

SHADOW REPORT

ON THE INSTRUMENT
FOR PRE-ACCESSION
ASSISTANCE (IPA)
AS CROSS-CUTTING
ISSUE IN SECTOR
WORKING GROUPS

January – December 2021





THROUGH
DIALOGUE TO
EU

SHADOW REPORT

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SHADOW REPORT ON THE INSTRUMENT FOR PRE-ACCESSION ASSISTANCE (IPA) AS CROSS-CUTTING ISSUE IN SECTOR WORKING GROUPS IN THE PERIOD JANUARY – DECEMBER 2021

ORIGINAL TITLE:

ИЗВЕШТАЈ ВО СЕНКА ЗА ИНСТРУМЕНТОТ ЗА ПРЕТПРИСТАПНА (ИПА), КАКО ХОРИЗОНТАЛНО ПРАШАЊЕ ВО РАБОТАТА НА СЕКТОРСКИТЕ РАБОТНИ ГРУПИ ЈАНУАРИ – ДЕКЕМВРИ 2021 ГОДИНА

Publisher:

Foundation Open Society – Macedonia

For the publisher:

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Skopje, 2022

CIP - Каталогизација во публикација

Национална и универзитетска библиотека „Св. Климент Охридски“, Скопје

35.075.2:341.171(497.7)“2021”(047)

KOLEKESKI, Aleksandar

Shadow report on the instrument for pre-accession assistance (IPA) as cross-cutting issue in sector working groups [Електронски извор] : January – December 2021 / [author Aleksandar Kolekeski ; translation from Macedonian language Katerina Dimishkovska]. - Skopje : Foundation open society – Macedonia, 2022

Начин на пристапување (URL):

<https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fdijalogkoneu.mk%2Fen%2Fwp-content%2Fuploads%2Fsites%2F3%2F2022%2F06%2FIPA-2021.pdf&data=05%7C01%7C%7C95745e01c1e444d55b608da4e0841fa%7C66dd6692964ee4888a65ab847baf12c47%7C0%7C0%7C637908095245913044%7CUnknown%7CTWFPbGZsb3d8eyJWljoimC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6lk1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&data=gsOYVMTD1r3G1OUgerB%2B6YEabeZrB0i7VsFunVAQ80E%3D&reserved=0>

- Превод на делото: Извештај во сенка за инструментот за претпристапна (ИПА), како хоризонтално прашање во работата на секторските работни групи : јануари – декември 2021. - Текст во ПДФ формат, 50 стр., илустр.

- Наслов преземен од екранот. - Опис на изворот на ден 23.05.2022. - Фусноти кон текстот. - Содржи и: Annex

ISBN 978-608-218-402-9

a) Процес на пристапување во ЕУ -- Секторски работни групи -- Македонија -- 2021 -- Извештаи

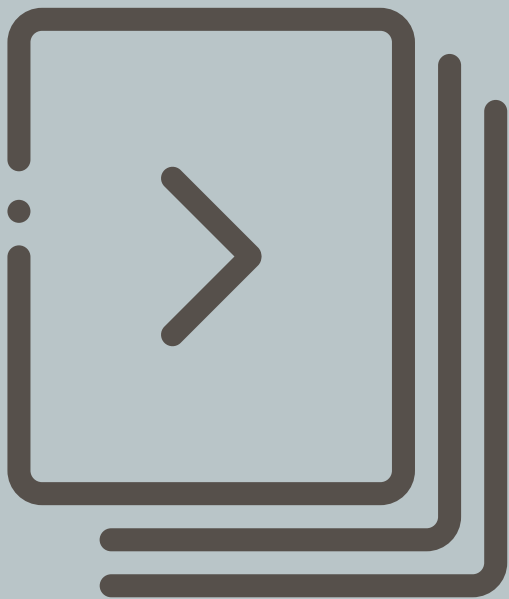
COBISS.MK-ID 57429253

This publication was produced with the financial support of the European Union. Its contents are the sole responsibility of Foundation Open Society – Macedonia, Eurothink: Center for European Strategies, Reactor – Research in action and Center for Civil Communication and do not necessarily reflect the views of the European Union.

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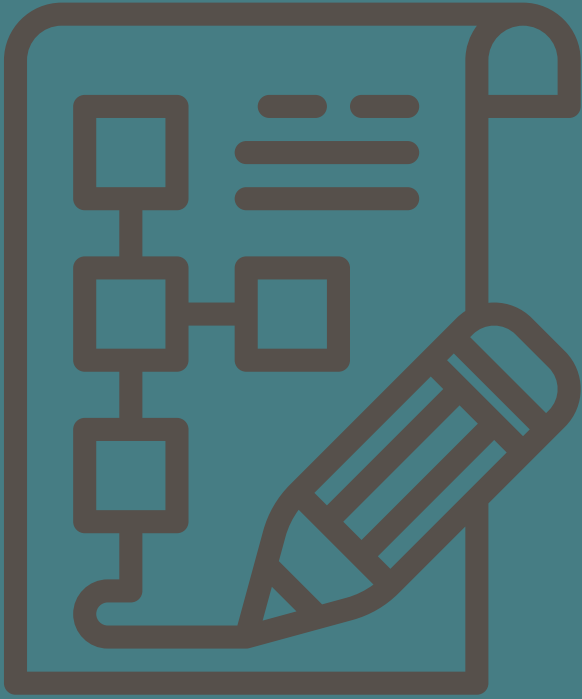


BACKGROUND INFORMATION

Shadow Report on IPA as Cross-Cutting Issue focuses on the Instrument for Pre-accession Assistance for the current and the previous financial perspective, i.e. IPA III (2021-2027) in relation to the ongoing process for assistance programming and monitoring findings on performance of the National IPA Structure in terms of implementing outstanding commitments under IPA II (2014-2020).¹ The period covered by this report starts on 1 January 2021 and ends on 31 December 2021. Specific aspects that are subject of monitoring concern:

- availability of IPA II acts and documents;
- rate of employee turnover;
- employees at IPA structures, deployed according to systematization acts;
- operational policy for retention of employees at IPA structures;
- operational training programs for employees at IPA structures;
- publication of the indicative calendar for IPA programming;
- information on annual rate of contracts signed under IPA II;
- information on annual rate of payment disbursements under IPA II;
- information on irregularities and fraud; and
- availability of audit reports.

¹ In 2021, Republic of North Macedonia benefited from small portion of outstanding commitments under IPA I (2007-2014).



1. IPA III PROGRAMMING (2021-2027)

The Instrument for Pre-accession Assistance (IPA III) concerns the programming period 2021-2027. The European Commission introduced this instrument together with the new EU multiannual financial framework. In particular, IPA III was introduced with adoption of the Regulation Establishing the Instrument for Pre-accession Assistance and the Regulation on Implementing Rules and Principles for IPA III² by the European Union, and is coherent to other funds, programmes and instruments of the Union, primarily the Neighbourhood, Development and International Cooperation Instrument.

