federal Ministry for the Environment Nature Conservation and Nuclear Safety (BMU) or that of the Federal Environment Agency (UBA), but solely the opinion of the author, based on the discussions with the German experts who carried out the training and the participating Romanian partners.

The Team

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The training manual in German and Romanian and the CD-Rom containing further information in English are components of the final report.

Kurzfassung

Das Fortbildungsprojekt beinhaltete die Unterstützung des rumänischen Ministeriums für Umwelt und Wälder (bei Projektbeginn: Umwelt und Nachhaltige Entwicklung) durch die Schulung der Verwaltungsangestellten in den regionalen Außenstellen (zwischenengeschaltete Stellen, Intermediate Bodies, IBs) und der für das Programm zuständigen Verwaltungsbehörde (Managing Authority, MA) bei der dezentralisierten Umsetzung des Sektoralen Operationellen Programms "Umwelt" (SOP Umwelt).

Rumänien ist seit dem 01.01.2007 Mitgliedsstaat der Europäischen Union und damit verpflichtet, den bestehenden "acquis communautaire", d.h. die Gesamtheit der bestehenden Europäischen Gesetze, Verordnungen und Direktiven, anzuwenden.

Im Rahmen der Umsetzung operationeller Programme, die aus den Europäischen Strukturfonds mitfinanziert werden, sind die entsprechenden relevanten Bestimmungen im Verfahren, in der Antragsprüfung, Berichterstattung, Projektumsetzung, Kontrolle und Evaluierung zu beachten.

In den Fortschrittsberichten der EU-Kommission zu Rumänien wurde bis zum Beitritt stets die Notwendigkeit weiterer Schulungen des für die Administration der Strukturfondsmittel zuständigen Personals angemahnt. In Übereinstimmung mit Art. 58 und 59 der Allgemeinen Verordnung (EG) Nr. 1083/2006 des Rates v. 11. Juli 2006 zur Beachtung des erforderlichen Grundsatzes der Aufgabentrennung wurde im rumänischen Ministerium für Umwelt und Wälder (bei Projektbeginn: Umwelt und Nachhaltige Entwicklung) das Generaldirektorat für Strukturfonds zur Implementierung der Strukturinstrumente geschaffen.

Damit obliegt dem rumänischen Ministerium für Umwelt und Wälder als Verwaltungsbehörde die Administration der Finanzmittel des Europäischen Fonds für regionale Entwicklung (EFRE) und des Kohäsionsfonds zur Implementierung des SOP Umwelt. Bestimmte Aufgaben der Verwaltungsbehörde wurden an acht, der MA direkt untergeordnete, regionale Außenstellen als sogenannte zwischenengeschaltete Stellen übertragen. Diese Stellen fungieren als regionale Schnittstellen zwischen der Verwaltungsbehörde und den Endbegünstigten. Die MA und die acht IBs sind organisatorisch eigenständige Verwaltungsstellen im rumänischen Ministerium für Umwelt und Wälder.

Zur Ermittlung des aktuellen Schulungsbedarfes wurde 2008 eine Vorstudie durch die B.&S.U. mbH und die Investitionsbank des Landes Brandenburg (ILB) durchgeführt. Die Ergebnisse dieser Vorstudie und die weitere Diskussion und Abstimmung mit dem rumänischen Ministerium für Umwelt und Wälder waren Grundlage der Leistungsbeschreibung für dieses Projekt.

Die Ergebnisse der Vorstudie zeigen einen nachweisbaren, bisher nicht abgedeckten Schulungsbedarf für die regionalen Projektträger der rumänischen Verwaltungsbehörde für das OP Umwelt sowie für einzelne Fachbereiche der Verwaltungsbehörde insbesondere im Bereich der praktischen administrativen Umsetzung sowie im Bereich der methodischen und prozeduralen Anwendung geltenden EU-Rechts bzw. normativer Anforderungen des Regelwerks. Außerdem fehlen Kenntnisse über technologisch innovative und nachhaltige

Strategien im Rahmen der Abfallbehandlung und Abwasserentsorgung bzw. Trinkwasserversorgungssysteme und die Möglichkeiten, innovative Pilotprojekte finanziell, administrativ und methodisch korrekt mittels des EFRE-Programms Umwelt umzusetzen.

Zielsetzung des Projektes war, die Verwaltungsangestellten der MA und der acht IBs durch „Training-on-the-job“ bei der effizienten Verwaltung der Struktur- und Kohäsionsfondsmittel zu unterstützen und durch eine verbesserte Implementierung des SOP Umwelt die Verwaltungskapazitäten zu stärken.

Da den rumänischen Dienststellen der Sachlage nach die langjährige Routine im Umgang mit Förderprogrammen der EU noch fehlte, bot es sich an, diese gute Praxis durch Fallbeispiele und die Präsentation guter wie schlechter praktischer Erfahrungen aus einem erfahrenen Mitgliedsstaat wie Deutschland zu lernen und im Vor-Ort-Training anhand der Diskussion aktueller Problemfälle mit sachkundigen Experten zu vertiefen.

Es wurden ca. 160 Mitarbeiter und Mitarbeiterinnen der rumänischen Verwaltungsbehörde (Managing Authority, MA) und der acht regionalen Außenstellen (zwischenengeschaltete Stellen, Intermediate Bodies, IBs) des rumänischen Ministeriums für Umwelt und Wälder i.d.R. jeweils 5 Tage lang vor Ort fortgebildet.

Im Rahmen dieses Projektes wurden folgende Leistungen erbracht:

- ✓ Erstellung des Schulungsprogramms und des Arbeitsplans einschließlich Briefing der Experten und Abstimmung mit dem rumänischen Partner;
- ✓ Erarbeitung eines Praxishandbuchs und einer CD Rom mit Trainingsmodulen gemäß Leistungsbeschreibung (15 für C 1, 35 für C 2) in Form von Fortbildungsbausteinen (jeweils bestehend aus einem Einführungstext, Beispielen für Verwaltungsvorlagen, Dokumentationen, Mustertexten usw. aus deutschen Projektträgern von EFRE-Umweltprogrammen sowie weiterführenden Links und Hinweisen auf die jeweilige Anwendungspraxis;
- ✓ Didaktische und theoretische Vorbereitung der C 1-Schulungen einschließlich Erarbeitung der Vorträge, power point Präsentationen und Schulungsmaterialien für die jeweiligen Themenblöcke der Seminare;
- ✓ Didaktische und theoretische Vorbereitung der C 2-Schulungen und Workshops einschließlich Erarbeitung der Vorträge, power point-Präsentationen und Schulungsmaterialien für die jeweiligen Themenblöcke der Seminare;
- ✓ Logistische Unterstützung der Verwaltungsbehörde bei der administrativen Abwicklung des Vorhabens, einschließlich der Kommunikation und Kooperation mit den Dolmetschern und dem Übersetzer und der Abstimmung mit den acht regionalen Außenstellen durch unser Vor-Ort-Büro in Brasov;
- ✓ Durchführung der C 1-Schulung in Bukarest für MA und IBs (zwei Tage) mit Vor- und Nachbereitung (je einen halben Tag) und zwei zusätzlichen halbtägigen vertiefenden Workshops zu Einzelfragen;

- ✓ Durchführung der praktischen Beratung (C 2) der acht regionalen Außenstellen mit jeweils zwei Experten, à fünf Tage, vor Ort; durchgeführt bis zum 31.01.2010 in insgesamt acht Schulungswochen;
- ✓ Auswertung und Evaluierung der Teilnehmerfragebögen zum Schulungserfolg;
- ✓ Abstimmung und Information der Projektleiterin in der rumänischen Verwaltungsbehörde.

