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An Enlarged Europe Policy.
Evaluation of the Dutch Policy concerning
the Accession of Central European Countries
to the EU 1997-2003

Country Case Study Lithuania

*Siemen van Berkum, Leon Bijlmakers, Mindaugas Danys,
Dagne Eitutyte, Anneke Slob and Merel Wielinga*



**Buitenlandse
Zaken**

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PREFACE

European integration is one of the most important policy areas of the Netherlands Ministry of Foreign Affairs. In recent years, the *Explanatory Policy Document* has referred to the enlargement of the European Union with ten new Member States from Central Europe as one of the three main objectives in this area, besides the deepening of European integration and the strengthening of the Union's external policy. Ten new Member States, of which eight Central European countries, have joined the EU on 1 May 2004. Negotiations on the accession of two other Central European countries, Bulgaria and Romania, were concluded at the end of 2004.

The Policy and Operations Evaluation Department (IOB) of the Netherlands Ministry of Foreign Affairs decided to evaluate the Dutch policy on the accession of Central European countries to the EU. Four out of the ten Central European candidate Member States were selected for country case studies. This document contains the results of the evaluation in Lithuania. The other three country case studies on Hungary, Poland and Romania respectively are also published as IOB working documents. The overall evaluation results are presented in the Dutch publication *An Enlarged Europe Policy*. The English version of the main findings of the overall evaluation is presented in the first annex of this report.

IOB publishes these working documents in order to make the products of IOB evaluations accessible to stakeholders, specialists and a wider public interested in foreign policy evaluations. Whereas evaluations of development aid are common, evaluations of foreign policy are still quite new. Through the publication of these country-specific studies IOB hopes to contribute to the further development of foreign policy evaluations.

The country study presented here was carried out by a team of independent Lithuanian and Dutch evaluators. The Lithuanian Social and Economic Development Centre, which provided part of the Lithuanian evaluators, played an important role in the organisation of the evaluation in Lithuania. On behalf of IOB the team was supervised by Anneke Slob, who as an evaluator of IOB is responsible for the overall evaluation of the Dutch policy on the accession of Central European countries to the EU.

More people than can be mentioned here by name have provided indispensable contributions to the execution of this study through their insights, experiences and comments. IOB is grateful to each and every one of them. The final responsibility for the evaluation, however, lies with IOB.

Henri E.J. Jorritsma
Acting Director, Policy and Operations Evaluation Department

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ABBREVIATIONS

ADEPT	Accession-oriented Dutch European Proficiency Training Programme
AQS	Agro Quality Support
CAP	Common Agricultural Policy
CEE	Central and Eastern Europe
CFSP	Common Foreign and Security Policy
CILC	Centre for International Legal Co-operation
CIS	Commonwealth of Independent States
CMO	Common Market Organisation
CT	Computerised tomography
DG	Directorate-General
DGRB	Directorate-General for Regional and Country Policy, Netherlands Ministry of Foreign Affairs
DEU	Europe Division, Netherlands Ministry of Foreign Affairs
DGES	Directorate-General for European Co-operation, Netherlands Ministry of Foreign Affairs
DGES/AP	Contact Point for European Co-operation, Netherlands Ministry of Foreign Affairs
DIE	European Integration Department, Netherlands Ministry of Foreign Affairs
DIP	Departmental Initiatives Programme
DWM	Western and Central Europe Department, Netherlands Ministry of Foreign Affairs
DZO	Southeast and Eastern Europe and Matra Programme Department, Netherlands Ministry of Foreign Affairs
DZO/UM	Matra Programme Implementation Division, Netherlands Ministry of Foreign Affairs
EA	Europe Agreements
EBRD	European Bank for Reconstruction and Development
EC	European Community
EMS	Consortium for independent interim evaluation and monitoring of Phare
ETC Crystal	Public health consultancy group (the Netherlands)
EU	European Union
EURODAC	System for the comparison of fingerprints of asylum applicants and illegal immigrants
FADN	Farm Accountancy Data Network
FVO	Food and Veterinary Office (European Commission)
GDP	Gross Domestic Product
GG&GD	Area Health Authority
GNP	Gross National Product
GST	Matra Municipal International Co-operation
I&R	Identification and registration
IACS	Integrated Administration Control System
IMF	International Monetary Fund
IMPACT	Internships Matra for Pre-accession Training Programme
IOB	Policy and Operations Evaluation Department, Netherlands Ministry of Foreign Affairs
IRI	Interfaculty Reactor Institute Technical University Delft
IRS	Institute for Radio-pathology and Radiation Protection
ISPA	Instrument for Structural Policies for Pre-Accession

JHA	Justice and Home Affairs
KCL	Clinical Chemical Laboratory Leeuwarden
LAAS	Lithuanian Agricultural Advisory Service
LEI	Agricultural Economics Research Institute
LIH	Lithuanian Institute for Horticulture
LNv	Netherlands Ministry of Agriculture, Nature Management and Food Safety
LUMC	Leiden University Medical Centre
Matra	Societal Transformation Programme
MCVP	Multi Country Veterinary Programme
MFA	Ministry of Foreign Affairs
MHIF	Mandatory Health Insurance Fund
MoH	Ministry of Health
MoU	Memorandum of Understanding
MPAP	Matra Pre-accession Project Programme
MW	Megawatt
NGO	Non-governmental organisation
NIS	Newly Independent States
NIVEL	Netherlands Institute for Health Services Research
NIZW	Netherlands Institute for Care and Health
NMCP	Netherlands Management Co-operation Programme
NMi	Netherlands Institute for Metrology and Technology
NPAA	National Programme for the Adoption of the Acquis
NPP	Nuclear Power Plant
NSPOH	Netherlands School of Public and Occupational Health
NUFFIC	Netherlands organisation for international co-operation in higher education
NVL	National Veterinary Laboratory
OIE	World Organisation for Animal Health
PA	Pre-Accession
PAA	Pre-Accession Advisor
PAC	Project Advisory Committee
PHARE	Poland and Hungary: Aid for Economic Restructuring
PHC	Public Health Care
PPA	PSO Project Programme
PPS	Purchasing Power Standard
PSO	Economic Transformation Programme
PSO PA	PSO Pre-Accession
PT	Product Board for Horticulture
PUA	Programma Uitzending Ambtenaren (Matra short Mission Programme)
QA	Quality assurance
QC	Quality control
RIVM	(Dutch) National Institute for Public Health and Environmental Protection
RPC	Radiation Protection Centre
SAPARD	Special Accession Programme for Agriculture and Rural Development
SFI	State Food Inspectorate
SFVS	State Food and Veterinary Service
SIDA	Swedish International Development Co-operation
SME	Small and medium sized enterprises
SSGS	State Seed and Grain Service
SSI	Swedish Radiation Protection Authority

SPPS	State Plant Protection Service
STUK	Finnish Radiation and Nuclear Safety Authority
TFU	Enlargement Task Force
ToR	Terms of Reference
TNO	Netherlands Organisation for Applied Scientific Research
UN	United Nations
UNDP	United Nations Development Programme
VAT	Value Added Tax
VNG	Association of Netherlands Municipalities
VSN	Veterinary Surveillance Network
VUmc	Free University Medical Centre, Amsterdam
VWS	Netherlands Ministry of Health, Welfare and Sport
WB	World Bank
WENRA	Western European Nuclear Regulators' Association
WRR	Scientific Council for Government Policy (the Netherlands)

1 INTRODUCTION

This report presents the findings of the case study on Lithuania, which took place within the framework of the evaluation of Dutch policy on the accession of Central European countries to the European Union. This country case study is one of four, covering - apart from Lithuania - Hungary, Poland and Romania. These case studies form the building blocks for the overall policy evaluation as described in the Terms of Reference (see annex 2). The selection criteria for the four countries on which case studies were conducted are described in detail in the Terms of Reference. The focus of this case study is on the implementation of specific Dutch policies concerning the accession of Lithuania to the EU. The accession process of Lithuania to the EU provides the context in which Dutch policy is analysed, but the accession process itself is not the object of analysis. The four country case studies are published as separate IOB working documents next to the overall evaluation report in which the findings of all case studies are combined.