According to its structure, IPA III is organized into 5 windows, each accompanied by subset of thematic priorities.

² Regulation of the European Parliament and of the Council establishing the Instrument for Pre-accession Assistance (IPA III) COM/2018/465 final.

TABLE 1.*IPA III windows and thematic priorities*

WINDOW 1: RULE OF LAW, FUNDAMENTAL RIGHTS AND DEMOCRACY	WINDOW 2: GOOD GOVERNANCE, ACQUIS ALIGNMENT, GOOD NEIGHBOURLY RELATIONS AND STRATEGIC COMMUNICATION
<ul style="list-style-type: none"> ◆ Judiciary; ◆ Fight against corruption; ◆ Fight against organized crime; ◆ Migration and border management; ◆ Fundamental rights; ◆ Democracy; ◆ Civil society. 	<ul style="list-style-type: none"> ◆ Good governance; ◆ Administrative capacity and acquis alignment; ◆ Good neighbourly relations and reconciliation; ◆ Strategic communication, monitoring, evaluation and audit.
WINDOW 3: GREEN AGENDA AND SUSTAINABLE CONNECTIVITY	WINDOW 4: COMPETITIVENESS AND INCLUSIVE GROWTH
<ul style="list-style-type: none"> ◆ Environment and climate change; ◆ Transport, digital economy and energy. 	<ul style="list-style-type: none"> ◆ Education, employment, social protection and inclusion policies, and health; ◆ Private sector development, trade, research and innovation; ◆ Agriculture and rural development; ◆ Fisheries.
WINDOW 5: TERRITORIAL AND CROSS-BORDER COOPERATION	
<p>This window is comprised of a separate list of thematic priorities given in Annex 2 to the IPA III Regulation.³ Modalities for implementation of this component include:</p> <ul style="list-style-type: none"> ◆ cross-border cooperation with IPA countries; ◆ participation in micro region strategies. 	

³ COM/2018/465

According to the IPA III Regulation, the European Commission proposes the programming framework for the period 2021-2027 that includes all priority areas eligible for funding. Based on this programming framework, each IPA III⁴ beneficiary country develops its strategic responses, elaborating links between EU priorities and those under national and sector strategies, followed by development of projects in the next phase.

IPA III does not include specific financial allocations per beneficiary country. Actually, countries will have to compete for the total of 14.162 billion EUR available on the basis of their capacity and project proposals. However, IPA III introduces the principle of fair share in order to ensure certain balance and proportionality in distribution of IPA III funds among beneficiary countries.

IPA III programming is pursued in two stages.

- 1. Relevance assessment.** In this stage, the country develops summary action fiches with elaboration of proposed projects. The European Commission assesses these fiches in terms of their relevance.
- 2. Maturity assessment.** This stage implies development of action documents, but only for projects that have passed the relevance assessment, followed by detailed elaboration. The European Commission assesses projects in terms of their maturity. After action documents are approved, the country presents the European Commission with tender documents for projects approved in both stages, followed by signing of financing agreements for individual action documents.

In 2021, IPA III programming covered strategic responses and action programmes for 2021 and 2022, as well as benchmarks for the next programme years, i.e. 2023 and 2024 (see Annex 1). In principle, this process is envisaged to take place within existing sector working groups (SWGs) established under IPA II sector-wide approach. In principle, the consultation process should be organized for all thematic priorities. In the first stage, the National IPA Coordinator and the Secretariat for European Affairs, acting together as the NIPAC Office, initiate development of strategic responses. Consultations are then channelled to sector working groups chaired by competent ministers, with involvement of relevant national institutions, donors and the civil society. The

⁴ Albania, Bosna and Herzegovina, Republic of North Macedonia, Kosovo, Montenegro, Serbia and Turkey.



Government approved⁵ strategic responses at the level of thematic priorities in March 2021 and consolidated them under single strategic response as part of a process that started in late 2020 and ended in 2021.

In the first quarter of 2021, the NIPAC Secretariat coordinated activities for finalization of IPA III Strategic Response and 2021 Action Documents. In March 2021, the strategic response was submitted at the level of 17 thematic priorities,⁶ together with 6 action documents for 2021.⁷ 2021 action documents passed the second stage, i.e. maturity assessment by the European Commission for project proposals. EC's implementing decision on financing the 2021 annual action plan for the Republic of North Macedonia was adopted on 16.12.2021.⁸

The financing decision concerns **the annual work programme on implementing North Macedonia's 2021 annual action plan**. This action plan is comprised of six action documents. Maximum contribution from the Union for the 2021 action plan is determined at 90.45 million EUR from a total budget of 110.18 million EUR.

5 <https://vlada.mk/2021-053>

6 All under first 4 windows.

7 https://www.sep.gov.mk/data/file/IPA/FW__2021_AD_confirmed_after_after_maturity_assessment_.zip

8 C(2021) 9732

TABLE 2.
IPA III 2021 Action Plan for North Macedonia

IPA III WINDOW	THEMATIC PRIORITY	ACTION DOCUMENT	INDICATIVE BUDGET (MILLION EUR)	REQUESTED IPA CONTRIBUTION (MILLION EUR)	METHOD OF IMPLEMENTATION
Rule of Law, Fundamental Rights and Democracy	1. Judiciary 2. Fight against corruption	EU for Efficient Judiciary and Enhanced Prevention of Corruption	9.6	8.5	Direct management
Rule of Law, Fundamental Rights and Democracy	3. Fight against organized crime/security 4. Migration and border management	EU against Organized Crime in Support to Trade	14	10.6	Direct management and indirect management with international organization
Good Governance, Acquis Adoption, Good Neighbourly Relations and Strategic Communication	2. Administrative capacity and acquis alignment 4. Strategic communication, monitoring and evaluation and audit	EU Integration Facility	5.5	5.5	Direct management
Green Agenda and Sustainable Connectivity	1. Environment and climate change	EU for Environmental Standards and Clean Air	26	22	Direct management and indirect management with international organization
Green agenda and Sustainable Connectivity	1. Environment and climate change	EU for Prespa	21.73	18	Direct management and indirect management with international organization
Green Agenda and Sustainable Connectivity	2. Private sector development, trade, research and innovation 3. Agriculture and rural development	EU for Green Economy	33.35	25.85	Direct management



What is characteristic for the 2021 action plan is the fact that all actions are anticipated to be implemented under direct management, while three actions will also be implemented under indirect management with international organization. State institutions are not responsible for managing 2021 action documents. IPA actions under the previous financial perspective (2014-2020) were implemented under indirect management with state institutions, but due to the low absorption capacity and available administrative capacity, the management model was changed for the 2021 programme.