An den fünf Trainingstagen wurden folgende Präsentationen vorgestellt: Programmmanagement, Fallbeispiele und Vor-Ort-Kontrollen, Monitoring/Berichterstattung und zur Erarbeitung einer Projektpipeline. Darüber hinaus wurden IT-gestützte Arbeitsinstrumente vorgestellt und erläutert. Der Schwerpunkt der Arbeit lag auf praktischen Erfahrungen und technischen Hinweisen für die Bewältigung der jetzigen und künftigen Arbeit in den IBs. Nach einer Einführungsrunde wurden spezifische Diskussionskreise gebildet, die konkret auf die Fragen und Probleme der Abteilungen Bezug nahmen. In erster Linie betraf das die Abteilungen Programming und Monitoring. Die Trainer diskutierten auf Nachfragen vor allem mögliche Lösungswege bzw. Methodiken und Herangehensweisen bei der Bewältigung der Probleme.

Während dieser Präsentationen wurde die Möglichkeit zu Fragen eingeräumt, die auch des Öfteren genutzt wurde und zu einem unmittelbaren Erfahrungs- und Informationsaustausch führte. Die nachmittäglichen Trainings waren praktischen Diskussionen gewidmet und fanden in einer intensiven und konstruktiven Arbeitsatmosphäre statt. Der Schwerpunkt der Arbeit lag auf praktischen Beispielen und technischen Hinweisen für die Bewältigung der jetzigen und künftigen Arbeit in den IBs. Besonders hilfreich waren Erklärungen zum Umgang mit diversen Arbeits- und Hilfsmitteln für eine effizientere Gestaltung der Arbeitsabläufe in den einzelnen Phasen der Projektbearbeitung.

An den Trainings nahmen täglich acht bis 20 Personen teil, die sich zum größten Teil sehr aktiv in die Diskussion einbrachten. Es hatte sich bewährt, alle Fragen im Kreise aller Mitarbeiter anzusprechen und nicht nur die jeweilige Abteilung der IB zum Seminar einzuladen. Das interne Verständnis für die Aufgaben der jeweils anderen Mitarbeiter konnte durch die Erläuterung praktischer Beispiele vertieft werden.

Als praktische Hilfsmittel für die weitere Bearbeitung der Förderprojekte im Sektoralen Operationellen Programm Umwelt (SOP Umwelt) wurde ein Praxishandbuch guter Förderpraxis (ca. 300 Seiten) mit Checklisten, Leitfäden, Mustertexten und typischen Fallbeispielen erarbeitet und in Rumänisch übersetzt. Weiterhin wurde eine CD mit weiterführenden Hintergrundmaterialien der EU bzw. von Verwaltungsbehörden und Projektträgern aus Deutschland erstellt (Dokumente auf Englisch).

Gemeinsam mit den rumänischen Kollegen/innen in den regionalen Außenstellen wurden Empfehlungen zur Überarbeitung des OP und der Umweltförderrichtlinie sowie zur effizienteren verwaltungsinternen Durchführung entwickelt, die der Leitung der Verwaltungsbehörde zur Verfügung gestellt werden sollen.

Die Teilnehmer/innen des Einführungsseminars und der Schulungen zeigten sich zufrieden bis außerordentlich zufrieden mit den Trainern/innen und der Konzeption der von BMU/UBA

finanzierten Zusammenarbeit. Dank der praktischen Erfahrungen der Trainer/innen aus Verwaltungs- und Prüfbehörden der Länder Sachsen-Anhalt, Brandenburg und Berlin bzw. aus entsprechenden Projektträgern (Landesumweltamt Brandenburg, Landesverwaltungsamt Sachsen-Anhalt, Abwasserzweckverband Ostharz und B.&S.U. mbH für das Umweltentlastungsprogramm Berlin) konnten zahlreiche praktische „Alltags- und Routine“-Fragen in der Projektabwicklung geklärt werden (Vergaberecht, förderfähige Kosten, Datenerfassung, Vor-Ort-Kontrollen bis hin zu Fragen der Anrechenbarkeit von Mehrwertsteuersätzen – siehe detaillierte Berichte in der Projektdokumentation).

Die Evaluierung der Teilnehmerfragebögen ergab eine Einschätzung, dass die Ziele der Schulungen erreicht wurden/weitestgehend erreicht wurden zwischen 79 % (einmal) und 100 % (viermal). Die Schulungen wurden in den Außenstellen, die bisher noch wenig mit EU-Programmen gearbeitet hatten, besonders positiv aufgenommen.

Neben den typischen Fragen der Umsetzung von Förderprojekten konnten auch einige sehr spezielle Probleme angesprochen werden, wie etwa Versuche, das Vergaberecht zu umgehen, Doppelförderung nicht anzugeben, politische Einflussnahme vor Ort usw..

Hier besteht noch deutlicher Beratungsbedarf, einerseits zur Fortbildung der Mitarbeiter/innen sowohl auf der Ebene der Verwaltungsbehörde als auch auf der Ebene der zwischengeschalteten Stellen hinsichtlich der rechtskonformen Um- und Durchsetzung der Förderung als auch hinsichtlich der eindeutigen Formulierung der Richtlinie bzw. der erläuternden Dokumente für die Antragsteller.

Während die Großprojekte im Wasser-/Abwasser- und im Abfallbereich bereits finanzielle Unterstützung in Form von technischer Hilfe durch Consultingfirmen erhalten haben (ungeachtet der nicht immer gegebenen fachlichen Qualität), fehlt es an gezielter Unterstützung in der Achse vier „Förderung von Naturschutzprojekten, Artenschutz, Habitat Richtlinie, Natura 2000“.

Die Antragsteller in diesem Bereich sind Kommunen und Nichtregierungsorganisationen (Non Governmental Organisations, NGOs), denen häufig sowohl die Mittel als auch das Managementwissen fehlen, um ein Förderprojekt fachlich und fördertechisch korrekt zu beantragen und umzusetzen.

Die im sektoralen operationellen Programm Umwelt für die Achse vier Projekte geforderten Prozeduren bedürfen der Überarbeitung. Die Mitarbeiter/innen der Verwaltungsbehörde und der Außenstellen möchten diese Achse zwar gern unterstützen, es besteht jedoch noch umfangreicher Fortbildungsbedarf hinsichtlich der Methoden, die üblicherweise zur Unterstützung von ungeübten, nicht profitorientierten Antragstellern angewendet werden (Öffentlichkeitsarbeit, neutrale Unterstützung aller potentiellen Antragsteller, Informationskampagnen, help desks, usw.).