Scope of the country case study

The scope of this country case study has been limited in various ways. First, the evaluation has focused on the period from 1997 (when the European Commission presented its *avis* on twelve applications for membership and the Luxembourg European Council decided to start negotiations with six candidate countries) till 2003. Initially, the year 2003 was not included in the evaluation, but important developments took place during that year which could not be left out of the analysis. Relevant events in 2004 such as the actual enlargement of the EU with ten new Member States on 1 May 2004 are mentioned in this report, but are not included in the study.

Secondly, not all sectors and activities with Dutch involvement have been studied. This case study focuses on three sectors, i.e. agriculture, justice and home affairs, and health. Within these sectors various aspects of Dutch policies and pre-accession activities have been assessed.

Thirdly, the Dutch government has set up more than ten different pre-accession support programmes, which are all active in Lithuania. In this study an attempt has been made to list all Dutch pre-accession support activities in the three selected sectors in order to assess possible connections. Linkages to traditional transformation assistance were also taken into account. However, only the main bilateral pre-accession projects (MPAP and PSO PA) that started well before 2003 were evaluated as regards their effectiveness and efficiency (see annex 9 for project evaluation methodology and detailed project assessments).

Limitations of the evaluation approach

In the evaluation four different Dutch policy channels concerning accession and enlargement are distinguished:

- a. Dutch policy on EU enlargement;
- b. Bilateral and regional policy: accents and priorities for the Central European region;
- c. Pre-accession assistance policy: Dutch assistance to help Central European countries to fulfil the accession requirements;
- d. Sector policies: policies of the Dutch line ministries for Central Europe in the context of the accession process.

Ideally these general Dutch policies would be translated into country-specific ones that could form the basis for the country case studies. This, however, is not the case and no such policies were developed. Policy implementation in Lithuania, but also in the other acceding countries, is a scattered process in which many different Dutch actors are involved. In this evaluation attention has been mainly given to the inventory and assessment of Dutch pre-accession activities. Therefore, only partial answers can be provided to the three main evaluation questions i.e. the coherence, effectiveness and efficiency of the Dutch policy (see annex 2, Terms of Reference).

Dutch involvement in Lithuania's accession process can hardly be disentangled from the contribution of the EU and other countries. The evaluation is thus confronted with an attribution problem. At individual project level this is limited, but at aggregate level the specific Dutch role in sector and country development can hardly be measured.

No separate analysis is made of the enlargement negotiations outcome within the EU. In addition the accession discussions between the EU and Lithuania have not been analysed in detail. However, the evaluation of Dutch policies is placed within the wider context of the negotiations to serve as a framework to answer the key evaluation questions.

Evaluation process

The following joint Dutch-Lithuanian evaluation team carried out the research for this country report: Anneke Slob and Mindaugas Danys (general policy evaluation and bilateral relations); Siemen van Berkum (agriculture); Dagne Eitutyte and Merel Wielinga (justice and home affairs); Leon Bijlmakers (health). Zilvinas Martinaitis provided the necessary logistical support during the research in Lithuania.

The structure of the country case studies was similar for all four studies and consisted of the following steps:

Preparation:

- Survey of the bilateral relations, made in the Netherlands, consisting of an overview of Dutch policy documents, pre-accession assistance, other policy instruments, project files, etc.;
- Overview of the accession process in general and of the three selected sectors by the country researchers;
- Joint workshop at the start of the country research project: presentation of preparatory documents by researchers, discussion, methodology to assess projects, checklist for interviews, logistics, presentation by the Dutch Embassy of main issues.

Interviews:

- Interviews by the various sub-teams according to the checklist: policy level, programme level and activity level (often extra interviews in the Netherlands and selected countries by individual researchers to collect additional information) (see annex 10 for the list of interviewees);
- Round-table discussion at the end of the field research with the Ambassador and staff of the Royal Netherlands Embassy, on preliminary findings and main issues.

Report:

- Draft country report according to standard format (introduction, overview of accession process, Dutch policy and bilateral relations, three sector chapters, and conclusions);
- Discussion of the draft country report with Dutch Embassy staff in the selected countries;
- Discussion of the draft country report with the reference group and IOB peer reviewers;
- Submission of the draft country report for comments to main stakeholders;
- Finalisation of the country case studies and publication as IOB working documents.

The field research in Lithuania took place in the period 19 to 23 January 2004 (see annex 2 and 3 for details). The list of interviewees is presented in annex 10.

2 THE CONTEXT: LITHUANIA'S ACCESSION PROCESS

2.1 Introduction

In order to provide an evaluation context for Dutch policies and the development of Dutch-Lithuanian relations in light of the latter's accession, this chapter will present a description of the actual process.

The mechanisms and procedures of the EU enlargement with Central European countries are described in the main evaluation report. The main steps of Lithuania's accession process can be summarised as follows:

- 1993: the Copenhagen European Council formulated three formal accession criteria: political and economic criteria and the criterion related to the adoption and implementation of the *acquis communautaire*;
- 1991-1996: Association or Europe Agreements signed with all ten Central European countries (Lithuania: 12-06-1995);
- 1994-1996: Submission of accession applications (Lithuania: 08-12-1995) followed by Accession Partnerships (Lithuania concluded its first Accession Partnership in March 1998 and updated it in 1999 and 2001);
- 1995-1996: Drawing up of National Programmes for the Adoption of the Acquis (NPAA; Lithuania presented its first NPAA in July 1998 and subsequently presented updated versions);
- July 1997: Publication of the opinion (*avis*) of the European Commission on all membership applications¹;
- December 1997: Decision of the European Council of Luxembourg to start accession negotiations with six countries (five Central European countries and Cyprus);
- December 1999: Decision of the European Council of Helsinki to start accession negotiations with six other countries (five Central European countries, including Lithuania, and Malta);
- December 2002: Decision of the European Council of Copenhagen to close accession negotiations with ten countries (eight Central European countries including Lithuania, Malta and Cyprus) and prepare the enlargement for 1 May 2004;
- April 2003: Signing of the Accession Treaty followed by ratification procedures in all acceding countries (including referenda) and the EU Member States;
- May 2004: Actual enlargement of the EU from 15 to 25 Member States and continuation of the accession negotiations with Romania and Bulgaria.

Lithuania thus belonged to the second group of five Central and Eastern European Countries with whom the EU decided to start negotiations on accession (the so-called 'Helsinki group').² The negotiations on Lithuania's EU accession were officially launched on 15 February 2000, at an Intergovernmental Conference on Accession. Lithuania became a member of the EU on 1 May 2004.

¹ Commission of the European Communities, *Agenda 2000 – Commission Opinion on Lithuania's Application for Membership of the European Union*, Brussels, 15 July 1997.

² The Helsinki group consisted of Bulgaria, Latvia, Lithuania, Slovakia, Romania and Malta. The EU had already begun accession negotiations in 1998 with Cyprus, the Czech Republic, Estonia, Hungary, Poland and Slovenia.

2.2 Institutional Arrangements

The EU had a wide-ranging and deep impact on Lithuanian institutions.³ First of all, the EU accession agenda was very broad and went far beyond the adoption of the *acquis*, as it dealt with the rule of law and a well functioning administrative system. Secondly, due to the asymmetrical nature of the accession process, the EU and specifically the European Commission were able to influence the choice of institutional structures of the candidate Member States. Technical and financial assistance including the Phare Twinning program alongside other instruments, such as the accession partnership, called for particular institutional arrangements. And thirdly, due to the weakness of the institutional system in Lithuania and other candidate Member States, institutional models were imported without much resistance from the EU.

In Lithuania, the first system of institutions dealing with European affairs was set up in 1995. The Ministry of Foreign Affairs took the leading role in conducting European policy, but after the parliamentary elections in 1996 a new Ministry of European Affairs was established. There was a period of competition between these ministries, until the transformation of the Ministry of European Affairs into the European Committee under the Lithuanian government in 1998. The Committee was mandated to prepare the accession process internally, while the Ministry of Foreign Affairs was charged with external dimensions of the process. From the start of the negotiation process in 2000 until the end of that year negotiations were co-ordinated by the Ministry of Foreign Affairs. After that, the head of the Committee was nominated as chief negotiator.