The proposed IPA III 2022 annual action plan for North Macedonia

submitted to the European Commission for financing also includes the 2022 annual work programme for North Macedonia's annual action plan. This action plan is also comprised of six action documents. Indicative allocations for maximum contribution by the Union for implementation of the 2022 action plan are determined in the amount of 93 million EUR from a total budget of 139.62 million EUR.

TABLE 3.

Proposed IPA III 2022 Action Plan for North Macedonia submitted to the European Commission

IPA III WINDOW	THEMATIC PRIORITY	ACTION DOCUMENT	INDICATIVE BUDGET (MILLION EUR)	REQUESTED IPA CONTRIBUTION (MILLION EUR)	METHOD OF IMPLEMENTATION
Rule of Law, Fundamental Rights and Democracy	3. Fight against organized crime/security 4. Migration and border management	EU for Improved Border Management, Migration and Asylum Policy	8	8	Indirect management with international organization or direct management * could be postponed for 2023
Good Governance, Acquis Alignment, Good Neighbourly Relations and Strategic Communication	1. Good governance	EU for Modern Administration	18.0	18.0	Direct management

Good Governance, Acquis Alignment, Good Neighbourly Relations and Strategic Communication	2. Administrative capacity and acquis alignment 4. Strategic communication, monitoring, evaluation and audit	EU Integration Facility	10.0	10.0	Direct management
Green Agenda and Sustainable Connectivity	1. Environment and climate change	EU for Modern Waste Water Systems	63.0	26.5	Indirect management with the beneficiary country or another method
Green Agenda and Sustainable Connectivity	2. Transport, digital economy and energy	EU for Transport Connectivity and Safe Roads	29.5	19.5	Direct management or another method
Competitiveness and Inclusive Growth	2. Private sector development, trade, research and innovation 3. Agriculture and rural development	EU for Better Health and Social Protection, and Gender Equality	11.12	11.0	Direct management



2. FINDINGS FROM MONITORING PERFORMANCE OF THE NATIONAL IPA STRUCTURE

In 2021, the National IPA Structure operated under conditions of the COVID-19 pandemic. For the purpose of this report, the project team conducted a total of 11 online interviews⁹ and 1 in-person interview¹⁰ with representatives from relevant institutions. A total of 11 freedom of information requests were submitted with inquiries specific to this segment of the monitoring activity, of which six requests were sent to the Ministry of Finance and five requests were sent to the Secretariat for European Affairs. All information requests were approved and relevant responses were provided in written.

In the course of 2021, the government - for the first time - designed a temporary solution aimed at motivation and retention of employees at IPA structures which implies 15% linear salary benefit for employees at annual level for the year 2021.

9 Ministry of Information Society and Administration; Ministry of Finance; Ministry of Justice; Ministry of Interior; Ministry of Environment and Spatial Planning; Ministry of Transport and Communications; Cabinet of the Deputy Prime Minister for Economic Affairs, Coordination of Economic Sectors and Investment; Ministry of Labour and Social Policy; Ministry of Education and Science; Ministry of Agriculture, Forestry and Water Economy; Ministry of Local Self-Government; Ministry of Health

10 Ministry of Labour and Social Policy – Roma Integration



In general, the trend on accessibility of IPA acts and documents is maintained, especially in regard to IPA III programming. For third consecutive year, the Annual Report¹¹ on Implementation of the Assistance under IPA is published, implying an improved quality of information contained therein with each new edition.

2.1 AVAILABILITY OF IPA ACTS AND DOCUMENTS

The methodology for monitoring work and effects of sector working groups includes indicators that are used to verify public availability of relevant acts and documents related to IPA II and IPA III on websites of competent institutions.

IPA II

*The Law on Ratification of the Framework Agreement*¹² and *the Decree*¹³ are publicly available on the website of the Central Financing and Contracting Department (CFCD). On its website, CFCD has also published *IPA II Framework Agreement*¹⁴ and *IPA II Decree*.¹⁵

Official website of the Secretariat for European Affairs features a menu handle “Accession Support” with link to IPA II 2014-2020, which was functional during all attempts to access its content.¹⁶ The registry of SEA documents¹⁷ could be updated with key documents on IPA.¹⁸

11 <https://www.sep.gov.mk/post/?id=5772#.YheErOjMI2x>

12 Framework Agreement between the Government of the Republic of Macedonia and the Commission of the European Communities related to cooperation rules in relation to the financial assistance of the European Communities for the Republic of Macedonia within implementation of assistance under the Instrument for Pre-accession Assistance (IPA), “Official Gazette of the Republic of Macedonia” no. 99 from 16.06.2015

13 Decree on determining mutual relations between the bodies and structures within the system for indirect management of the Instrument for Pre-accession Assistance (IPA II)

14 Ibid, ref 13

15 Ibid, ref 14

16 Monthly access to the website <http://www.sep.gov.mk/content/?id=154> over the period from 15 September to 15 December 2021.

17 <http://www.sep.gov.mk/content/?id=96#.Xo2rxsgzaUk>

18 Law on Ratification of the Framework Agreement, Decree, sectoral agreements and financing agreements

IPA II sectoral agreements are available on the websites of SEA and the IPARD Agency.¹⁹ SEA promotes its work in this segment with tendency to improve the website²⁰ with a view to ensure complete and comprehensive overview of documents.

IPA III

The trend on solid availability of programming documents on the Secretariat for European Affairs' website continues in respect to IPA III, i.e. this website serves as central place for information on IPA programming, including strategic responses and action documents for 2021 and 2022. In particular, strategic responses for all thematic priorities are published under single document,²¹ including 22 action fiches for 2021 and 2022.²² A total of six action documents for 2021 (see Table 2) and six action documents for 2022 (see Table 3) under IPA III 2021 and 2022 action programmes are also published on this website.

However, the Regulation on Establishing the Instrument for Pre-accession Assistance IPA III (2021-2027) is not published.

2.2 RATE OF EMPLOYEE TURNOVER

This report monitors the rate of employee turnover at institutions within the National IPA Structure.²³ The baseline for this segment is the number of employees which is used to calculate and monitor the turnover rate. For the purpose of this report, the project team submitted

¹⁹ <http://ipard.gov.mk/wp-content/uploads/2015/05/SECTORAL-AGREEMENT.pdf>

²⁰ <https://www.sep.gov.mk/category/?id=56>

²¹ <https://www.sep.gov.mk/data/file/IPA/IPA%20III%20STRATEGIC%20RESPONSE.docx>

²² https://www.sep.gov.mk/page/?id=1120#.YgaJrd_MI2y

²³ Bodies within the IPA Structure are appointed by the Government, as follows: (1) National IPA Coordinator is the Deputy Prime Minister for EU Integrations, while the Sector for Coordination of EU Funds and Other Foreign Aid at the Government's Secretariat for European affairs serves as the NIPAC Secretariat; (2) National Authorising Officer is the Head of the Sector for Management of Funds under the Instrument for Pre-accession Assistance within the Ministry of Finance (this sector performs the function of management structure which is comprised of the National Fund and the Support Unit to the National Authorising Officer at the Ministry of Finance); (3) Head of the Operating Structure (HOC) is the head of the Central Financing and Contracting Department at the Ministry of Finance. IPA II Operating Structure is comprised of the Central Financing and Contracting Department at the Ministry of Finance in the capacity of contracting authority and IPA structures within institutions that are beneficiaries of IPA II assistance.



freedom of information requests to competent institutions,²⁴ which were approved and responded.