In dieser Achse besteht auch noch Schulungsbedarf hinsichtlich der Beteiligung der naturschutzfachlichen Träger öffentlicher Belange sowie der inter-behördlichen Kooperation und überregionalen Zusammenarbeit in den Fällen, in denen Naturschutzgebiete Regionengrenzen überschreiten. Dieser Bedarf besteht auf allen Ebenen, von den

potentiellen Antragstellern, Kommunen, Verbänden, NGOs über die IBs, Verwaltungsbehörden bis hin zu den Naturschutz-Verantwortlichen im Ministerium für Umwelt und Wälder und der Nationalen Naturschutzstiftung.

Bei den investiven Großprojekten im Wasser-/Abwasser- und Abfallbereich besteht wegen der unterstützenden Finanzierungsmöglichkeiten durch die Programmmittel der technischen Hilfe kein Bedarf auf Seiten der Antragsteller, wohl aber wäre es wünschenswert, den Mitarbeitern/innen der MA und IBs eine Qualifizierung im Hinblick auf ihren Prüfauftrag zu ermöglichen, um Machbarkeitsstudien, Vergabepäne und die korrekte Dimensionierung von Investitionen besser einschätzen zu können.

Das Projekt ließ sich dank des großen Engagements der rumänischen Verwaltungsbehörde im Ministerium für Umwelt und Wälder und der meist hohen Motivation der Mitarbeiter/innen in den 8 IBs planmäßig und sehr erfolgreich umsetzen. Die hohe Teilnehmerzahl und die Bereitschaft, über eine Woche kontinuierlich an Schulungen teilzunehmen, lag sehr deutlich über dem Durchschnitt von internationalen Fortbildungen in neuen EU-Mitgliedsstaaten. Die Schulungen waren deshalb so erfolgreich, weil „echte Praktiker“ des Projektträgers B.&S.U. mbH ihr Wissen „von Kollegen für Kollegen“ weitergeben konnten und dadurch eine sehr hohe Akzeptanz erzielten. Je nach bereits vorhandener Kompetenz und Einsatzbereitschaft konnte eine sehr hohe Trainingsintensität und ein hoher Wissenstransfer erzielt werden (in manchen IBs wurden bis in den späten Abend diskutiert und Lösungen entwickelt).

Bei den Abschlussgesprächen haben sich die Direktoren der IBs ausdrücklich lobend über dieses bilaterale Projekt geäußert und dies nach Auskunft von Frau Chirila auch der Generaldirektorin der Verwaltungsbehörde Frau Frantz schriftlich mitgeteilt. Insbesondere die Vermittlung von Trainingsinhalten durch Praktiker, die mit den gleichen Problemen konfrontiert sind, jedoch 20 Jahre mehr Erfahrung haben, wurde lobend hervorgehoben.

Frau Chirila, die Projektkoordinatorin in der Verwaltungsbehörde hat sich für die umfassenden Trainingsmaterialien – Handbuch und CD Rom – sehr bedankt. Sie betonte, dass diese Materialien eine Art „Baukasten“ für die IBs darstellen, in dem diese bei Problemen nachschlagen und sich gute Beispiele und Lösungen herausuchen können.

Frau Chirila hob hervor, dass die Mitarbeiter jetzt ein besseres Verständnis ihrer Rolle und ihrer Aufgaben entwickelt hätten und die Bedeutung bestimmter Prozeduren in der Überwachung, Finanzprüfung und Berichterstattung jetzt besser verstehen würden.

Das Verständnis für die Notwendigkeit guter fachlicher Praxis sei deutlich gestiegen und die Mitarbeiter hätten auch eine größere Sicherheit im Umgang mit Zuwendungsempfängern gewonnen. Sie würden sich generell fachlich sicherer fühlen und dadurch aktiver ihren Aufgaben und Pflichten nachkommen.

Andererseits sieht auch die Verwaltungsbehörde den Wunsch bzw. die Notwendigkeit eines Nachfolgeprojektes aus dem Beratungshilfeprogramm speziell für die Zuwendungsempfänger und potentiellen Akteure in Achse vier, Naturschutzprojekten, gemeinsam mit den IBs sowie weiteren Schulungsbedarf, der über andere Mittel und Institutionen abgedeckt werden müsste.

Summary

Approximately 160 employees of the Romanian Managing Authority (MA) and of the eight Intermediate Bodies (IBs) of the Romanian Ministry for Environment and Forests attended five-day on-the-job training courses.

As a practical tool to assist with processing projects in the Sectoral Operational Programme Environment, a training manual consisting of best practice examples in funding (around 300 pages) containing checklists, guidelines, sample texts and typical case studies was developed and translated into Romanian. In addition, a CD-Rom of complementary information from the EU and materials from Managing Authorities and implementing agencies from Germany and other Member States was compiled (documents in English).

Together with the Romanian staff of the IBs, we have developed recommendations concerning the revision of the OP and the guidelines on environmental procedures, as well as to implement more efficient internal administrative procedures. These recommendations are to be made available to the head of the Managing Authority.

The participants at the introductory seminar and the training courses were very satisfied with the trainers and with the concept of the cooperation that was financed by the BMU/UBA. Thanks to the practical experience of the trainers from the administrative and audit authorities of the Federal States of Saxony-Anhalt, Brandenburg and Berlin, and from implementing agencies (Landesumweltamt Brandenburg (Environment Agency of the Federal State of Brandenburg), Landesumweltamt Sachsen-Anhalt (Environment Agency of the Federal State of Saxony-Anhalt), Abwasserzweckverband Ostharz (Wastewater Cooperative Ostharz) and the Environmental Relief Programme Berlin of B.&S.U. mbH), several frequently occurring questions could be addressed concerning project implementation (ranging from public procurement law, eligible costs, data collection, on-the-spot checks, up to allowable VAT rates – please see the detailed reports in the project documentation).

The evaluation of the participants' questionnaires showed that the objectives of the training programme were achieved / were largely achieved between 79 % (1 x) and 100 % (4 x). The training courses that were carried out in the IBs that have, until now, had little experience with EU programmes, were very well received.

In addition to the standard questions concerning project implementation, it was also possible to address several more specific problems, such as attempts to avoid complying to public procurement law, non-declaration of double financing, local political interference etc.

There is still a considerable need for further consultancy; on the one hand for the further training of staff on the level of the Managing Authority as well as on the level of the Intermediate Bodies regarding the implementation and enforcement of the funding in compliance with legal requirements, and on the other hand regarding the clear formulation of the guidelines and support documents for the applicants.

While large projects in the fields of water, wastewater and waste have already received financial support in the form of Technical Assistance through consulting firms (irrespective of

the sometimes wanting professional quality), there is still vast capacity for targeted support within Axis 4: “Financing Nature Conservation Projects, Protection of Species, Habitats Directive, Natura 2000”.

Applicants in this field are usually municipalities and non-governmental organisations, which both frequently lack the financial means and the managerial knowledge to apply for and to implement a project.

The procedures required within the Sectoral Operational Programme Environment for the Axis 4 projects are in need of revision. The staff from the Managing Authority and the IBs would gladly support this Axis, although there is still a considerable need for further training regarding the methods that are usually applied by applicants that are lacking experience and non-profit orientated (public relations work, neutral support of all potential applicants, information campaigns, help desks etc.).

