

## Workshop for the National Focal Points

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# Identifying key risks and roles and responsibilities of the NFPs



**Jaroslav Mojžiš**  
Director

Government Office of the Slovak Republic  
EEA & Norway Grants Department

# Key implementation risks

## NATIONAL LEVEL

Lack of resources and willingness to act

Going too far  
vs  
Scratching the surface

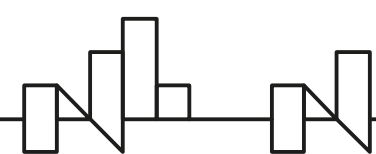
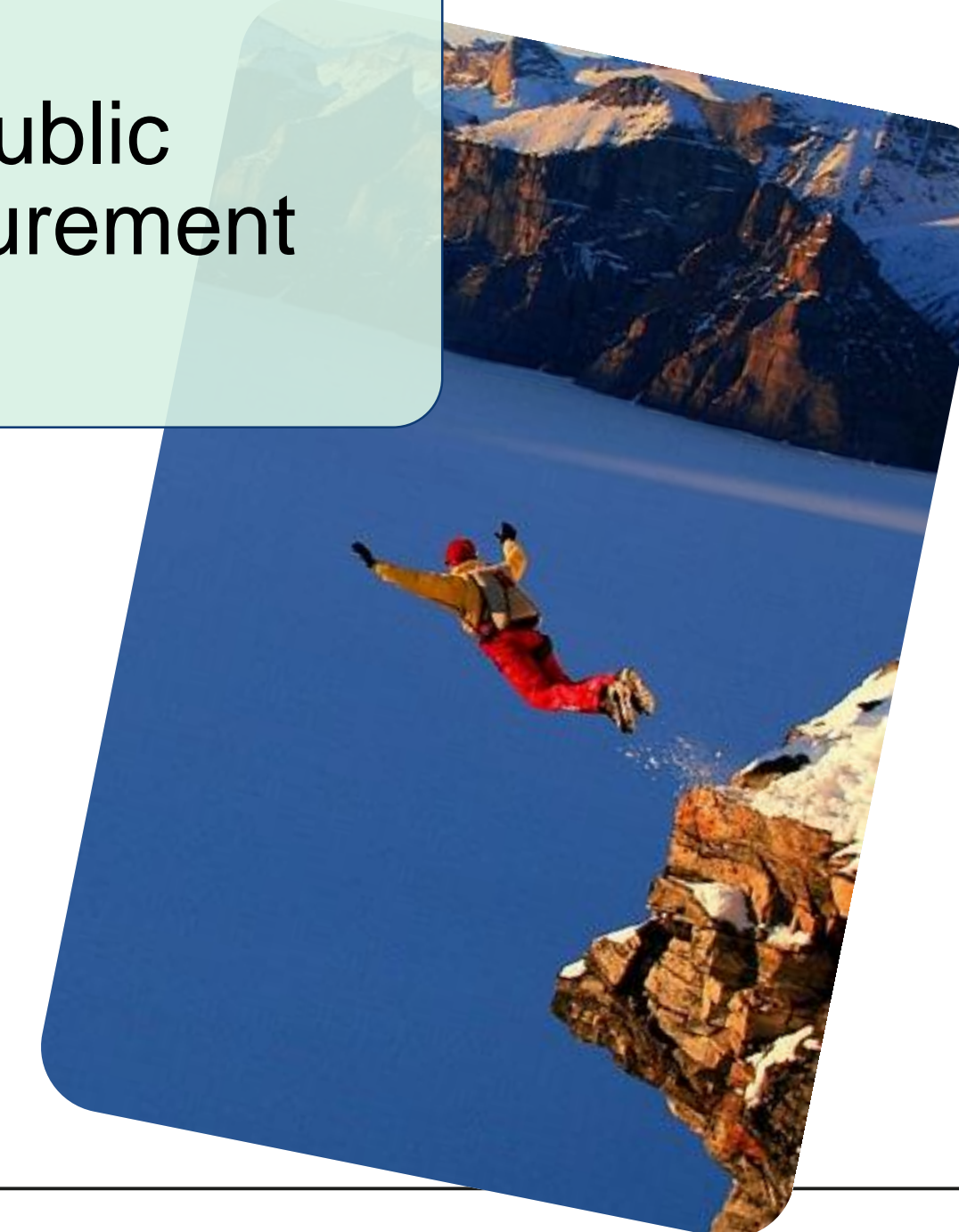
## PROGRAMME LEVEL

Projects selection

Handling irregularities

## PROJECT LEVEL

Public procurement



# Roles of the NFP in risk management - explicit

Approve the Detailed Description of Management and Control System of the Programme Operators

- Reg. Art. 5.7.2.: Within six months from the approval of the programme by the FMC the Programme Operator shall submit to the National Focal Point for approval a detailed description of the management and control systems of the Programme Operator, covering in particular:

Approve programmes modifications

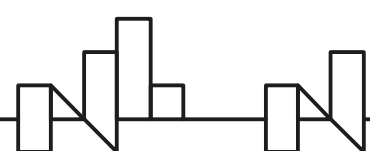
- Reg. Art. 6.9.3.: The National Focal Point shall provide its provisional approval to the modification proposal.

Approve the text of the Calls

- Reg. Art. 7.3.4.: The National Focal Point shall warrant that the call for proposals fully complies with the legal framework of the EEA Financial Mechanism 2014-2021 as defined in Article 1.5 of the Regulation.