It could be concluded that there is an upward change in terms of employees at seven from the total 13 entities, those being:

1. IPA Management Sector at the Ministry of Finance (management structure);
2. Central Financing and Contracting Department at the Ministry of Finance (contracting authority);
3. Secretariat for European Affairs (NIPAC Office);
4. Agency for Financial Support to Agriculture and Rural Development (IPARD Agency);
5. Ministry of Education and Science;
6. Ministry of Transport and Communications;
7. Ministry of Environment and Spatial Planning.

Negative change is observed in the case of MAFWE's IPA management structure. In general, there is a trend on fluctuation of employees and a shared perception among employees at IPA structures, reported during the interviews, about regular decrease of staff members.

The trend on transfer of competences from indirect to direct management was maintained in 2021.²⁵ Reasons thereof could be identified in untimely absorption of IPA I funds under decentralized management, i.e. indirect management by state institutions in respect to IPA II funds, but additional analyses are needed to identify actual reasons and possibilities for improvement. In 2021, IPA structures were put in function of direct management and hold the following titles:

- horizontal structures competent for implementation of programmes falling under competences of DG NEAR and DG;

²⁴ Ministry of Finance – NAO; Ministry of Local Self-Government; Ministry of Finance; Ministry of Transport and Communication; Ministry of Education and Science; Ministry of Agriculture, Forestry and Water Economy; Ministry of Justice; Ministry of Information Society and Administration sent links to their official websites, while the Ministry of Health did not provide the response in written, but as part of in-person interview.

²⁵ Transfer of competences from national institutions to EU bodies.

- operational structure for implementation of programmes falling under competences of DG NEAR – 2017 annual action program and multiannual action program in the sector on transport, environment and climate change.

TABLE 4.
Overview of human resources at IPA structures

OVERVIEW OF HUMAN RESOURCES AT IPA STRUCTURES							
		2019		2020		2021	
	Ministry/ Institution (management and operating structure competent for implementing IPA II programmes under indirect management)	Number of em- ployees (status on 01.01. 2019)	Number of em- ployees (status on 31.12. 2019)	Number of em- ployees (status on 01.01. 2020)	Number of em- ployees (status on 31.12. 2020)	Number of em- ployees (status on 01.01. 2021)	Number of em- ployees (status on 31.12. 2021)
HORIZONTAL STRUCTURES COMPETENT FOR IMPLEMENTATION OF PROGRAMMES FALLING UNDER COMPETENCES OF DG NEAR AND DG							
1	Sector for IPA Management at the Ministry of Finance – management structure	17	17	17	15	15	18
2	Central Financing and Contracting Department at the Ministry of Finance – contracting authority	42	39	39	41	41	42
3	Secretariat for European Affairs - NIPAC Office	15	15	15	16	16	18



OPERATING STRUCTURE FOR IMPLEMENTATION OF IPARD PROGRAMME 2014-2020							
4	Managing Authority at the Ministry of Agriculture, Forestry and Water Economy	17	15	14 ²⁶	15	15	14
5	Agency for Financial Support Agriculture and Rural Development – IPARD Agency	109	114	117 ²⁷	123	123	126
OPERATING STRUCTURE FOR IMPLEMENTING PROGRAMMES FALLING UNDER COMPETENCES OF DG NEAR – 2017 ANNUAL ACTION PROGRAMME AND MULTIANNUAL ACTION PROGRAMME IN THE SECTOR ON TRANSPORT, ENVIRONMENT AND CLIMATE CHANGE							
6	Ministry of Interior	6	5	5	6	6	6
7	Ministry of Justice	5	5	5	4	4	4
8	Ministry of Labour and Social Policy	6	7	7	8	8	8
9	Ministry of Education and Science	4	3	3	4	4	6
10	Ministry of Transport and Communications	6	6	6	7	7	9
11	Public Enterprise for State Roads	12	12	12	12	12	12
12	Ministry of Environment and Spatial Planning	11	10	10	10	10	14
13	Project Unit for Implementation of Infrastructure Projects (PIUIPs Environment)	2	2	2	2	2	2
TOTAL		252	250	252	263		

²⁶ One person left on 31.12.2019.

²⁷ Additional organizational unit with three employees was integrated in this structure on 01.01.2020.

2.3 EMPLOYEES AT IPA STRUCTURES DEPLOYED ACCORDING TO SYSTEMATIZATION ACTS

In this segment, the monitoring examines whether full-time employees at IPA structures are deployed according to job systematization acts and are recruited in sufficient number that enables effective and efficient operation. Baseline for this indicator is the number of employees at relevant institutions. Analysis and findings were based on responses obtained to information requests submitted under the instrument for free access to public institution and addressed to competent institutions,²⁸ and interviews conducted with relevant representatives from these institutions.²⁹

Based on insight in available data, most employees at IPA structures are deployed to jobs that are in line with the systematization acts. According to interviews with representatives from relevant institutions, it could be noted that employees at IPA structures are sometimes assigned tasks different from those pertaining to IPA-related work.

Having in mind the fluctuation of employees (see section 2.2.), there is an emerging lack of professional capacity among new employees and departure of qualified/trained staff³⁰ which results in vacant jobs at IPA structures and gives rise to risks for effective and efficient operation.

28 Ministry of Finance – NAO; Ministry of Local Self-Government; Ministry of Finance; Ministry of Transport and Communications; Ministry of Education and Science; Ministry of Environment and Spatial Planning; Ministry of Interior; Ministry of Agriculture, Forestry and Water Economy; Ministry of Justice; and Ministry of Information Society and Administration provided links to their websites, while Ministry of Health did not disclose its response in written, but during the in-person interview.

29 Ministry of Information Society and Administration; Ministry of Finance; Ministry of Justice; Ministry of Interior; Ministry of Environment and Spatial Planning; Ministry of Transport and Communications, Cabinet of the Deputy Prime Minister for Economic Affairs, Coordination of Economic Sectors and Investment; Ministry of Labour and Social Policy; Ministry of Education and Science; Ministry of Labour and Social Policy – Roma Integration; Ministry of Agriculture, Forestry and Water Economy, Ministry of Local Self-Government; Ministry of Health; Ministry of Finance – National Authorising Officer; Secretariat for European Affairs

30 Interview with IPA Coordinator at the Ministry of Justice.



2.4 OPERATIONAL POLICY FOR RETENTION OF EMPLOYEES AT IPA STRUCTURES

In this segment, the monitoring examines adoption and enforcement of operational policy with active measures for retention of employees at IPA structures. According to available information, IPA employees are subject to general terms and conditions from the Law on Labour Relations³¹ and the Law on Organization and Operation of State Administration Bodies.