In this Axis there is also a need for training regarding the involvement of public nature protection agencies, as well as regarding the cooperation between authorities and regional cooperation in the case of transboundary nature conservation areas. This need exists on all levels, ranging from potential applicants, municipalities, associations, NGOs, IBs, MAs, right up to those responsible for nature protection within the Ministry for Environment and Forests and the National Foundation for Nature Protection.

As large projects in the fields of water, wastewater and waste have already received financial support in the form of Technical Assistance, there are no further requirements on the part of the applicants, but it would be recommended to offer the staff of the MA and IBs the opportunity to get a qualification in auditing, in order for them to be able to assess feasibility studies, procurement plans and the correct dimensioning of investments in a better way.

1. Project Context

The project consisted of supporting the Romanian Ministry for Environment and Forests (at the beginning of the project: Ministry for Environment and Sustainable Development) through providing training to its administrative employees at the Intermediate Bodies (IBs) and to the Managing Authority (MA) that is responsible for the programme, as part of the decentralised implementation of the Sectoral Operational Programme Environment (SOP Environment).

Since 01.01.2007, Romania has been a Member State of the European Union and is thereby committed to apply the existing "acquis communautaire", i.e. all of the existing European laws, regulations and directives.

The implementation of operational programmes that are co-financed by the European Structural Funds requires compliance with the relevant provisions for procedures, the verification of applications, reporting, project implementation, controls and evaluation.

The progress reports from the EU Commission to Romania always, until Romania's accession to the EU, highlighted the need to train the staff responsible for the administration of the Structural Funds further. In accordance with Art. 58 and 59 of the Council Regulation (EC) No. 1083/2006 from the 11th July 2006 regarding the observance of the required principle of the separation of tasks, the Directorate General for the Implementation of Structural Instruments was created within the Romanian Ministry for Environment and Forests (then the Ministry for Environment and Sustainable Development).

Hereby the Romanian Ministry for Environment and Forests, as the Managing Authority, is responsible for the administration of the financial resources of the European Regional Development Fund (ERDF) and of the Cohesion Fund for the implementation of the SOP Environment. Certain responsibilities of the Managing Authority were transferred to eight subordinate regional offices as the so-called Intermediate Bodies. These bodies act as regional interfaces between the Managing Authority and the final beneficiaries. The MA and the eight IBs are organisationally-independent administrative offices within the Romanian Ministry for Environment and Forests.

At the joint steering group meeting of the Romanian and the German Ministries for Environment on 11th and 12th May 2006, the Romanian Ministry expressed the wish to conduct a bilateral project to support its environmental administration in the use of the EU Structural Funds, in order to improve projects to support the administration and to prepare investment projects. The BMU confirmed to the Romanian Ministry for Environment and Forests that they would support the project.

Within the informal discussions at the 8th steering group meeting on 10th September 2008, the Romanian Ministry expressed its continued interest in the implementation of the project. At the same time, they signalled that their needs had changed, because in the meantime several training courses had been delivered for the administrative staff of the IBs.

In order to evaluate the actual training requirements, a preliminary study was carried out in 2008 by B.&S.U. mbH and the Investitionsbank des Landes Brandenburg (Investment Bank of the Federal State of Brandenburg, ILB). The results of this preliminary study and further discussion and agreement with the Romanian Ministry for Environment and Forests constituted the basis for the Terms of Reference of this project.

The results of the preliminary study clearly show a training need for regional implementing agencies in the Romanian Managing Authority for the SOP Environment that has not yet been met, as well as for individual departments within the Managing Authority, especially in the field of the practical administrative implementation, and in the methodical and process-oriented application of EU law and normative requirements of the regulations. In addition to this, there is a lack of knowledge on technologically innovative and sustainable strategies for waste treatment, drinking water supply and wastewater disposal systems. There is also a lack in the means to implement innovative pilot projects financially, administratively and methodologically correctly through the ERDF Programme Environment.

2. Project Objectives

The primary objective of the project was, through “Training on the job”, to support the administrative employees of the MA and of the eight IBs in administrating the Structural and Cohesion Funds efficiently, and to strengthen their administrative capacity through an improved implementation of the SOP Environment.

As the Romanian authorities were in the position of lacking many years of routine when dealing with the funding programmes of the EU, it seemed appropriate to get this good practice through case studies and the presentation of good, as well as bad, practical experience from an experienced Member State such as Germany and to build on this with in-situ on-the-job training based on the discussion of actual problem areas with competent experts.

Regardless of the basic qualifications and general or technical administrative training, in the field of the SOP implementation there is a need to generate “good professional practice”, that would support the efficient administration of the Structural Funds in a complementary way to the theoretical, juridical and technical expertise, and which improves the specialized implementation of the operational programmes by strengthening the administration capacities in the field of the practical management activities.

The staff of the Managing Authority in Bucharest and the following eight IBs each received five-day on-the-job training courses:

- Intermediate Body Bacău, North-East Region
- Intermediate Body Galați, South-East Region
- Intermediate Body Pitești, South-Muntenia
- Intermediate Body București, Bucharest-Ilfov Region
- Intermediate Body Craiova, South-West Region Oltenia
- Intermediate Body Timișoara, West Region
- Intermediate Body Cluj Napoca, North-West Region
- Intermediate Body Sibiu, Central Region.

3. Project Implementation

In this project, the following services were provided:

- ✓ Development of the training programme and the work plan, including a briefing of the experts and agreement with the Romanian partners;
- ✓ Creation of a training manual and a CD-Rom containing the training modules according to the Terms of Reference (15 for C 1, 35 for C 2) in the form of training modules (each consisting of an introductory text, examples for administrative templates, documentation, sample texts etc. from implementing agencies of ERDF Environmental Programmes in Germany, and links and references to the particular application practice;
- ✓ Didactic and theoretical preparation of the C 1 training programme, including preparation of Power Point presentations and training materials for each of the themes of the blocks of seminars;
- ✓ Didactic and theoretical preparation of the C 2 training programme and workshops, including the preparation of Power Point presentations and training materials for each of the themes of the blocks of seminars;
- ✓ Logistical support of the Managing Authority in the organisation of the project, including communication and cooperation with interpreters and translators, and coordination with the 8 IBs through the local office in Brasov;
- ✓ Implementation of the C 1 training programme in Bucharest for the MA and the IBs (2 days) with preparation and follow-up (each 0.5 days) and 2 additional half-day in-depth workshops on specific issues;
- ✓ Implementation of the practical advice workshops (C 2) of the 8 IBs with 2 experts at a time, on-the-job; carried out before 31.01.2010 with a total of 8 training weeks;
- ✓ Assessment and evaluation of the participants' questionnaires regarding the success of the training;
- ✓ Coordination and information the project leader in the Romanian Managing Authority.

The project implementation will be presented subsequently in detail.

Training C 1

Introductory training to improve the existing practice in authorising projects supported by the Structural and Cohesion Funds.