The role of the Lithuanian parliament and other candidate Member States is quite comparable to that of most EU members' parliaments. The parliament (*Seimas*) has been closely involved in the whole process of Lithuania's accession and negotiations. A special sub-committee of European Affairs of the Foreign Affairs Committee was established in 1995, becoming autonomous in 1997. Due to the extreme complexity of the accession and negotiation agenda, and with the political consensus on EU integration, the government was given a general mandate to run this process. The Lithuanian parliament had a great impact on a few politically sensitive matters such as the sale of land to foreigners and atomic energy questions.

In mid 2003 it was decided to reorganise the European Committee by transferring most of its staff to the government Chancellery, which was charged with co-ordination of EU affairs. The Ministry of Foreign Affairs retained paramount powers whilst the line ministries gained substantial autonomy in running the EU affairs in their respective fields of competence.

In the area of economic regulation the EU promoted the establishment of a whole set of supervisory institutions. The European Commission pushed hard for isolating those organisations from the political sphere. Their competence is therefore regulated by relevant laws and the nomination and dismissal of the heads of these institutions is subject to many restrictions.⁴

³ The description of institutional arrangements is based on a written contribution by Klaudijus Maniakas.

⁴ Concrete examples of supervisory institutions reorganised or established under direct EU influence are the Competition Council (under the new Competition Law adopted in 1999), Public Procurement Office (1999), market surveillance institutions such as the National Bureau of Accreditation, State Metrology Service, National Standards Board, Veterinary and Food Supervision Agency, Non Food Products

2.3 Progress of the Accession Process

Political criteria

In its 1997 *avis* the European Commission stated that Lithuania's political institutions functioned properly and under stable circumstances, guaranteeing the preservation of legal order, human rights, and respect for and protection of minorities. No problems related to constitutional rights were identified. The 1992 and 1996 elections were also regarded as free and honest. The Commission concluded that Lithuania qualified as a democracy and therefore met the political criteria. Some criticism was however expressed in relation to efforts made to improve the workings of the judicial system and the intensification of the fight against corruption. In principle, the applicant countries had to fulfil the political (and economic) criteria to be eligible to start accession negotiations. Nonetheless the European Commission continued to monitor developments related to the political criteria. In 2002, the Commission pointed out that reform of the judicial system and public administration still needed to be enhanced. In its last progress report (2003) the political criteria as such were not discussed.

Economic criteria

The Commission's 1997 *avis* also expressed that Lithuania had booked considerable progress in the creation of a market economy. Trade and prices were largely liberalised and many advances were made in the field of macro-economic stabilisation. Further steps forward were needed according to the Commission, especially with respect to relative price adjustment, large privatisation, bankruptcy procedures, and financial discipline of enterprises. It was estimated that Lithuania could expect serious problems in the medium term from competitive pressure and market forces within the Union. Reform of the business and banking sector and the modernisation of agriculture was still seen as necessary.

In subsequent progress reports, Lithuania's strong growth of real GDP was described as striking. In 2001 the Commission concluded that Lithuania qualified as a functioning market economy and in its 2002 Regular Report it stressed that the continuation of its current reform path should enable Lithuania to cope with competitive pressure and market forces within the Union. Improvements were however to be made in the labour market to address high unemployment. The management of public finances was also to be enhanced, while the completion of pension reform should make public funding more sustainable in the long term, supporting the development of financial markets. In the last monitoring report the Commission concluded that much headway had been made and that the authorities actively pursued their reform path. Nevertheless, in some areas, including pension and fiscal structural reform, progress was still required.

Lithuania's accession negotiations

The accession negotiations dealt with the third Copenhagen criterion i.e. the obligation to adopt, implement and enforce the *acquis communautaire*. For this purpose the *acquis* was divided into 31 chapters. In general, the 'easier' chapters (e.g. chapter 17, science and research, and chapter 20, culture and audio-visual

Supervision Agency (as a result of the reform accomplished in 1999-2000), Lithuanian Bank (gained an autonomy under the new law on the Lithuanian Bank in 2001), Securities Commission, Insurance Supervision Council, State Energy Pricing Commission, Civil Aviation Administration, Telecommunications Regulations Commission, Consumers Protection Council, Personal Data Protection Council and others.

policy) were opened and provisionally closed during the first stages of the negotiations and the complicated chapters followed at a later stage (see annex 4 for a survey of Lithuania's accession negotiations). Lithuania was no exception to this general rule. An important guiding principle during the negotiations was "Nothing is agreed until everything is agreed". The European Council of Copenhagen decided upon the closing of the accession negotiations with Lithuania in December 2002.

To engage in the negotiations each applicant had to formulate its position on each of the 31 chapters. The Commission formulated draft negotiation positions, after screening the situation in the applicant country, which had to be approved by the Council. The presidency of the Council of Ministers presented the EU's positions during the negotiation sessions.

Successful and speedy negotiations were one of the top priorities of the Lithuanian government and parliament. Its delegation for the EU accession negotiations wanted to make full use of the opportunity offered to the Helsinki six including Lithuania to catch up with the Luxembourg six - the group of countries (Estonia, Czech Republic, Cyprus, Hungary, Poland and Slovenia) who started negotiations in March 1998. The rationale behind this was the aim to end the negotiations in 2002, and join the EU together with the Luxembourg six in 2004. Timing was therefore an important issue. In Lithuania's accession negotiations, which similarly to other applicant countries focused on the 31 chapters, two important politically sensitive problems had to be dealt with: Kaliningrad and the decommissioning of the Ignalina nuclear power plant.

Politically sensitive accession issues: Ignalina Nuclear Power Plant and the Kaliningrad transit

From the first Commission's *avis* onwards it was clear that the Ignalina Nuclear Power Plant was an important issue in the accession negotiations. In March 1999 the Western European Nuclear Regulators' Association's (WENRA) published a report on "Nuclear Safety in EU Applicant Countries", which highlighted a series of obstacles to the safe operation of the Ignalina Nuclear Power Plant in Lithuania. Moreover, a weakness in design prevented the reactors from being upgraded in order to meet the accepted international safety standards. On the basis of this report it was agreed that Lithuania would close the first reactor by the year 2005 and the second one by 2009. It was also decided that assistance should be provided to encourage the closure of these non-upgradeable reactors at the earliest practical dates. Therefore Lithuania was well aware of the fact that the decommissioning of the Ignalina Nuclear Power Plant was one of the prerequisites of joining the EU.

Nevertheless the Ignalina plant has remained a very sensitive issue because the decommissioning of the two 1500 MW reactor units represented an exceptional social and financial burden to Lithuania, not commensurable with the size and economic strength of the country. Lithuania's negotiators and politicians therefore stressed that the decommissioning commitment should go hand in hand with EU and other donors' commitment of financial aid. The National Energy Strategy of Lithuania announced that the preliminary costs of the decommissioning and dismantling of the Ignalina NPP, as well as the costs of replacing the Ignalina Nuclear Power Plant with other power plants, and the impact on macroeconomics are estimated at approximately € 3 billion. It is expected that the biggest part of these costs will be covered by EU financial aid and international loans. Till 2006 total financial assistance including donors' conference pledges, Phare projects, agreements reached during the accession negotiations, etc., is estimated at around € 500 million.

Another bottleneck of the accession negotiations, which touched the vital interests of Lithuania, concerned Russian citizen transit rights to and from Kaliningrad through Lithuania. The commitment of Lithuania to fully implement the Schengen requirements and harmonise its visa policy with that of the EU (see chapter 5) directly challenged Russia's geo-strategic interests, because Lithuania's and Poland's implementation of Schengen requirements would mean total isolation of the Kaliningrad region.⁵

As Kaliningrad became a highly politicised topic in Russia, the pressures on the EU to find better solutions rose. The Commission then paved the way for the 10th EU-Russia Summit in November 2002 and its "Joint Statement on Transit between the Kaliningrad Region and the Rest of the Russian Federation". In this document the parties acknowledged "the unique situation of the Kaliningrad Region as part of the Russian Federation separated from the rest of the Federation by other states". The parties agreed to pursue a comprehensive package of measures to facilitate the easy passage of borders, and in particular to create a "Facilitated Transit Document" scheme. On the basis of the Summit's decisions trilateral negotiations took place, involving Russia, Lithuania and the EU. The negotiations ended in spring 2003 with a set of decisions for the implementation of a facilitated transit scheme, which came into operation on the 1st of July 2003.