An information request was sent to competent institutions inquiring about their operational policy for retention of employees at IPA structures, and the response obtained thereto is given below:

“Amendments to the Law on Execution of 2021 Budget (“Official Gazette of RNM” no. 171/2021) and the Law on Execution of 2022 Budget (“Official Gazette of RNM” no. 287/2021) have secured a temporary solution for motivation and retention of employees at IPA structures. In particular, this solution concerns 15% linear salary benefit for employees at IPA structures.

The laws cited above are published on the website of PE Official Gazette and are available on the following link: <https://www.slvesnik.com.mk>.

Moreover, the working group formed by NIPAC/Secretariat for European Affairs is tasked with finding a long-term, sustainable and systemic solution in respect to the policy for motivation and retention of employees at IPA structures, and you are kindly referred to address them for more detailed information.”

2.5 OPERATIONAL TRAINING PROGRAMS FOR EMPLOYEES AT IPA STRUCTURES

The monitoring methodology also includes indicators on adoption of functional training programs for employees at IPA structures that are regularly funded by the training centre at the Secretariat for European Affairs (SEA).

Response obtained to the information request sent to institutions competent for training programs for employees at IPA structures related to regular funding of these programs within the training centre at the Secretariat for European Affairs is given below:

³¹ “Official Gazette of RM” no. 74 from 08.05.2015.

“In 2021, the budget of the Secretariat for European Affairs includes a separate budget item, i.e. funds for operation of SEA’s training centre. In addition, SEA made efforts to secure staff, engage in international cooperation, legal consolidation of the method of operation for SEA’s training centre, and to adjust and equip new premises for its operation and delivery of trainings. Namely, funds from SEA’s budget allocated for the training centre were intended for adjusting and equipping premises for training delivery.

In 2021, SEA’s training centre, with the capacity available and with established international cooperation, co-organized and delivered trainings and other activities to strengthen administrative capacity which, due to the ongoing pandemic, were mainly organized online. Hence, organization costs for trainings were minimal, i.e. they were counted as part of daily work.

Cooperation activities, i.e. online and hybrid trainings organized in 2021, which covered a high number of administration employees at central level, i.e. from ministries and bodies within their composition, the Parliament and IPA operating structure, include:

- ◆ *online seminar on the Directives 2013/34 and 2014/56 relating to work of economic operators, held on 29.03.2021 (15 participants from relevant institutions);*
- ◆ *series of online trainings in co-organization with SEA under the project “Nordic Support for Progress of North Macedonia” (71 training events);*
- ◆ *first training in co-organization with IPA project “Support to EU Funds Management”, as hybrid event: in person and online, in duration of 21 days with 18 participants (agenda and list of participants given in attachment). NB: This training was mainly targeting newly recruited staff at IPA structures and will be repeated in 2022 with two rounds of events under the same agenda and coverage.*

In December 2021, survey questionnaire was distributed to assess training needs within the IPA structure. In January 2022, findings from this questionnaire will be used to develop a training plan for IPA operating structures for the period 2022-2024. (<https://www.sep.gov.mk/page/?id=26#.Yek-ferMKUk>).

As regards public availability of information, 2021 activities included the process for unification and redesign of SEA’s website. This is the reason why very small amount of information is actively available on the website.”



2.6 PUBLICATION OF THE INDICATIVE CALENDAR FOR IPA II PROGRAMMING

Another aspect covered by the monitoring methodology concerns development and publication of the indicative calendar for IPA programming by NIPAC, including data on actors involved, necessary information on programming activities, expected outcomes, monitoring indicators, responsibilities, etc.

For that purpose, the project team submitted an information request to competent institutions inquiring about the location where the indicative calendar for IPA programming is published and received the response given below:

“As regards your request for access to public information, we would like to inform that there is no indicative calendar for IPA programming. In particular, dynamics of the IPA programming process is dictated by the European Union, and we follow their step-by-step instructions.”

2.7 INFORMATION ON THE ANNUAL RATE OF CONTRACTS SIGNED UNDER IPA II

In this segment, the monitoring targets publicly available and updated information on the websites of SEA and CFCD about the number of IPA contracts signed on annual level.

1. CFCD’s website publishes lists with an overview of the number of annual contracts signed for IPA assistance;³²
2. There are links to information from IPA programmes and projects:

IPA I: <https://www.sep.gov.mk/category/?id=20>

IPA II: <https://www.sep.gov.mk/category/?id=56>

IPA III: <https://www.sep.gov.mk/page/?id=1120#.YdV7zWjMKUk>

³² https://cfcd.finance.gov.mk/?page_id=2163

2.8 INFORMATION ON THE ANNUAL RATE OF PAYMENT DISBURSEMENTS UNDER IPA II

For the purpose of this report, the project team monitored public availability of updated information on the websites of SEA and CFCD related to the annual rate of payment disbursements under IPA programmes.

In particular, NIPAC's official website hosts the 2020 annual report³³ available in English language and titled "2020 Annual Report on Implementation of Assistance under IPA".

Based on information shared during the interview with a representative from the Secretariat for European Affairs in relation to utilization of funds under IPA I and IPA II, reference was made to payments under IPA I in the amount of 30 million EUR, representing 68% of all funds committed, and payments under IPA II in the amount of 9 million EUR, representing 25% of all funds committed.

2.9 INFORMATION ON IRREGULARITIES AND FRAUD

This segment of the monitoring concerns public availability of updated information on established irregularities and fraud.

The website of the EU Anti-Fraud Coordination Service (AFCOS)³⁴ provides an opportunity for reporting irregularities and fraud.

In 2021, CFCD's website, under the menu handle "irregularities", published³⁵ an information on what is considered "irregularity" and "fraud". Also, this websites includes an electronic application for reporting irregularities and fraud, as well as link for reporting irregularities and fraud directly to the European Anti-Fraud Office (OLAF).

33 https://www.sep.gov.mk/post/?id=5772#.YgZ7U9_MI2w

34 <https://bit.ly/34A85H4>

35 https://cfcd.finance.gov.mk/?page_id=15&lang=mk



CFCD's website also hosts publications by OLAF, i.e. [compendium](#)³⁶ of anonymized cases related to EU structural funds and [casebook](#)³⁷ of investigations conducted by OLAF and related to EU external aid. However, there are no regular and updated information available on irregularities and fraud established in cases where assistance funds are managed by institutions within the National IPA Structure.

2.10 AVAILABILITY OF AUDIT REPORTS

In this regard, the methodology monitors whether official website of the IPA Audit Authority hosts available and update reports from audits performed for EU pre-accession assistance.