Agenda for the C1 Seminar prepared

The agenda for the C 1 seminar was prepared and agreed with Mr. Rau from UBA as well as with Mrs. Chirila, Director of the Structural Funds Directorate in the Managing Authority General Directorate of the Romanian Ministry for Environment and Forests. The agenda is contained in the project documentation.

Time schedule and topics for the accompanying consultation in the context of the C 1 Seminar prepared

In addition to the two-day seminar, the staff of the Managing Authority were offered consultation on selected topics. The topics were agreed with Mrs. Chirila. The time schedule can be found as an annex to the project documentation.

C1 Training organised

B.&S.U. mbH organised the flights and accommodation for all trainers. On 21.09.2009, the trainers were sent an information sheet containing details regarding arrival and departure times, addresses, event venues, contact partners and telephone numbers.

The coordination necessary for the organisation of the C 1 seminar in Bucharest regarding the facilities and the technical equipment was carried out with staff of Mrs. Chirila.

Experts secured for the C 1 Training

Following experts could be recruited as consultants for the C 1 seminar in Bucharest.

- Waste management – **Stefan Bittrich**, Senior adviser for waste management planning, Department T 5 Waste Management, Section for Technical Environmental Protection, Environment Agency of the Federal State of Brandenburg,
- Water / wastewater – **Lutz Günther**, Chief Executive, Wastewater Cooperative Ostharz;
- Good practice in programme and project management in the field of the environment, nature protection, information and publicity, monitoring, selected topics on financial management – **Uta Lynar**, Team Leader, B.&S.U. Beratungs- und Service-Gesellschaft Umwelt mbH;
- Financial management, typical pit falls and preventable mistakes from the point of view of an Audit Authority – **Daniela Sund**, Ministry of Economics, Brandenburg, Department 13 “Budget, financial controlling, independent body (EU)”;
- Financial management, misunderstandings and irregularities – **Udo Herrmann**, State Administration Office of the Federal State of Saxony-Anhalt, Department for Forestry and Hunting.

Training C 2

Training “on the job” to improve the existing practice in authorising projects supported by the Structural and Cohesion Funds.

Agenda for the C 2 Training prepared

The agenda for the C 2 seminar was prepared and agreed with Mrs. Chirila regarding its content. The Agenda C2 is to be found in the annex.

Time schedule for the C2 Training prepared

The time schedule for the training courses in the eight IBs was agreed upon and is attached in the annex. The missions were agreed with the experts. Hotel accommodation and flights were organised for the trainings.

Experts secured for the C2 training

The training courses were carried out by a team of three experts, of which two were always present during the training weeks. Due to her specific knowledge and experience in Romania and within the cooperation with the IBs as part of the Romanian Sectoral Operational Programmes, Dr. Schliewenz was present at all of the training courses. She was always assisted by one of the two B.&S.U. experts, who contributed their practical experience as ERDF implementing agencies (similar to an IB) for the Environment Relief Programme of Berlin, in order to answer specialized questions regarding good practice in the fields of project management and financial audit.

- **Iris Bechthold**, project and financial manager for nature conservation projects, B.&S.U. Beratungs- und Service-Gesellschaft Umwelt mbH;
- **Rainer Lautenbach**, project and financial manager, B.&S.U. Beratungs- und Service-Gesellschaft Umwelt mbH;
- **Dr. Birgit Schliewenz**, project manager and consultant, B.&S.U. Beratungs- und Service-Gesellschaft Umwelt mbH; active in Romania since 2003.

Training Manual

A concept was developed for the training manual, which aims to be a practical aid in the daily administrative work for the implementation of Structural Funds projects. A user-friendly design was seen as a priority.

The concept of the training manual contained the following chapters:

- Foreword
- Short description of the training programme
- Short profiles of the consultants

- C1 training materials, including presentations, further information such as checklists, guidelines
- C2 training materials, including presentations, further information such as checklists, guidelines, information leaflets, best-practice examples.

All checklists, guidelines, information leaflets and best-practice examples were selected and translated for the manual. The texts were selected on the basis of being user and reader-friendly and particularly suitable thematically from the Managing Authorities of the German Federal States and the German Government.

In terms of making the manual user-friendly (300 pages), it was agreed with the contracting body to include selected German documents on the following topics: the evaluation of project applications, the administrative collection of data, progress monitoring and project development, first level controls, the verification of compliance with public procurement law, the thematic, financial and technical project coordination, the evaluation of ongoing or finished projects and further topics that are to be addressed within the implementation of the Structural Funds. Further suitable documents from other EU states were also compiled and provided on a CD-ROM.

Short profiles of the consultants prepared

A profile was compiled for each of the above mentioned consultants, in which information regarding their professional position, qualifications and specific competences were presented.

The short profiles of the consultants are components of the training manual.

Short profile of the training programmes C1 and C2 developed.

The training programmes C1 and C2 were described in brief regarding the topics, target groups and objectives.

The short profiles of the training programmes C1 and C2 are components of the training manual.

Training materials for C1 prepared

For the C1 seminar “Introductory training to improve the existing practice in authorising projects supported by the Structural and Cohesion Funds”, all training materials were developed in agreement with the C1 experts. In total, 8 presentations and selected related documents were provided.

Training materials for C2 prepared

The materials for the C2 training were also prepared together with the experts. The presentations and documents of good practice examples to be presented and discussed were updated and developed on an ongoing basis, depending on the specific issues in each region.

Participation lists and evaluation forms were developed for the training programmes

Participation lists and evaluation forms were prepared for the training programmes C1 and C2. These documents made it possible to evaluate each day of training separately.

The following topics were addressed in the training programme:

C 1 Introductory seminar within the Managing Authority (MA)

The training comprised of the following subjects:

1. Discovery and dealing with irregularities (types, preventive actions) MA

- a) Irregularities management (prevention, detection/identification, investigation and appointment of irregularities, financial correction, recovery and reporting of the sum from irregularities, practice examples);
- b) The first level control – payments applications from the Final Beneficiaries
- c) Improving effectiveness in identifying, recording and investigation of irregularities and types of frauds
- d) Preventing frauds related to non-reimbursable European funds

2. Financial checks of expenditures (payment requests)

- a) IB: Financial management of projects
- b) IB Financial management, accounting and control in implementing the projects in the environmental sector from pre-financing to the last payment
- c) MA: Financial Control in project implementation (practice example and risk identification)
- d) MA: Financial checking of reimbursement demands
- e) MA/IB: Accountancy checking of the beneficiary
- f) MA + Paying Authority: Financial checks of expenditures included payment request from beneficiaries of projects financing from Structural and Cohesion Funds (in the field of water/waste water, waste management and biodiversity)
- g) MA: Examples of problems faced in the phase of monitoring the projects implemented from European Funds
- h) Paying Authority: Expenditure monitoring and fund requests

3. Overall aspects

- a) Good Practice in Structural Fund Project Management
- b) Rules and requirements for publicity
- c) Project Cycle Management
- d) Project management for all activities

C 2. Training the administrative staff of the eight Intermediate Bodies (IBs)

The training of the IBs comprised the following topics in different degrees of emphasis, according to the importance of the issues and topics locally:

1. Understanding the practical handling with certain methods and tools

Location: eight IBs (0.5 days for each IB)

- a) Risk management:
 - Preparation and evaluation of financing proposals, programme and project indicators, economic and financial analysis, critical factors for project appraisal for projects in the field of water supply / wastewater
 - Management of risk analysis, help in monitoring of the implementation of European co-financed projects, risk assessment, risk management;
- b) Audit: Structural Funds, system auditing trails – practical examples;
- c) Assessment of the project applications for financing of investments in the environmental field; evaluation and selection of nature protection projects;
- d) Impact studies, beneficiary Reporting Records, Monitoring sheets, monthly progress reports;
- e) Drafting the Guidelines for beneficiaries;
- f) Administrative and Technical Forms:
 - Preparation and evaluation of the documentation for EU projects (Master plan feasibility study, cost-benefit-analysis);
 - Level 2 certification – payment applications and accompanying documents, cost-benefit analysis. FIDIC contracts (successful projects, work contracts – administration and management);
 - Preparation and evaluation of funding application forms for small projects, focused on nature protection projects;
 - Contract management: the role and responsibility of the engineer.

2. Performance of technical and financial on the spot checks

Location: eight IBs (1 day for each IB)

- a) On-the-spot checks;
- b) Eligibility of expenditures;
- c) Site visits;
- d) Financial management and control system: payments, eligibility, preventing, detecting and correcting irregularities;
- e) Structural and Cohesion Fund financed projects: problems that may occur regarding public tenders, eligible and non-eligible expenditures.

3. Case studies on best practise technologies and environment friendly solutions

Location: eight IBs (1.5 days each)

- a) EU Funding Mechanisms and Nature Protection
- b) Support for the IB in preparing the multi-annual programming scheme Economic and Social Cohesion - Appraisal of projects proposals for investment financing in the field of water feeding and waste water evacuation
- c) Training workshop on evaluation of projects – case studies on environmental projects for each one of the SOP Environment priority axes
- d) Best practices in technical and financial verifying of the implementation of projects financed from the SOP Environment
- e) The institutional mechanism for both implementing and monitoring the projects – best practices
- f) Regionalization of water and waste services – experiences and case studies

4. Project management and developing of project pipelines

Location: eight IBs (1 day each)

- a) Project selection and prioritization
- b) Project development and approval
- c) Beneficiary organization checking
- d) Training workshop on developing project pipelines – major projects for the SOP Environment priority axes 1 and 2 (water/waste water and waste management)
- e) Evaluation and selection of projects - Nature protection/ Biodiversity/ Water/ Waste water/ Waste management, Sludge Management etc.
- f) Project pipeline coordination at regional level
- g) Management of payment application to the European Commission
- h) Publicity in the context of projects financed through European fund: how to maximize the impact, how to quantify the results; objectively verifiable indicators; experiences and possible problems
- i) Ex-ante, on-going and ex-post evaluation

5. Monitoring and reporting of project implementation – how to perform on the level of the Intermediate Bodies and of the Managing Authority

Location: eight IBs (1 day each)

- a) Monitoring the implementation of European financed projects – Conditionalities and follow up
- b) Monitoring and evaluation – Indicators
- c) Monitoring system, Monitoring Committee
- d) Annual reports of implementation and Environment SOP, Final Report
- e) SOP Environment monitoring reports
- f) Project implementation indicators

- g) Improving the monitoring and reporting activities of the projects financed through SOP Environment, based on physical, financial and performance indicators system
- h) Monitoring the implementation of projects, in order to comply with the provisions and achieve the objectives of the Financing Contract
- i) Project management: The specific responsibilities of the beneficiaries through PIU and those of the monitoring and reporting office within the Intermediate Bodies

4. Project Results

The training tasks specified in the Terms of Reference were implemented in full.

On the five training days, the following presentations were delivered: programme management, case examples and on-the-spot checks, monitoring/reporting and the development of a project pipeline. In addition to this, IT-based tools were presented and explained. The focus of the work was on practical experience and technical advice for the management of current and future work in the IBs. Following an introduction session, discussion groups were formed to focus on specific issues and problems within the department. Primarily, this applied to the departments for programming and monitoring. On request, the trainers discussed possible solutions, approaches and methods to solve problems.

During the presentation, the participants were given the possibility to raise questions. This opportunity was taken frequently and led to a direct exchange of information and experience. The afternoon training sessions were dedicated to practical discussions and took place in an intense and constructive work atmosphere. The work focused on practical examples and technical advice in order to manage the current and future work of the IBs. Explanations regarding the handling of diverse tools and instruments to ensure that the work flows in the individual phases of project management are more efficient were particularly helpful.

Each day of the training courses was attended by 8-20 participants who were mostly very active in contributing to discussions. It turned out to be of great significance to address all questions in the presence of all staff, and not only to invite one department of the IB at a time to participate at the seminar. Through the explanation of practical examples, the staff were able to learn about each other's duties and thus enhance their own understanding.

From the first day onwards, the specific problems of the Intermediate Bodies that were included in the presentations were subsequently discussed in a very open and lively way.

At the end of the training, the participants completed an evaluation form. Based on the answers provided, it seems that the training will contribute to the improvement of the activities of the IBs, above all thanks to the numerous specific examples and recommendations.

It was highlighted that the staff are now not as afraid to make mistakes, and they are becoming accordingly bolder in fulfilling their tasks, as well as in their discussions with the Managing Authority. Experience transfer is of great significance for the implementation of projects. The presentation of the examples was very useful to get a better impression of potentially emerging issues and possible sources of error. It was repeatedly emphasised that it was useful to get an overview of the tasks that were only known in theory until now; this overview was compiled by experts with high practical expertise and should make the future tasks, which are to be dealt with by the staff of the IBs, much more comprehensible.

More advanced IBs, such as Cluj, were offered additional specific training programmes and consultations on the IT system of the funding programmes in Romania (Single Management Information System, SMIS), and on cost-benefit analyses.

It would be useful for the IBs, which have not yet been involved with SMIS or who have not yet examined project proposals that with an already completed cost-benefit analysis, to train them further in a follow-up project on these topics.

The trainers have dealt in detail with the structure of SMIS and have drawn recommendations in two respects: on the one hand, the trainers have supported the staff in their efforts to pose questions to the Department of the Ministry for Finances who, as its proprietor, manages and develops SMIS (ACIS), in order for the IBs to be able to benefit more from the reporting capabilities. On the other hand, it was suggested that the internal tools in the IB are developed, for instance using Excel, and therefore to create the possibility to obtain data using these tools for the IB and for the MA, in accordance with actual requirements.

The trainers looked at a specific example of a cost-benefit analysis (as part of the application for a waste management system in Salaj) and discussed the results of their observation with the relevant members of staff. The trainers recommended taking a closer look at the socio-economic analysis, in combination with the results of the master plan and the feasibility study – especially regarding risk assessment and future demographic change. They recommended dealing with the options that were already formulated in more detail. The trainers took mainly technical parameters into consideration. The trainers also drew attention to the fact that there are discrepancies between the financial overviews in table form, which may amount to 500,000 Euros (including for example the VAT that had not been taken into account).