The outcome of the negotiations was beneficial for Lithuania in three areas. First, the decision did not delay Lithuania's earliest possible accession to the Schengen area. Second, it did not entail any additional financial burden for Lithuania. The EU agreed to provide € 12 million for implementing the new system of facilitated transit procedures. Third, trilateral negotiations diverted Russia's political pressure from Lithuania to the EU.

Negotiations on the 31 chapters

As the table below indicates Lithuania had closed 23 chapters by the end of 2001 and by then had already caught up with the Helsinki six group. Speedy negotiations made it possible to close the last chapters during the Danish presidency in December 2002. Generally speaking, there were no major misalignments between Lithuania's position and that of the EU.

⁵ Prior to the negotiations transit for inhabitants of Russia via the territory of Lithuania was visa-free. Moreover, there was a special regulation for the residents of Kaliningrad, allowing them to visit Lithuania visa-free.

Table 1 Progress of Lithuania's negotiations

<i>Time period and presidency</i>	<i>Number of chapters opened (cumulative)</i>	<i>Number of chapters provisionally closed (cumulative)</i>
1st half 2000 Portuguese presidency	8	6
2nd half 2000 French presidency	16	8
1st half 2001 Swedish presidency	29	18 incl. environment, free movement of capital, services and goods
2nd half 2001 Belgian presidency	29	23 incl. competition policy, free movement for persons
1st half 2002 Spanish presidency	31	27 incl. justice and home affairs, energy
2nd half 2002 Danish presidency	31	31 incl. agriculture, institutions

Source: European Commission, Enlargement of the European Union – *Guide to the Negotiations Chapter by Chapter*, December 2003

The negotiations in 2000 during the Portuguese and especially French presidency (first and second half of 2000) were relatively sluggish and the EU and Lithuania provisionally closed 8 chapters. During the year 2001 Lithuania closed 15 chapters and opened the remaining ones (except 'institutions' and 'other'). During its presidency in the first half year of 2001 Sweden emphasised the importance of enlargement and clearly supported the efforts of the Baltic States. In fact, the negotiations during the Swedish presidency were among the most fruitful. During the Swedish presidency Lithuania closed 10 chapters, opened most other chapters and negotiated eight transition periods in four chapters and one derogation (for the negotiation chapters and the obtained transitional arrangements: see also annex 4).

The most difficult chapters were closed during the Spanish and Danish presidency in 2002. One of the main objects of the negotiations was the so called financial package which included issues regarding taxation, structural funds, social cohesion, subsidies for agriculture, quotas on agricultural production, financial and budgetary provisions. Most attention was drawn to finalising the reforms of civil service and public administration, preparing to participate in the EU structural programmes (administration of EU structural funds), insuring the implementation of EU law and continuing of structural reforms of the economy.

The negotiations under the Danish presidency were evidently the most tense. Lithuania's delegation for the EU accession negotiations was strongly determined to close the last chapters in 2002 in order to catch-up. Nevertheless some important agreements can be described as 'last minute' agreements. The biggest setbacks are related to agricultural issues (see also chapter 4). The main objects of the negotiations in this chapter were transitional periods, technical adjustments and financial support from the EU. On the other hand, Lithuania's negotiations on the chapter financial and budgetary provisions, considered one of the most important as it settled the main financial obligations between the parties, were generally speaking very successful. Lithuania was granted the largest financial net support per person and also acquired the largest support per person for agriculture among all of the accession countries. Financial assistance for the implementation of Schengen requirements (€ 137 million) and projects related to the closure of Unit 1 and Unit 2 of the Ignalina Nuclear Power Plant and its consequences (€ 210 - 285 million) are among the most important Lithuania-specific outcomes of negotiations on this chapter.

In its last Monitoring Report on Lithuania's Preparations for Membership (2003) the Commission concluded that the country had reached a high level of alignment with the acquis in most policy areas. Two areas of serious concern were mentioned in two chapters of the acquis, regarding to which Lithuania had to take immediate and decisive action if it was to be ready by the date of accession. These areas concerned the free movement for persons (chapter 2), related to Lithuania's preparations for mutual recognition of qualifications, and fisheries (chapter 8), related to the inspection and control of resource and fleet management.

After the signing of the Accession Treaty in April 2003 the Lithuanian government held a binding referendum on Lithuania's accession in the following month. Ninety percent of Lithuanian voters voted in favour of accession, nine percent voted against. On 16 September 2003 the Lithuanian Parliament successfully finished the ratification procedure of the Accession Treaty by ratifying the Treaty with 84 votes in favour and 2 against. On 1 May 2004 Lithuania officially became a Member State of the EU.

2.4 Factors Influencing the Accession Process

The accession process cannot be analysed in isolation, but is part and parcel of the overall historical, political, economic and social developments of the acceding country. Moreover, the accession process was also influenced by developments within the EU and its Member States. Some of the most important factors that influenced Lithuania's accession process are stated below.

Historical and political developments

Lithuania reclaimed its independence in 1990 and with the fall of the Soviet-Union in 1991 officially declared the restoration of its independence. Just as other former Communist countries of Central and Eastern Europe, Lithuania from then on became engaged in a political, social and economic transformation process. In 1992 the new constitution was adopted and the parliament (*Seimas*) installed. In the first ten years after independence ten different government cabinets were formed, which all gave priority to the transformation process and accession to the EU and NATO.

Socio-economic situation

In the following table recent information on a number of key socio-economic indicators on Lithuania are presented.

Table 2 Socio-economic data on Lithuania, the Netherlands and the EU 2003

	<i>Lithuania</i>	<i>Netherlands</i>	<i>EU15</i>	<i>EU25</i>
Population x 1,000	3,454	16,256	382,424	456,583
GDP per capita, Volume index (EU15 = 100)	19.3	114.8	100	87.7
GDP per capita, PPS index (EU15 = 100)	43.3	109.1	100	91.7
GDP per capita, market prices	4,710	27,946	24,345	21,386
GDP Growth % national currency (1995 prices)	8.8 (9.7)	2.0 (-0.9)	3.1 (0.9)	3.3 (1.0)
Unemployment %	12.7	3.8	8.1	9.1

Source: European Commission, Statistical Annex of European Economy, DG Economic and Financial Affairs, autumn 2004, ECFIN/173/2004-EN. Brussels, 18 October 2004.

Since 1997, and against a challenging international economic backdrop –including the Russian crisis of 1998- the economic development of Lithuania has been generally positive. GDP in PPS however is still only around 43 % of the EU15 average, posing a challenge with regard to catching up with the old EU Member States. The high economic growth of recent years in Lithuania is quite promising though. Nevertheless, the benefits of this growth are not equally spread across the country, as are the benefits of EU accession. Socio-economic differentiation and rural-urban disparities are rapidly increasing and migration from rural areas is common.

Administrative capacity

Lithuania in general made rapid and substantial progress in adopting new legislation. A problem however was administrative capacity to implement these new laws. Although the public administration reform process in Lithuania started well before the accession negotiations and was further stimulated during the accession process, its implementation capacity lagged behind, as was the case in many acceding countries. Due to the limited capacity of public administration to implement and enforce newly adopted legislation, the gap between the transposition and the implementation of EU legislation was growing. Hence major attention was, and still is, focused on the improvement of the implementation capacity and many projects were formulated to address this problem. To some extent, the need for structural reform of the public administration system even extends beyond the adoption of the *acquis* and the management of EU financial assistance. As Lithuania's administrative capacity has not yet reached the desired level, reform will continue after EU accession.