Auditing competences within the system for implementation, management and control of the Instrument for Pre-accession Assistance (IPA) in the Republic of North Macedonia are given to the IPA Audit Authority. This body was formed by the Law³⁸ on Auditing the Instrument for Pre-accession Assistance (IPA).

Official website of the IPA Audit Authority³⁹ hosts general information on IPA, glossary and contacts, information on standards, final balance statements and several external links. However, the project's monitoring activities targeting this website in the course of 2021⁴⁰ did not result in location of information on published audit reports for EU pre-accession assistance.

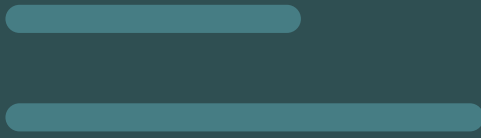
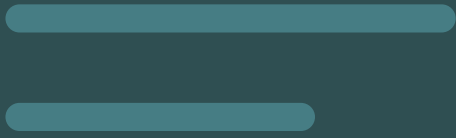
³⁶ <https://cfcd.finance.gov.mk/wp-content/uploads/2013/07/OLAF-Casebook.pdf>

³⁷ <https://cfcd.finance.gov.mk/wp-content/uploads/2013/07/OLAF-Compendium.pdf>

³⁸ "Official Gazette of the Republic of Macedonia" no. 66/10, 43/14, 154/15, 27/16, 190/16 and 83/18.

³⁹ <http://www.aaipa.mk/index.php?lang=mk>

⁴⁰ Regular access to the website around day 15 of each month.



FINAL CONCLUSIONS AND RECOMMENDATIONS

- 1.** A temporary solution is designed to ensure motivation and retention of employees at IPA structures by means of 15% linear annual salary benefits for the year 2021. However, efforts are needed to find a long-term, sustainable and systemic solution in the form of policy for motivation and retention of employee at IPA structures.
- 2.** The trend on improved availability of IPA acts and documents continued in 2021 as well, especially in respect to IPA III programming, and serves as example of good practice that should be continued in next stages of the programming process.
- 3.** There is possibility for improvements in terms of publishing updated and complete overview of data on the NIPAC's website in relation to IPA contracts signed on annual level, separately and cumulatively, per year and per sector/programme.
- 4.** Available information on the indicative calendar for IPA programming should be published on the NIPAC's website, thereby allowing timely and meaningful involvement of civil society organizations in relevance and maturity assessment of project proposals.
- 5.** The IPA Audit Authority should make reports from audits of EU pre-accession assistance publicly available on its website.



ANNEX 1

IPA III PROGRAMMING JANUARY – DECEMBER 2021

The table on IPA programming provides an overview of state-of-affairs in 2021 in terms of type of action and available information per programming year, including reference to the management modality. These data are indicative and summarise information from different sources:

1) Actions under IPA 2021 programme are taken from relevant action documents submitted to the EU in March 2021, and followed by implementing decisions adopted by the European Commission on 16.12.2021 and related to financing North Macedonia's 2021 annual action plan.⁴¹

2) Actions under IPA 2022 programme are taken from relevant action documents submitted to the EU in November 2021 and pending implementing decisions by the European Commission by the end of 2022, including necessary documents for implementation.

3) Actions for other programme years are anticipated under IPA III Strategic Response⁴² for North Macedonia. Based on information collected during the interview with a representative from the Secretariat for European Affairs, it could be concluded that 2023-2024 programming is late, while actions from the strategic document should be taken as indicative and they will likely be subject to changes in the course of future programming.

⁴¹ C(2021) 9732

⁴² <https://bit.ly/34S288k>



In respect to amounts presented in the table, comparison of total amounts and allocations resulted in certain differences between those enlisted in the strategic response and amounts indicated in action documents that are adopted or submitted for adoption. Hence, the final amounts are those indicated in documents covered with implementing decision or given in the most recent available version of relevant action documents. In some cases, amounts indicated in the action document and final document accompanied by implementing decision differ in respect to allocations of IPA funds.

Having in mind that implementing decisions are yet to be signed, including other decisions at EU level, for the period 2022-2027, and additional stages in the programming process, differences in total amounts are likely to occur in the future, especially due to the new rules for IPA III. Therefore, sums and total amounts per IPA III window are given only as indicative amounts and are subject to future changes.

WINDOW 1: RULE OF LAW, FUNDAMENTAL RIGHTS AND DEMOCRACY				
Action	Estimated total budget (million EUR)	Requested contribution from IPA (million EUR)	Implementation plan/arrangement	SWG
Thematic priority 1: Judiciary Thematic priority 2: Fight against corruption				
2021				
<u>EU for Efficient Judiciary and Enhanced Prevention of Corruption</u>	9.6	8.5	This action will be implemented under direct management through grants and procurements. The action document was submitted in March 2021, and the European Commission adopted the implementing decision in December 2021.	Justice
2023-2024				
<u>Fight against Corruption, Enhancing Democracy and Fundamental Rights</u>	9	8	This action will be implemented under direct management and possible indirect management with international organization (IMIO).	Justice
Total for TP 1 & 2 (2021-2024)	18.6	16.5		
Thematic priority 3: Fight against organized crime/security Thematic priority 4: Migration and border management				
2021				
<u>EU against Organized Crime, in Support of Trade</u>	14	10.6	This action will be implemented under direct management and indirect management with international organization. The direct management method includes contracts (procurements and services) and grants (twinning). The action document was submitted in March 2021, and the European Commission adopted the implementing decision in December 2021.	Home Affairs



<u>EU for Border Management (regional programme)</u>	4	4	The action will be implemented by IOM and supports reception centres and border police. EU regional programme	Home Affairs
2022				
<u>EU for Improved Border and Migration Management</u>	8	8	Possible indirect management with international organization and alternative direct management. * depending on the decision taken by DG NEAR, this action may be postponed for implementation in 2023.	Home Affairs
2023-2024				
<u>EU for Fight against Organized Crime and Terrorism</u>	4	3	Direct management through procurement contracts.	Home Affairs
Total for TP 3 & 4 (2021-2024)	30	25.6	Including 4.0 million euros from the regional programme.	
Indicative budget for WINDOW 1 (2021-2024)	48.6	42.1	Including 4.0 million euros from the regional programme	

**WINDOW 2:
GOOD GOVERNANCE, ACQUIS ALIGNMENT, GOOD NEIGHBOURLY
RELATIONS AND STRATEGIC COMMUNICATION**

Action	Estimated total budget (million EUR)	Requested contribution from IPA (million EUR)	Implementation plan/arrangement	SWG
Thematic priority 1: Good governance				
2022				
<u>EU for Modern Public Administration</u>	18.0	18.0	This action will be implemented under direct management and includes: (1) sector budget support with additional assistance and (2) project-based support that includes contracts (procurements and services) and grants (twinning). The action document was developed and submitted to the European Commission's services in November 2021.	Public Administration Reform
2023-2024				
<u>EU for Modern Public Finance</u>	18.0	18.0	Project-based intervention, including contracts (procurements and services) and grants (twinning).	Public Finance Management
Total for TP 1 (2021-2024)	36.0	36.0		