5. Measures to ensure the long-term impact of the project

Romanian administrative law is not very flexible in regards to the assignment of employees to tasks according to the organisational chart. Project and financial management are, however, not ongoing tasks. They are rather subject to the classic project cycle and therefore have fluctuations of higher or lower activity.

The beginning of the funding period and the arrival of the first applications represents a high work load for the members of staff responsible for checking the applications and almost no work for the staff responsible for reporting and for final financial control.

For an even work load for the staff in the present phase, and to support the staff in the programming department, the issue of flexible employment has to be addressed. Whether this issue is solved in a formal way through using supplementary agreements within the existing work contracts or if there are other less complicated solutions, the decision must be taken by the Managing Authority. Prompt action is required.

A stronger cooperation between all Intermediate Bodies should be organised. An internet platform between the IBs and the MA would be useful in order to increase the transparency and efficiency of the work. Furthermore it is recommended that a Frequently Asked Questions (FAQ) portal is established with the participation of the Managing Authority, in order to systematically compile the most important points of discussion and to make the answers available to all IBs. Even individual procedures can be documented this way.

Moreover, the standardisation of administrative routines using forms etc., as tools and instruments should be promoted. This includes recommendations for further checklists and forms, in order to be able to ask, to the greatest possible extent, the same questions when it comes to evaluation, monitoring, financial control and on-the-spot checks, to enable comparison.

The IT database system for all EU Structural Fund Programmes in Romania, which was established under the leadership of the Ministry for Finances, is not yet accessible for the IBs. They can and must input data for central administration purposes, but they cannot access it again and do not receive any evaluations for project supervision and EU reporting.

The Ministry for Environment and Forests is therefore requested to contact the Ministry for Finances, in order to extend the SMIS so that the IBs too can create the corresponding reports for their area of responsibility.

In addition, it seems that Excel-based tools, or similar, are required in order to ensure that the programme management is carried out at the desired quality level (on the levels of the IBs and the MA). One suggestion is to introduce a standardised database system for the work of all of the Intermediate Bodies, which corresponds to internal workflows and which should be able to collect and read the necessary information, optionally connected to SMIS through an interface, given the fact that SMIS is aimed at other objectives (overview of all OPs, financial flows).

For the time being, the SMIS manual is written in English. This seems to be a problem in its application, especially when it will be extended to user level i.e. grant beneficiaries. Even at present, the wording can be interpreted differently at different points of the manual, so that it cannot be guaranteed that the same data contents are inputted. As SMIS is managed by the Ministry for Finances, the Ministry for Environment and Forests has limited options to approach this problem on a short term basis. It would be reasonable to initiate an exchange of experience of all the Managing Authorities' departments that have to work with SMIS. As SMIS also shows other weak points and is still under construction, based on our experience with other projects in Romania, this is a point where we cannot expect a short-term solution.

It seems to be urgently necessary to push for the introduction of a project pipeline and to manage it using a suitable IT tool, in order to ensure an efficient way of previewing the implementation of the programme management at the level of the IBs and the MA. In this context it would be also advisable to create the possibility of a "preliminary application verification" on the level of the IB. The efficiency of the preparatory phases both for the applicant as well as for the IB could be herewith considerably increased; that is also true for the quality of the submitted applications.

The procedures for the financial control are evidently easy to misunderstand and misinterpret and should urgently be unambiguously legally defined.

The present guidelines stipulate that, for each project, a separate, verifiable accounting system in a company / at the beneficiary should be set up. The standard check of the entire accounting system of the beneficiary, which is used in the older EU member states, to avoid double financing, does not seem to be an option due to its unclear presentation. It is possible that this may be the source for systematic errors; therefore the MA should verify once again this point of the procedure and correspondingly ensure that it is unambiguous.

In the Axes 1 and 2 (water and waste) of the OP, English and Romanian application documentation is evidently allowed, without the requirement to provide an authorized translation. This should be modified and unambiguously formulated urgently.

It is not unequivocally established that original documents are to be provided in Romanian and this could lead to several problems that are not to be underestimated: many documents are prepared in English, following consultancy provided by foreign firms (which are also not always from English-speaking regions), and since the translations into Romanian are not a priority at the time being, this translation work is frequently delegated to translation firms, leading to potential technical differences. In addition, it is not compulsory for the Romanian and English documents to be identical, since it is not clear which version served as a basis for the translation, and if all changes were properly included etc. The IBs process the English version and make comments on it – but the Romanian version serves as a basis for implementation, since explanations/remarks are made by local companies.

Projects from Axis 4 Nature Protection are obliged to contribute a measurable increase in environmental awareness according to the text of the OP. Empirical surveys are exclusively accepted as proof and indicators, and not the standard quantifiable indicators such as number of participants at a seminar, visitors per day to a nature protection centre etc. This does not make sense thematically and is also questionable methodically. There is no direct link between carrying out a species count for example, and an increase in environmental awareness. Even when it comes to measures that are intended to increase environmental

awareness, for instance the construction of a nature centre for children, one cannot attribute an increase in awareness to a single causal connection.

Therefore the beneficiaries are obliged to commission expensive and not necessarily meaningful surveys. The EU funds for the promotion of environmental protection in Romania could be used in a more objective-orientated way. We suggest to amend the wording with a corrigendum, and to switch to professionally acknowledged quantifiable indicators.

Another issue related to projects of Axis 4 is the de facto non-existent competition for funding. Since all fundable areas have the same status in this field and mainly NGOs which work locally come into consideration as grant beneficiaries, it is only natural that there is no competition to become the "best" nature reserve management team. Consequently, the IBs and the Managing Authority must initiate the activity for projects in this field. Therefore continuous information is needed, as well as motivating and supporting campaigns and bids in order to find and fund parties interested in implementing the necessary projects.

A problem for the absorption of EU funds is the explicit binding of support for management plans to an existing agreement for the administration of nature reserves that are not yet set up in Romania. This condition could be a barrier in meeting the objectives of the OP Environment in this area. The MA should find a solution that could possibly lead, with the mid-term evaluation, to a change in this respect. Either the guidelines change, or Romanian internal conditions must be created (introduction of administrators of the nature reserves).

There is a possible contradiction regarding the Habitats Directive, Axis 4: there is a formulation in the OP, which could possibly lead to a contradiction with the habitat objectives. It is stated in the OP that only those species that are threatened with extinction and which are named on the Red List can be protected. This, as it is currently formulated, would mean that specific native species, e.g. those typically found in the Banat region, cannot be monitored or the focus of a project. The problem could be solved with the introduction of a single comma in the OP.

Possible limitation of competition: In the financing guidelines of Axis 4, under 2.4 e, there is a financing condition which states that the team leader must be experienced in at least one project that was financed with funds from outside the EU. However since in Romania, in the field of nature protection, such projects were only possible through the EU programme LIFE, it could follow that there is a possible problem related to competition law because of the limited access to equal opportunities. The required separation of management and project implementation, which makes sense in the case of great investment projects, should be abolished for Axis 4. Nature protection projects don't usually contain elements from public procurement or competition that would require such a separation of functions. The management could be carried out more efficiently by the implementing organizations themselves.