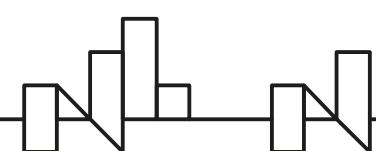
Carry out regular monitoring

- Reg. Art. 5.3.4.: The National Focal Point shall carry out regular monitoring of the programmes with regards to their progress towards the programme outputs, outcome(s) and objective(s) according to agreed indicators and financial requirements specified for the programme.



# Selection process recommendations

- Calls need to be in an absolute, total compliance with the Programme Agreements. This increases the transparency of the selection process
- DPPs, IPOs and/or the Embassy can be involved in the selection of experts. Ideally, they should be given the chance to nominate one of the experts
- Civil society, public sector and other independent experts should become members of the Selection Committees
- Carry out your own monitoring of the selection process



# Selection process monitoring

## Before the Selection Committee meeting

Formal correctness of the Call (was it announced as it was approved?)

Formal correctness of the evaluation (experts possess relevant expertise, all applicants are eligible...)

Verification of the compliance with the ban on conflict of interest

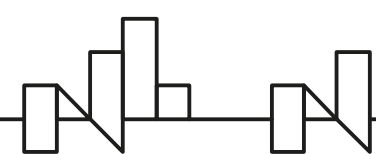
## During and after the meeting of the Selection Committee

Did the Committee followed its own rules? Are the decisions of the Committee justified? ...



## Before the grants are awarded

Verification on a sample of projects (detailed verification of potential conflicts of interest, of the eligibility of the Project Promoter/partner, compliance with state aid rules...)



# Selection process – key points

Key points to focus on:



*compliance of the Call, Selection Committee rules and the whole selection process with the Programme Agreement (incl. whether appeals have been allowed)*



*independence and impartiality of experts*



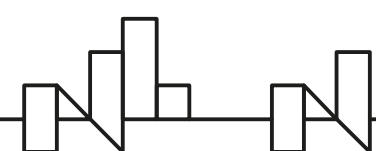
*independence and impartiality of Selection Committee members from the applicants/partners*



*non-existence of conflict of interest between the PO and the applicants/partners*

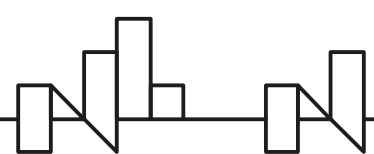


*red flags*



# Selection process red-flags

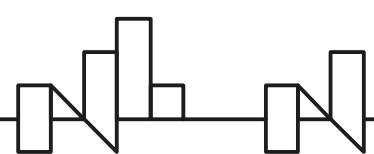
- ❖ Projects receiving full or near-full score
- ❖ Similarities, patterns in experts assessment (same language, similar score...)
- ❖ Your own evaluation does not match the expert assessment
- ❖ Purely objective criteria scored not in line with reality
- ❖ Applications too well-written (the terminology of the EEA/Norway Grants is used with a 100% accuracy)
- ❖ Big names did not make it to the front, instead, there is a bunch of nonames at the top of the ranking
- ❖ Experts without any proven expertise involved
- ❖ Written, verbal evaluations are extremely brief or non-existent (the evaluation was formal only)
- ❖ Take three best-ranked projects and search for any connections between the applicant/partners and with the experts, the SC and the PO. Check for property, family, political or other ties.
- ❖ Too many applications rejected on formal grounds
- ❖ The number of applications received is abnormally low
- ❖ **MOST IMPORTANT** – take holistic overview when reviewing the ranking! Do not focus on technicalities or formal mistakes – search for patterns and things that should not be there



# Public procurement



- ❖ The NFP has no special role in public procurement
- ❖ However, in Slovakia, we have decided to provide guidance and training to the POs in a very special field – collusion in public procurement
- ❖ **Main objective** – the PO must first establish whether there was a real competition among the bidders. Anything else is unimportant for the time being.
- ❖ Publicly available information, similarities in bids, too low number of bidders/candidates
- ❖ Full list can be found in the OLAF document Fraud in Public Procurement- A collection of Red Flags and Best Practices, and it is also based on the OECD's Principles for integrity in public procurement
- ❖ POs, Audit Authorities, Public Procurement Offices usually follows the regulatory framework and focus on the administrative compliance. External Auditors contracted by the FMO focus heavily on competition, trying to reveal links (conflict of interest) and other corruption practices. Prepare your POs for this. Cooperate with relevant bodies in your countries dealing with the protection of economic competition.







# Key principles

## Proportionality

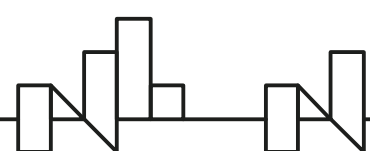
- Check if the POs, AA, CA and IA respect the proportionality principles
- Respect this principle yourself
- Remember that **sampling Is Always Better**

## Results-based Management

- The AA, CA and IA will always focus on compliance. You should focus on results
- When selecting from the three types of monitoring, choose Results-based as much as possible, Risk-based as needed and Compliance-based only if absolutely necessary

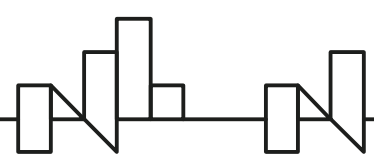
## Effectiveness, sustainability and impact of projects

- Employ some of evaluation methods into your monitoring and discuss the programme and projects with local, regional and national stakeholders
- Are the projects effective? Are their sustainable? What is the impact of the programme?





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# Thank you!

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email: [eeagrants@vlada.gov.sk](mailto:eeagrants@vlada.gov.sk)