Thematic priority 2: Administrative capacity and acquis alignment
Thematic priority 4: Strategic communication, monitoring, evaluation and audit
2021

<u>EU Integration Facility</u>	5.5	5.5	<p>This action will be implemented under direct management through the project-based modality.</p> <p>The action document was submitted in March 2021 and the European Commission adopted the implementing decision in December 2021.</p>	<p>EU Integration Facility (EUIF) was established under IPA II as flexible funding tool for fast mobilization of resources to address emerging issues in line with EUIF objectives: (i) efficient implementation of accession negotiations, attainment of high level of alignment with EU acquis and solid experience in reform processes; (ii) improve management of EU funds by national authorities; (iii) ensure that the society in North Macedonia is well informed about the EU accession process.</p>
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2022

<u>EU Integration Facility</u>	10.0	10.0	<p>This action will be implemented under direct management through the project-based modality.</p> <p>The action plan was developed and submitted to the European Commission's services in November 2021.</p>	<p>EU Integration Facility (EUIF) was established under IPA II as flexible funding tool.</p>
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2023-2024

<u>EU Integration Facility</u>	15.0	15.0	<p>This action will be implemented under direct management, through the project-based modality.</p>	<p>EU Integration Facility (EUIF) was established under IPA II as flexible funding tool.</p>
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Total for TP 2&4 (2021-2024)	30.5	30.5		
Indicative total budget for WINDOW 2 (2021-2024)	66.5	66.5		

**WINDOW 3:
GREEN AGENDA AND SUSTAINABLE CONNECTIVITY**

Action	Estimated total budget (million EUR)	Requested contribution from IPA (million EUR)	Implementation plan/arrangement	SWG
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Thematic priority 1: Environment and climate change

2021

<u>EU for Environment Standards and Clean Air</u>	26	22	This action will be implemented under direct and indirect management with international organization. The action document was submitted in March 2021 and the European Commission adopted the implementing decision in December 2021.	Environment and Climate Action
<u>EU for Prespa</u>	21.73	18	This action will be implemented under direct and indirect management with international organization. The action document was submitted in March 2021, and the European Commission adopted the implementing decision in December 2021.	Environment and Climate Action

2022

<u>EU for Modern Waste Water Systems</u>	63.0	26.5	This action will be implemented under indirect management with the beneficiary country (or alternatively with international organization), Implementation modes include contracts for procurements, services and works. The action document was developed and submitted to the European Commission's services in November 2021.	Environment and Climate Action
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2023-2024				
<u>EU for Clean Environment and Modern Crisis Management</u>	15.0	15.0	This action will be implemented under direct management.	Environment and Climate Action
Total for TP 1 (2021 - 2024)	125.73	81.5		
Thematic priority 2: Transport, digital economy and energy				
2022				
<u>EU for Transport Connectivity and Safe Roads</u>	29.5	19.5	This action will be implemented under direct management (and possible indirect management with the beneficiary country). The action document was developed and submitted to the European Commission's services in November 2021.	Transport
2023-2024				
<u>EU for Modern Transport Systems</u>	15.0	15.0	Direct management	Transport
<u>EU for Effective Energy Systems</u>	6.0	6.0	Direct management	Energy ⁴³
Total for TP2 (2021-2024)	50.5	40.5		
Indicative total budget for WINDOW 3 (2021-2024)	166.23	122.0		

⁴³ The IPA III Strategic Response refers to 13th sector working group. During the interview with a representative from the Secretariat for European Affairs it was clarified that plans are place for formation of new SWG Energy.

WINDOW 4: COMPETITIVENESS AND INCLUSIVE GROWTH				
Action	Estimated total budget (million EUR)	Requested contribution from IPA (million EUR)	Implementation plan/arrangement	SWG
Thematic priority 1: Education, employment, social protection and inclusion policies, and health				
2022				
<u>EU for Better Health and Social Protection, and Gender Equality</u>	11.12	11.0	This action will be implemented under direct management, thought contracts for procurements, services and works. The action document and accompanying materials were submitted to the European Commission's service in November 2021.	Education, Employment and Social Policy Health Roma Integration
2023-2024				
<u>EU for Jobs and Opportunities</u>	13.5	11.0	Direct management	Education, Employment and Social Policy
<u>EU for Human Capital</u>	7.5	7.0	Direct management	Education, Employment and Social Policy
<u>EU for Health</u>	9.5	8.0	Direct management	Health
Total for TP 1 (2021-2024)	41.62	37.0		



Thematic priority 2: Private sector development, trade, research and innovation
Thematic priority 3: Agriculture and rural development

2021

<u>EU for Green Economy</u>	33.35	25.85	This action will be implemented under direct management, through contracts (procurements and services) and one grant. The action document was submitted in March 2021, and the European Commission adopted the implementing decision in December 2021.	Agriculture and Rural Development
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2023-2024

<u>EU for Favourable Business Environment</u>	12.0	10.0	Direct management	Competitiveness and Innovation
<u>EU for Sustainable Agriculture and Fisheries</u>	10.0	9.0	Direct management	Agriculture and Rural Development
Total for TP 2 &3 (2021-2024)	55.35	44.85		
Indicative total budget for WINDOW 4 (2021-2024)	96.97	81.85		

*The budget may be subject to future changes in the sector on education, employment and social policy which anticipates development of sector operational programmes for the period 2024-2027.

WINDOW 5:
TERRITORIAL AND CROSS-BORDER COOPERATION

Bilateral cross-border programmes⁴⁴

1. CBC North Macedonia – Albania a

Thematic priority 1: Environment protection, climate change adaptation and mitigation, risk prevention and management (TP 2)

Thematic priority 2: Tourism and cultural and natural heritage (TP 5)

Thematic priority 3: Technical assistance (TP 0)

2. CBC Kosovo – North Macedonia

Thematic priority 1: Competitiveness, business environment and development of small and medium enterprises, trade and investment (TP 8)

Thematic priority 2: Environment protection, climate change adaptation and mitigation, risk prevention and management (TP 2)

Thematic priority 3: Technical assistance (TP 0)

3. CBC Serbia – North Macedonia

Thematic priority 1: Employment, labour mobility and social and cultural inclusion across borders (TP 1)

Thematic priority 2: Encouraging tourism and cultural and natural heritage (TP 2)

Thematic priority 3: Technical assistance (TP 0)

INTERREG programmes⁴⁵

1. Bulgaria – North Macedonia

Thematic priority 1 (specific objective): Increase competitiveness of local economies and improve business environment

Thematic priority 2 (specific objective): Cultural and historical heritage of the Republic of Bulgaria and the Republic of North Macedonia as precondition for development of attractive, all-season tourism product by means of smart solutions that provide universal access and participation