For the Axis four, Nature Protection, within the two calls for proposals that have taken place, no project for the national level has been approved by the Intermediate Body in Bucharest (the third call for proposals, which started on the 12.10.2009 and finished on 25th January 2010, was not yet available to be analysed for this project).

The difficulties are to be found (exactly as it is the case in Sibiu) mainly in the insufficient preparation of the non-governmental organisations and of the municipal administrations, for which, as potential grant beneficiaries, no training programmes have, until now, taken place.

Given the current situation, it would be recommendable that the Intermediate Bodies should benefit also from the specialised knowledge of construction engineers and lawyers.

Uncertainties among the staff of the Intermediate Bodies arise, last but not least, also in relation to the legal liability of employees. The system of official liability is unknown in Romania. The staff fear sanctions if they decide against very influential applicants. They also fear making decisions because they believe (possibly justifiably) they could be held responsible for possible mistakes and especially for financial irregularities of the applicants.

This can lead to the situation that, on the one hand, the decision-making process takes an extraordinary long time and, on the other hand, that projects that amount to millions could be “waved through” without checking the application thoroughly and professionally (especially when it comes to public procurement related questions).

The problem of the insufficient verification of compliance with public procurement conditions was acknowledged by the Commission after the system audit in the last funding period 2000-2006, and the frequency and intensity of the controls has been stepped up since then, including the introduction of sanctioning. The handling of the new projects is a challenging subject even in the “old” member states; there is still a clear need for training and consultancy in the Romanian MA and IBs to address this issue.

6. Project Assessment by the German Project Partner

Thanks to the great involvement of the Romanian Managing Authority within the Ministry for Environment and Forests and to the high motivation of the staff of the 8 IBs, the project could be implemented very successfully and according to plan. The high number of participants and the willingness to continuously participate over an entire week of training sessions was very clearly over the average of international training programmes in new EU member states. The training programme was so successful because “real practitioners” from the implementing agency B.&S.U. mbH were able to share their knowledge “from colleague to colleague” and in that way to achieve a great acceptance. Thanks to the already existing competence, willingness and commitment, a very high training intensity and knowledge transfer could be achieved (in some of the IBs, the discussions carried on and solutions were developed until late in the evening).

It was found that a five-day training course per IB can indeed provide substantial support, but cannot ensure good practice and legally compliant implementation of EU funding programmes in great detail and depth.

The staff of the Managing Authority in the Romanian Ministry of Environment and Forests and in its regional offices were asked to mention, as part of the evaluation of the training programme, any further needs for training that could be developed, possibly in a bilateral follow-up project by the Advisory Assistance Programme of the Federal Ministry for the Environment Nature Conservation and Nuclear Safety or by other international institutions.

There is a great demand for further training and consultancy through experienced practitioners from Managing Authorities, financing banks and implementing agencies from experienced Member States, that are in the position to transfer their specialized knowledge in person, in English (or with translation), and who have gained enough experience with the Romanian administration system in order to be able to address specific problems and administrative procedures.

There is a great interest from the IBs to exchange experience with one/several German implementing agencies regarding the organisation of their work and tools (for instance: EUREKA, computer-assisted programme planning).

According to the project cycle, for most of the IBs it is not checking applications that is placed in the foreground, but rather issues concerning ongoing project coordination and control, as well as questions regarding administrative implementation and supporting the Managing Authority in accordance with the reporting requirements of the Commission.

On-the-spot checks, verification of the actual project progress and procurement verifications are current issues for which, in spite of the C 2 training, there still is a need for further training.

In stating the need for training, one must take into consideration that training cannot replace practical experience. It could therefore make more sense that, after a time, for instance in the second half of the funding period (the duration of the OPs) 2010 – 2013, one could plan an ongoing exchange of experience with German practitioners and to discuss all the problems that occurred and the solutions that were given to them. Such an event could take place

twice a year over three years, in order to include the entire cycle of the projects, up to the check of the eligibility of expenditures.

7. Project Assessment by the Beneficiary

In the final discussions, the directors of the IBs expressed their praise towards this bilateral project and they have also communicated this in writing, according to Mrs. Chirila, to the Director General of the Managing Authority, Mrs. Frantz. In particular the delivery of the training through practitioners who are confronted with the same problems, but who have more than 20 years of experience in dealing with them, was praised. All IBs would warmly welcome a continuation or a similar kind of advisory programme for projects of Axis 4, Nature Protection.

Mrs. Chirila, the project coordinator within the Managing Authority, has expressed her gratitude for the comprehensive training materials – the training manual and CD-Rom. She emphasized that these kinds of materials represent a form of “construction kit” for the IBs, which they can refer to and search for good examples and solutions.

The staff of the IB Timisoara commended this project as being the best training course that they have ever participated in.

Mrs. Chirila also emphasized that the staff have now developed a better understanding of their role and of their tasks, and that they would now better understand the significance of certain procedures in the fields of supervision, financial verification and reporting.

The understanding of the necessity of good thematic practice has risen considerably and the staff would have gained a greater confidence in dealing with the grant beneficiaries. They now feel safer from a thematic point of view and can therefore accomplish their tasks and duties in a more active way.

On the other hand, the Managing Authority also sees it as important and necessary to carry out a continuation project as part of the Advisory Assistance Programme, especially for the grant beneficiaries and for the potential stakeholders in Axis 4, Nature Protection, as well as the further need for training, which should be covered through other means and institutions.

The further need for training includes projects related to catastrophe control in flood-prone areas and projects related to contaminated sites and district heating.

The IBs would need more support in order to implement the 17 currently approved projects, and in order to advise and support further grant beneficiaries in a comprehensive manner.

Consultancy and training would furthermore be required in order to put into practice all the methods of good practice acquired during the trainings, and in order to adapt them together with the grant beneficiaries.

Mrs. Chirila made the proposition to include the grant beneficiaries in a follow-up project and to make, in particular, correct project management and correct reporting procedures topics for future training, both thematically, as well as in terms of financial development.

According to her statement, it would be extremely helpful in future training programmes to focus on the target group of the staff of the IBs together with the grant beneficiaries, in order to learn together about the EU funding concept and the corresponding guidelines of the

ERDF OP, as well as to recognise their roles and tasks in the process of the programme and project implementation. These training courses should also be of use to exchange practical experience in administrative and technical project implementation and they should share everyday tips on how to handle routine problems.

8. Annex

Additional components of the final report are the two training manuals (a German version and a translated Romanian version), as well as a compilation of further information in English on CD-Rom.

Following parts of the report are being submitted separately:

1 x Training Manual in German (printed version),

1 x Training Manual in Romanian (printed version).

In addition, all parts of the final report are submitted in an electronic version (four CD Roms, each containing all parts).

Project documentation will be submitted in addition to the final report. This encompasses:

- Agenda and time schedules of the C1 and C2 trainings.
- 8 reports on the implementation of the trainings within the 8 Intermediate Bodies.
- Lists of participants.
- Questionnaires and assessment of the training by the participants.
- Evaluation.
- The project documentation is to be found on the CD-Roms as an annex to the report.