Transformation versus pre-accession priorities

Persistent poverty and especially the fast growing urban-rural disparities are some of the symptoms of the still ongoing transformation process. The establishment of a functioning market economy, the public administration reform and the reform of the judicial system started well before the accession negotiations, and corresponded quite well with accession priorities. Other issues, however, such as reform of the

social sectors, were not considered to be a priority. Nevertheless, important transformation needs still exist, also in these sectors. The question is whether the social transformation needs were relatively neglected during the accession period due to the required speed of the accession process. This issue will be further discussed in chapter 6 on the health sector.

Foreign assistance to the accession process

From the early nineties onwards the EU, its Member States and other countries and donors such as the World Bank, IMF and UN assisted the Central European countries in their transformation process. The EU developed the Phare programme for assistance which from 1998 onwards became almost exclusively accession-oriented and concentrated on the adoption of the *acquis*, with 30% of the budget earmarked for institution-building and 70% for investment support. Moreover, in 1999 the EU started two other support programmes: ISPA (Instrument for Structural Policies for Pre-Accession) to address environmental and transportation infrastructure priorities and SAPARD (Special Accession Programme for Agriculture and Rural Development). These programmes are part and parcel of the EU's accession strategies.

A complete overview of all financial support to Lithuania during the evaluation period 1997-2003 is not available, but it is clear that the EU has been the major source. The EU's combined support to Lithuania in the period 2000-2002 is estimated at around € 371 million (€ 126 million Phare, € 90 million SAPARD and around € 155 million ISPA), which comes down to almost € 124 million annually.⁶ The Nordic countries, Finland, Sweden and Denmark, have also been very active supporters of the Baltic States' transformation and accession processes.

2.5 Conclusion

The context for this Dutch policy evaluation is formed by the Lithuanian accession negotiations that in general ran relatively smoothly and took place in quite a short period of time (2000-2002). In Lithuania there was little national discussion about the substance of the accession issues, apart from the decommissioning of the Ignalina power plant. Adopting and implementing the *acquis* was unarguably taken by the government as Lithuania's first priority. When the latest report of the Commission (2003) ranked Lithuania as the second best after Cyprus among all accession countries in terms of remaining issues to be settled with the EU, the authorities took it as a matter of national pride. Already in an early stage a series of Euro-institutions was set up, while the transposition of EU legislation also took place at a relatively high speed.

The Lithuanian accession process took place against a background of increased economic growth and frequent changes of governments. The priority given by the subsequent Lithuanian governments to EU and NATO accession contributed to the relative smoothness of the accession process. The reforms of the country's administrative system, which started well before accession, also supported the process, as was the way in which institutions were put in place to help implement new laws. However, as these reforms do not yet suffice, they will continue after accession.

⁶ Source: Website European Commission.

An important issue in Lithuania's accession was the tension between the accession process on the one hand, and the ongoing transformation on the other hand. Meeting formal requirements after all did not automatically imply that all Lithuania's transformation problems would be solved before accession. Certain reform processes such as the public administration reform and the reform of the judicial system, are still ongoing and affect the country's capacity to implement the acquis. Furthermore, reform of the social sectors is a transformation need which was not given priority and hence received relatively little attention during the accession period.

3 DUTCH POLICY ON LITHUANIA'S ACCESSION

3.1 Introduction

This chapter will describe Lithuania's position in the Dutch bilateral and pre-accession policy framework. Taking into account the availability and deployment of Dutch policy instruments, it will clarify how these relations took shape in practice. This chapter focuses on the implementation of general policies from the Dutch Ministry of Foreign Affairs in Lithuania.

The methodological framework for this evaluation distinguishes three different policy channels of the Ministry of Foreign Affairs concerning accession of the Central European countries to the EU: 1. Dutch policy on EU enlargement, 2. Dutch bilateral policy and 3. Dutch pre-accession assistance policy. The methodological problem was already mentioned in the introduction of this report: the absence of country specific policies complicates the assessment of policies at country level.

3.2 Dutch Policy: Lithuania as One of the Baltic States

Dutch policy on enlargement

The general Dutch position on the enlargement of the EU is characterised by two concepts i.e. 'speed' and 'quality'. This showed the Dutch government's recognition of the need to maintain the momentum of the accession, while simultaneously emphasising the necessity for the Copenhagen criteria to be fully met before a country could become an EU member. Both the 'speed' and the 'quality' condition are repeatedly expressed in various Dutch policy documents. In November 1999 for instance, a month before the decision on the start of negotiations with Lithuania was to be taken, the Dutch policy document *Helsinki and how to Proceed* advocated the establishment of a road map and accession dates for the candidate Member States. The Netherlands supported the abolition of the distinction made between 'ins' and 'pre-ins', made up till then. The 'quality' condition was also put forward in policy documents. The Dutch government was furthermore a firm supporter of the Commission to monitor the practice of the adoption and implementation of the acquis by candidate Member States. The Netherlands agreed with the Commission's findings with respect to the monitoring of Lithuania's accession process and did not identify any specific issues of concern.

Bilateral policy

The policy document *Accents in a wider Europe* of 18 November 1999 was the first attempt of the Dutch government to formulate an overall strategic view on the bilateral relations with Central European countries in the context of the planned EU enlargement.⁷ No explicit policy objectives were formulated, but our policy analysis makes clear that two objectives were pursued:

1. To assist Central European countries in the accession process i.e. to meet the Copenhagen criteria
2. To strengthen bilateral relations with candidate Member States

⁷ Netherlands Ministry of Foreign Affairs, *Accenten Zetten in Midden-Europa*, TK 26 800 V, nr. 20, 18 November 1999.

The Accents policy document distinguished between three groups of candidate countries, which were each granted a different priority status. The classification of Central European countries in these subgroups was based on political factors (political importance, safety concerns), economic factors (volume of Dutch exports and investment, intensity of economic relations) and affinity (established contacts, historical relations and perceptions). In fact, the assessment of the intensity of the overall political, economic, cultural and historical bilateral relations served as an indicator to attach different priorities to different countries. The classification was also based on the priority Dutch line ministries attached to the various Central European countries. The first group, having the highest priority, included the Czech Republic, Hungary, Poland and Slovakia. The second group consisted of Romania and Bulgaria. Lithuania was situated in a third group, together with the other two Baltic States, Estonia and Latvia, and Slovenia. With regard to the Baltic States the document merely states that these countries generally do not have very intensive relations with the Netherlands and are hence not seen as a priority. The only Dutch ministry co-operating with all Baltic States is the Ministry of Water and Transport. These countries were nonetheless considered to be of importance due to their strategic geographic position with respect to the Russian Federation. The policy document concludes that transport- and transshipment interests will remain central to the relation with the Baltic States and that Dutch embassies will be opened in Estonia, Lithuania and Slovenia as soon as possible in the preparatory phase of their accession to the EU.

In the policy document *New Accents in a Wider Europe* of 27 March 2002 'new accents' were developed.⁸ The three priority groups remained unchanged. Dutch-Lithuanian bilateral relations are not dealt with separately as the document deals with the Baltic States as a group. According to plan a Dutch embassy was opened in Lithuania in 2001. The document states that bilateral relations with the above mentioned states have developed more intensely than foreseen. Relations did not only develop in transport and transshipment but also in the areas of minorities, good governance and defence. Furthermore, the importance of these countries' strategic geographic position is emphasised. According to the New Accents policy document the Baltic States wish to co-operate with the Netherlands because, amongst others, they also want to co-operate and develop friendly ties with countries that are not their direct neighbours and "[i]n the Netherlands they see a reliable partner, also one of the founding fathers of the EU."

The priority status attached to the Baltic States is treated differently in the first and the second Accents policy document. Initially, the Ministry of Foreign Affairs had no intention to give priority to the Baltic States. The opening of Dutch embassies was expected to be the most important step in the Baltic region. In practice though the various line ministries did not accept possible limitations to their area of operation in the Baltic region. Moreover, Dutch bilateral transformation and pre-accession programmes received approximately comparable budget allocations for each acceding country, irrespective of priority status. The availability of these budgets stimulated the development of Dutch-Lithuanian bilateral activities in various sectors. Even more, the Dutch Ministry of Foreign Affairs did not stick to its own policy guidelines and committed itself to the regional development of the Baltic area; the Netherlands consequently obtained the status of observer in the Council of Baltic Sea

⁸ Netherlands Ministry of Foreign Affairs, *Nieuwe Accenten in een Groter Europa*, TK 23 987 nr. 12, 27 March 2002.