⁴⁴ <https://bit.ly/34S288k>

⁴⁵ Ibid



2. Greece – North Macedonia

Thematic priority 1: Institutional capacity building for more effective regional development policies

Balkan Mediterranean (Balkan MED)

Thematic priority 1 (specific objective): Smarter Europe by promoting innovative and smart economic transformation

Thematic priority 2 (specific objective): Greener, low-carbon Europe by promoting clean and fair energy transition, green and blue investment, circular economy, climate adaptation and risk prevention and management

Thematic priority 5 (specific objective): Europe closer to the citizens by promoting sustainable and integrated development of rural, urban and coastal areas and local initiatives

ADRION programme

Thematic priority 1 (specific objective): Smarter Europe by promoting innovative and smart economic transformation

Thematic priority 2 (specific objective): Greener, low-carbon Europe by promoting clean and fair energy transition, green and blue investment, circular economy, climate adaptation and risk prevention and management

Thematic priority 3 (specific objective): Connected Europe by strengthening mobility and regional connectivity with ITCs

ANNEX 2

2021 AND 2022 PROGRAMME DOCUMENTS

2021 PROGRAMME DOCUMENTS

EU FOR EFFICIENT JUDICIARY AND ENHANCED PREVENTION OF CORRUPTION		
Expected outcomes	EU contribution (EUR)	Indicative third party contribution
1. Enhanced digitalization of judiciary institutions	6,000,000	1,000,000
2. Enhanced capacity of the Constitutional Court for review of constitutionality and lawfulness of adopted legislative acts	1,000,000	
3. Developed technical documents for new premises of the Academy for Judges and Public Prosecutors	500,000	
4. Enhanced public intolerance to corruption	1,000,000	100,000
Total	8,500,000	1,100,000



EU AGAINST ORGANIZED CRIME, IN SUPPORT OF TRADE		
Expected outcomes	EU contribution (EUR)	Indicative third party contribution
1.1. Digitalization and expanded use of data and records for investigation and control	1,400,000	400,000
1.2. Enhanced institutional and technology capacity for investigating organized and cross-border crime and corruption	3,000,000	500,000
2.1. Refurbished and upgraded cross-border points with Bulgaria in line with EU standards	2,200,000	1,700,000
2.2. New computerized transit system (NCTS) phase 5 in line with recent EU requirements	4,000,000	800,000
Total	10,600,000	3,400,000

EU INTEGRATION FACILITY		
Expected outcomes	EU contribution (EUR)	Indicative third party contribution
<ol style="list-style-type: none"> 1. Accession process is fully supported (enhanced alignment with EU acquis and EU/international standards, improved implementation of legal framework in the practice and enhanced public support for the EU accession process) 2. Improved effectiveness and visibility of EU funds invested in the country (increased sector approach, EU financing and policy result in sustainable and visible developmental change) 	5,500,000	
Total	5,500,000	



EU FOR ENVIRONMENT STANDARDS AND CLEAN AIR

Expected outcomes	EU contribution (EUR)	Indicative third party contribution
1.1. Legislative framework better aligned with the EU acquis and institutional framework enforced	4,450,000	
1.2. Planning and technical documentation for building of integrated waste water system for Skopje Region prepared	5,000,000	
1.3. Small pond of OHIS industrial site cleaned up	2,500,000	4,000,000
2.1. Pollution generated by the heating systems reduced	6,000,000	
2.2. Pollution generated by the public transport reduced	1,600,000	
2.3. Green belts created	400,000	
2.4. Preconditions for expansion of the central district heating in Skopje established	2,000,000	
Contingencies	50,000	
Total	22,000,000	4,000,000

EU FOR PRESPA		
Expected outcomes	EU contribution (EUR)	Indicative third party contribution
1.1. Decreased pollution from human activities	10,570,000	1,143,000
1.2. Natural resources preserved and protected	2,260,000	273,000
2.1. Increased share of environmentally friendly agriculture	1,270,000	20,000
2.2. Sustainable tourist product promoted and diversified	1,100,000	350,000
3.1. Strengthened strategic vision for development of the Prespa Trans-Boundary Area	1,820,000	1,770,000
3.2. Established border-crossing point with Greece (Markova Noga)	930,000	170,000
Contingencies	50,000	
Total	18,000,000	3,726,000

EU ЗА ЗЕЛЕНА ЕКОНОМИЈА		
Expected outcomes	EU contribution (EUR)	Indicative third party contribution
1. Greening Business Facility established	20,150,000	7,000,000
2. Enhanced cooperation and position of farmers in the food supply chain	5,650,000	500,000
Contingencies	50,000	
Total	25,850,000	7,500,000



2022 PROGRAMME DOCUMENTS

EU FOR BETTER MIGRATION MANAGEMENT

Expected outcomes	EU contribution (EUR)	Indicative third party contribution
1. Enhanced capacity for border and migration management	8,000,000	0
Total	8,000,000	0

EU FOR MODERN PUBLIC ADMINISTRATION

Expected outcomes	EU contribution (EUR)	Indicative third party contribution
Budget support	14,000,000	
1. Improved use of statistical and financial data for creation of policy reforms and secured economic stability	2,500,000	0
2. Improved effectiveness and efficiency of the public administration in North Macedonia	1,500,000	0
Total	18,000,000	0

EU INTEGRATION FACILITY		
Expected outcomes	EU contribution (EUR)	Indicative third party contribution
1. Accession process is fully supported (enhanced alignment with EU acquis and EU/international standards, improved implementation of legal framework in the practice and enhanced public support for the EU accession process)	10,000,000	0
2. Improved effectiveness and visibility of EU funds invested in the country (increased sector approach, EU financing and policy result in sustainable and visible developmental change)		
Total	10,000,000	0

EU FOR MODERN WASTE WATER SYSTEMS		
Expected outcomes	EU contribution (EUR)	Indicative third party contribution
1. Improved waste water collection and treatment infrastructure in the Municipalities of Shtip, Veles and Vinica in compliance with the Directive 91/271/EEC	26,500,000	36,500,000
Total	26,500,000	36,500,000



EU FOR TRANSPORT CONNECTIVITY AND SAFE ROADS

Expected outcomes	EU contribution (EUR)	Indicative third party contribution
1. Key future investments prepared	10,000,000	0
2. Improved road safety along Corridor 10	9,500,000	2,000,000
Total	19,500,000	2,000,000

EU FOR BETTER HEALTH AND SOCIAL PROTECTION AND GENDER EQUALITY

Expected outcomes	EU contribution (EUR)	Indicative third party contribution
1. Improved occupational security and health system and practices	2,500,000	0
2. Enhanced effectiveness of the system for prevention and protection of gender-based and domestic violence	1,000,000	120,000
3. Improved quality of social services	1,500,000	0
4. Improved state response to major health threats in the country	6,000,000	0
Total	11,000,000	120,000