States. As such, the low priority given to the Baltic region as defined in the first Accents policy document was not translated into operational terms.

Nevertheless, it remains clear that Lithuania is not a priority of Dutch policy towards Central Europe. This is amongst others reflected in the fact that the policy documents do not differentiate between the three Baltic States, but discuss them as a group.

Pre-accession assistance policy

In 1997 the Dutch government decided to set up new bilateral pre-accession programmes to complement the existing ones for social (Matra) and economic transformation (PSO). All countries that applied for EU membership would be eligible for pre-accession assistance, and no country-specific guidelines were formulated. In 1998 and 1999 Dutch pre-accession programmes were elaborated and implemented. MoUs were signed in order to execute the programmes as of 1999.

The Dutch pre-accession assistance programmes have the same objectives as the bilateral policy:

1. To contribute to the adoption and implementation of the *acquis communautaire*
2. To strengthen bilateral relations

The Matra programme was originally directed at strengthening non-governmental organisations and local government in the former communist states of Central and Eastern Europe. When the pre-accession component was added, the social transformation programme (referred to as 'Matra classical') continued to be realised in addition to the pre-accession plans. In most candidate Member States, including Lithuania, the PSO programme was stopped when economic pre-accession assistance started. The decision to stop economic transformation assistance was based on an assessment of the economic situation and need for such assistance.

The Matra pre-accession component consists of various sub-programmes (see table 2 in the ToR, annex 2). Each of these delivers a specific product, such as bilateral projects, short missions by Dutch civil servants to help the Central European administrations (PUA), professional training for Central European civil servants in the Netherlands (ADEPT), or internships for Central European civil servants within Dutch governmental institutions (IMPACT). Each programme is implemented by a different Dutch agency.

3.3 The Use of Bilateral and Pre-Accession Policy Instruments

Use of bilateral policy instruments

Bilateral policy instruments are communicative, mostly aiming at dialogue with partners. In Dutch-Lithuanian relations relatively little use was made of these instruments and no bilateral partnerships were concluded.

- **The Royal Netherlands Embassy in Lithuania**

In line with the intention expressed in the first Accents policy document of mid 2001 a Dutch embassy was opened in Lithuania. Prior to opening the embassy in Vilnius, the Dutch Embassies in Riga and Warsaw were responsible for reporting on Dutch-Lithuanian relations. The Royal Netherlands Embassy in Vilnius is small. Tasks in the fields of agriculture and defence still rest with the Dutch Embassy in Warsaw. Since the end of 2003 the Dutch police liaison officer stationed in Warsaw extended her duties to Lithuania.

- Memoranda of Understanding (MoU)

Governmental forms of co-operation are often laid down in a bilateral Memorandum of Understanding (MoU). Dutch-Lithuanian MoUs have been signed in the fields of justice (see chapter 5) and pre-accession assistance. Dutch line ministries have concluded more MoUs with acceding countries belonging to the Visegrád group, Romania and Bulgaria than with Lithuania and the other Baltic States.

- Bilateral political visits

The frequency of political visits between Lithuania and the Netherlands during 1997-2003 is not very high compared to other acceding countries, especially before 2001. This started to increase in 2001/2002. The opening of the Dutch embassy in Vilnius and the increased interest of both countries in their bilateral relations probably played a role here. During this period at least two important visits took place: both Prime Minister Kok (October 2001) and Dutch crown prince Willem-Alexander (June 2002) visited Lithuania. In 2003 the number of political visits however declined again. Lithuania was in fact interested in increasing such occasions and several times expressed its interest in visits by specific senior government officials. Not all requests received a positive response due to the limited capacity of the Dutch government.

In general, the Ministers and State Secretaries of Foreign Affairs and/or European Integration of both countries proved to be the most frequent guests. Very few stays were undertaken by other ministers. An exception is the visit by the Dutch Minister of Transport and Infrastructure to Lithuania in April 2002 (see annex 5 for an overview of bilateral visits).

Table 3 Bilateral political visits to and from Lithuania 1997-2003

<i>Year</i>	<i>To Lithuania</i>	<i>From Lithuania</i>
1997	1	0
1998	0	0
1999	2	2
2000	0	0
2001	1	3
2002	4	1
2003	0	0

Source: Netherlands Ministry of Foreign Affairs

Use of pre-accession support instruments

No complete overview of total Dutch support to Lithuania is available, as is also the case for contributions of other countries and multilateral organisations.

In 1990 the Netherlands started to provide support to the social and economic transition process in Lithuania through assistance programmes (classical Matra and PSO), to which in 1999 pre-accession programmes were added. Total Dutch assistance to the country can be estimated at an annual amount of € 4 to 5 million, consisting of: Annual bilateral pre-accession support of around € 2 million during 2000-2003, Matra social transformation support of about another € 2 million per year, and economic transformation aid through PSO of approximately € 1 million annually from 1998 to 2001 (it was phased out in 2001). The Netherlands have been a relatively important bilateral donor to the Lithuanian transformation and accession process. However, the Scandinavian countries and UK have been the most active bilateral donors.

- Main bilateral pre-accession programmes

In this evaluation emphasis is given to the assessment of the Matra and PSO pre-accession project programmes MPAP and PSO PA, as they form the core of the assistance. Both programmes have a demand driven design and are implemented by Senter, an agency of the Netherlands Ministry of Economic Affairs. On the Lithuanian side, the Ministry of Foreign Affairs is responsible for co-ordinating the selection of pre-accession projects. Each year this ministry invites the line ministries to submit project proposals. The Lithuanian Ministry of Foreign Affairs makes a preliminary selection before Senter does, after consultation of all stakeholders, and selects the proposals eligible for implementation. The result of this process is documented in a so-called 'product plan' which is submitted for approval to the Ministry of Foreign Affairs (in the case of MPAP) and the Ministry of Economic Affairs (in the case of PSO PA).

Table 4 Overview of pre-accession support activities in Lithuania 1999-2003

	<i>Average project budget</i>	<i>Agriculture</i>	<i>Justice and home affairs</i>	<i>Health</i>	<i>European integration</i>	<i>Total number of projects / missions</i>
MPAP projects	€ 292,861*	1	1	3	0	8
PSO PA projects	€ 393,826**	4	0	0	0	8
Phare Twinning projects	€ 1,350,000	0	0	1 (leading)	0	3 (2 leading, 1 junior)
ADEPT courses	€ 4,230	3 (32 participants)	0	1 (17 participants)	1 (17 participants)	13 (161 participants)
PUA missions (2000-2002)	€ 4,860	4	8	4	4	43

* Average project budget for all countries: € 325,000

** Average project budget for all countries: € 353,000

As the activities are spread out over different sectors and several programmes, implementation of the Dutch pre-accession activities in Lithuania shows a scattered picture. Two (small) concentrations of activities can be found in the Agriculture (4 PSO PA projects) and Health sector (3 MPAP projects and 1 Phare Twinning). It is furthermore notable that in the Justice and Home Affairs sectors a relatively large number of PUA missions took place (all except one to the Ministry of the Interior), while no pre-accession projects were implemented in that sector. No concentrations of activities were found in other sectors (see annex 6 and 7).

Out of all submitted proposals in total 8 out of 30 MPAP projects and 8 out of 44 PSO PA proposals have been selected (see annex 6). Although the Senter product plans listed the arguments on which the selection and rejection of proposals were based, the application of the criteria was not always completely clear to the applicants. According to Senter, the main reasons for the rejection of proposals were the following: they did not meet the programme requirements; the proposal was not or less relevant for Lithuania's accession, overlapped with other projects; there were doubts about the commitment or capacity of the relevant parties, the feasibility of the project or the sustainability of the results.

The quality of project proposals submitted by the various ministries was sometimes disappointing, as confirmed by other donors. As was the case in many other acceding countries, proposals were often quite broadly formulated and based on a basic idea of where assistance might be useful. Because of their unspecific character, some projects were further developed after approval, taking into account the ideas of the relevant Dutch ministry and the capacity on the Dutch side. This makes it sometimes hard to see why some project proposals were rejected at an early stage because of a lack of quality, while others were approved after they apparently had been reformulated.

From the perspective of implementation in Lithuania some first remarks on the co-ordination of the Dutch pre-accession subprogrammes can be made. The execution of the programmes was quite dispersed, mostly due to their design. A number of Dutch agencies, all with different working methods, were responsible for the identification, formulation, and monitoring of the activities. Furthermore no complete overview of all Dutch pre-accession activities was available, pointing to a lack of overall co-ordination. Information was often diffuse and not always country-specific. Nonetheless, in general Lithuanian respondents appreciated the Dutch bilateral pre-accession programmes. Especially their flexibility and relatively short procedures compared to EU programmes were praised. The Dutch programmes were also welcomed as an alternative to the well represented Scandinavian programmes.

- Dutch involvement in Phare Twinning in Lithuania

According to the design of the Phare Twinning programme, line ministries of the EU Member States had to compete with each other to take part in the implementation of the planned pre-accession projects. The line ministries of the acceding countries selected the partner. The Twinning programme could thus play a role in the intensification of bilateral relations. As Dutch participation in Phare Twinning projects lagged behind expectations, the 1999 Accents policy document launched the initiative to establish a national contact point for Twinning at the Ministry of Foreign Affairs, to stimulate and coordinate participation. The Contact Point, established in 2000, in fact succeeded in stimulating Dutch participation in Phare Twinning. Previously, the Netherlands were never selected as partner in Lithuanian Phare projects. After establishment of the initiative however, the country was selected for three projects (until 2003, see annex 7). Two of these accorded the Netherlands a leading role and were in the social affairs and employment sector, including one public health program (see chapter 6).

Compared to Dutch participation in Twinning projects in other Central European acceding countries, the Netherlands were least involved in Lithuanian Twinning projects. The reasons for this low rate of participation in Lithuanian projects are not clear. Lithuania's most important partners were the UK, Denmark, Finland and Germany.

3.4 Bilateral Relations

According to the Dutch Ministry of Foreign Affairs bilateral relations between the Netherlands and Lithuania are good and have developed constructively over the years.⁹ As the concept 'bilateral relations' is a broad one which can be explained in

⁹ Netherlands Ministry of Foreign Affairs, *Country fiche Lithuania*, BZ-Intranet, 2003.

various ways, and the Ministry's policy does not provide clear indicators to measure these relations, it is difficult to evaluate this statement. However, Lithuania's future membership of the EU is sure to have had a stimulating effect on the development of government and business relations. The New Accents policy document of 2002 observed that bilateral relations had developed more intensely and in more areas than foreseen. Also the opening of a Dutch embassy in Lithuania and the fact that the Netherlands obtained the status of observer in the Council of Baltic Sea States are indicators of an intensification of relations. The Dutch Embassy in Vilnius furthermore observed an increasing, although still modest Dutch business interest in Lithuania over the past years. Despite these constructive trends Dutch-Lithuanian relations remained at a rather moderate level of intensity.

3.5 Conclusion

Dutch bilateral and pre-accession policies on Lithuania are not elaborated on in detail in the various Dutch policy documents. The first Accents document designed a policy framework in which the ten Central European acceding countries were classified into three groups according to their relative priority in Dutch policies. Lithuania, the other Baltic states and Slovenia were in the third group, consisting of countries that lacked specific priority in the Dutch policy framework and were in fact regarded as - politically, economically and affinity-wise- not the most important acceding countries. The Dutch government initially believed that these countries only offered prospects for an intensified relationship in certain specific fields. According to the first Accents document, the opening of a Dutch Embassy in Lithuania would be one of the more significant steps in Dutch-Lithuanian relations.

Despite this lack of priority a considerable amount of bilateral activities were developed during the evaluated period. Lithuania was eligible for both Dutch pre-accession and transformation support, and received approximately the same budget as other acceding countries. Dutch assistance however showed a scattered picture. Many of the bilateral programmes, compassing many dispersed activities, were implemented by different agencies. A complete overview of all Dutch support to Lithuania is unavailable, which complicates co-ordination. The Netherlands also provided support through participation in the EU Phare Twinning programme. In Lithuania this was limited to three projects, which is minimal compared to Dutch participation in other Central European countries' Twinning projects. Nonetheless, after the Scandinavian countries and the UK, the Netherlands were mentioned as one of the most important donors during Lithuania's accession process.

As Lithuania's EU accession approached, it became clear that bilateral relations developed more than initially foreseen by the Dutch government. The Dutch government also observed a gradually increasing Dutch business interest in Lithuania. The available pre-accession funds possibly stimulated bilateral contacts. Therefore, although bilateral relations remained rather modest, Dutch-Lithuanian activities developed more than anticipated in initial policy documents. This points out that the implementation of bilateral and pre-accession policies was rather flexible and priorities could easily be adapted if desired which however could lead to a lack of consistency.

4 AGRICULTURE

4.1 Introduction

This chapter presents an analysis of Dutch-Lithuanian relations relevant to the agricultural sector. Firstly, the conditions in Lithuanian agriculture prior to the accession negotiations will be reported, followed by a description of the accession negotiations on the agricultural chapter and the issues which needed to be addressed in particular. The focal point of this chapter is the development of Dutch-Lithuanian agricultural relations in light of Lithuania's accession to the EU, whilst taking into account the role of bilateral policy and assistance instruments. Finally, the bilateral pre-accession projects in the sector will be assessed. This chapter will form one of the building blocks for the agriculture chapter of the final evaluation report.

4.2 Main Issues of Lithuania's Accession in the Field of Agriculture

Importance of agriculture to Lithuania

Agriculture plays an important socio-economic role in Lithuania. In 2002 around 17.5% of the working population was employed in agriculture, fishery and forestry. The sector constituted 6.1% of total GDP. However, when combining agriculture and the food industry, the share amounts to around 12%. Agricultural ground accounts for 53% of the total surface area; forests occupy almost a third of the country's territory. Lithuania has a negative agricultural trade balance. The country's main supplier of agricultural products is the EU, but the majority of agricultural exports goes to the Newly Independent States (NIS: ex-Soviet republics).

Political and economic transformation has brought about dramatic changes in the structure and performance of the agricultural sector. Before independence and the farming restructuring which took place in 1992, production was organised in some 1200 collective state farms. During the first transition years these farms were reorganised and privatised, soon evolving toward smaller private holdings. The breakdown of previous farming structures and market linkages, together with changes in relative prices, caused a decline in the value of agricultural production by about 40%, only to start gradually recovering from 2000 onwards. The sector's low performance can be illustrated by its income position in the country. A 2002 survey on disposable income shows that rural residents earned one third less than their urban counterparts; in addition the income of 95% of the former reached only 75-85% of the average rural level.¹⁰ To improve performance and create a competitive agricultural sector in an enlarged EU, further structural adjustments (consolidation) as well as up- and downstream industries are needed. Obstacles in this process are many, including an underdeveloped farm credit system, legal ownership issues, limited off-farm income generation, and restrained migration to cities due to low skill levels and lack of training opportunities.¹¹

¹⁰ Source is the Ministry of Agriculture of the Republic of Lithuania, *Agriculture of Lithuania 2003*, Vilnius, 2003. Note furthermore that Lithuania is among the least developed new Member States, with an average income level that equates to only 29% of the EU15 average (in purchasing power standard/capita).

¹¹ See also European Commission, DG Agriculture, *Agricultural Situation in the Candidate Countries: Country Report on Lithuania*, Brussels, July 2002.

Agriculture and the EU accession process

Due to the character of the sector and the lack of competitiveness in a larger European market agriculture was one of the central issues in the accession negotiations between Lithuania and the EU. Possible integration with the Union highlighted the need for transformation and restructuring of production, processing and market structures. The implementation of the European Common Agricultural Policy (CAP) furthermore required a well functioning administrative structure, which was lacking in Lithuania at the end of the nineties.

In December 2000 Lithuania presented its Position Paper on the agricultural chapter to the Negotiation Conference. In this paper, the government stated Lithuania's full acceptance of the EU agricultural acquis as well as its readiness and capacity to execute it from the date of accession to the European Union. As implementation of part of the acquis was expected to take longer than the accession period, the Lithuanian government requested some transitional periods and technical adjustments.

Negotiations on the agricultural chapter (negotiation chapter 7) took place between 11 June 2001 and 13 December 2002. The discussions on this chapter were considered to be particularly difficult, yet eventually proved to be the most successful. During the negotiation process the Commission published regular evaluations of Lithuania's preparedness for membership, which often formed guidelines for subsequent negotiations. These evaluations were encouraging for Lithuania, but also pointed to important issues that required adaptation and adjustment. For instance, in its 2002 Strategy document¹² the Commission emphasised that, although progress had been made in the area of agriculture, continuous effort was needed. Transposition of legislation proceeded well and administrative structures were partly in place, but also here additional improvements were required. The Commission furthermore urged Lithuania to focus on border inspection posts, the Integrated Administration and Control System, strengthening of administrative capacity to manage the CAP and the paying agency, and the upgrading of establishments and animal waste treatment.

Agreements

Essential outcomes of the negotiations on the agricultural chapter, concluded during the Copenhagen Summit in 2002, included transitional periods, technical adjustments and financial support from the EU. In total, Lithuania was granted 8 transitional periods. These concerned:¹³

- Public Health: A transitional period until 31 December 2006 for the (re)construction of the meat, dairy and fish processing industries;
- EU veterinary requirements for milk: A transitional period until 31 December 2006 to achieve compliance of Lithuanian dairy farms, and the milk produced, with EU veterinary requirements;
- Plant health: A transitional period until 31 December 2005 for the implementation of the directive on the control of potato ring;
- Protection of plant varieties: A transitional period until 31 December 2011 for deferring the time limit for payment, by farmers and other land users, of remuneration to holders of plant varieties;

¹² Commission of European Communities, Towards the Enlarged Union. Strategy paper and Report of the European Commission on the progress towards accession by each of the candidate countries. Brussels, 9.10.2002, COM(2002)700 final.

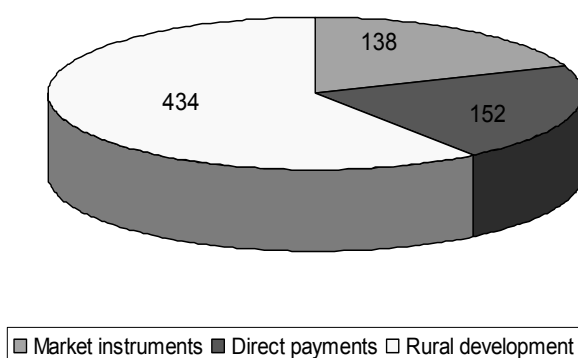
¹³ See for more details www.euro.lt, Negotiations – Position Papers, No 7 Agriculture.

- Suckling cows: A 3-year transitional period on the eligibility criteria for suckling cows;
- Milk and dairy products: A transitional period until 1 January 2009 to produce various assortments of milk for the domestic market;
- Use of non-certified seeds and propagating material;
- Use of non-certified sugar for bee feeding preparations.

Furthermore, as in the case of most acceding countries, Lithuania was granted a transitional period of 7 years – with the possibility to extend it for another 3 years – to allow restrictions on the sale of agricultural land to EU nationals and EU companies.

In its own right the EU requested a transitional period until 2013 for the phasing-in of direct payments to farmers, starting at 25% of the present EU level in 2004 and gradually increasing to 100% of the EU level applicable in 2013. Lithuania has been given the possibility to top-up the amounts to 55/60/65% by using co-financing from other EU (up to 40%) and national funds. Total financial support from the EU for Lithuania's agricultural sector during 2004-2006 will add up to € 724 million. The distribution of said assistance is illustrated in the diagram below.¹⁴

Structure of EU support to Lithuania's agriculture during 2004- 2006 (mln. euros)



During the quota negotiations the Lithuanian delegation attached great importance to the most sensitive sectors: dairy and sugar production. In most cases Lithuania received higher quotas than the EU's initial offer and present production levels. Increased levels of reference quantities were offered on a number of product groups such as milk, sugar, fibres and potato starch. In setting the milk quota the EU took into account the

specific conditions of agriculture in the Baltic States (comprehensive restructuring and the Russian crisis). The total milk quota amounts to 1.7 million tonnes, which is much the same as the estimated production in 2001 and 2002, but one-third more than the amount purchased and processed.

Status of agricultural preparations before accession

Lithuania worked hard to get ready in time for EU membership. The most visible aspects of this process have been the enormous changes in the system of law and regulations concerning agriculture. Implementation of CAP measures in Lithuania is thoroughly described in the National Programme for the Adoption of the Acquis. In the process of approximation of national to EU law in the agricultural sector 803 national legal acts have been drafted over the period 2001-2003. To ensure successful implementation of the acquis over 90 institutional measures were put into place.

¹⁴ It should be noted that this financial support will accrue not only to farmers. For instance, support within the framework of rural development is not restricted to the farming community, but may benefit all those living in the countryside.

In its Monitoring Report 2003¹⁵ the Commission in fact confirmed that in applying the agricultural acquis Lithuania essentially met the commitments and requirements stemming from the accession negotiations. In its report the Commission refers to various requirements: among the horizontal issues the provisions regarding quality policy and organic farming, the Farm Accountancy Data Network (FADN) and state aid; among the common market organisations (CMOs) the conditions regarding arable crops, sugar, fruit and vegetables, wine, sheep and pig meat, eggs and poultry and the requirements regarding rural development. In the veterinary and phytosanitary field, the Commission concluded that the provisions in the areas of animal disease control measures, trade in live animals and animal products, zoo-technics and animal nutrition were essentially met. If progress was maintained in these areas, it was expected that Lithuania would be in a position to implement this acquis from the moment of accession.

However, the Commission also expressed some serious concerns. According to its evaluation reports of 2002 and 2003, not all requirements had been met when negotiations were concluded in 2002.¹⁶ By the end of 2003 Lithuania only partially met the commitments and stipulations for membership in the areas of the Paying Agency and the Integrated Administration and Control System (IACS). Furthermore, the commission indicated shortcomings in the area of trade mechanisms, the CMOs for milk and beef; and in the veterinary field regarding TSE and animal by-products, veterinary control systems in the internal market, public health (particularly regarding the upgrading of agri-food establishments), common measures, animal welfare, and the phytosanitary field. The Commission warned that, unless efforts in these areas were accelerated, functioning systems might not be in place at the moment of accession.

The concerns of the Commission touch upon a fundamental issue, which is not only a technicality but also deals with the adoption of a set of rules and mechanisms each of which has a 'value' and objective which one has to understand and become familiar with. Taking into account the backwardness of the Lithuanian agricultural sector, the question arises whether the EU accession process did not overpower Lithuania's transformation needs.

Support to Lithuania's preparation for EU membership

In order to help Lithuania prepare for membership, the EU provided technical pre-accession assistance through various Phare Twinning projects. Additionally, bilateral support was offered by some EU Member States. Denmark and the Netherlands are mentioned as major donors in this respect, having provided assistance through a significant number of projects.¹⁷ Danish agricultural projects – 14 since 1998 - have been relatively small in monetary terms (compared to Dutch projects) and focused on technical assistance to the Ministry of Agriculture or Agencies under the Ministry, with the purpose to help Lithuania to adopt and implement the acquis, without focusing on a particular subject. The Dutch projects were financed through pre-accession and transformation programmes (PSO and Matra, see section 3.3).

¹⁵ EC, Comprehensive Monitoring Report on Lithuania's preparations for EU membership 2003, Brussels, November 2003.

¹⁶ Commission's Regular Report on Lithuania's progress towards accession, 2002; European Commission Comprehensive Monitoring Report on Lithuania's preparations for EU membership, 2003.

¹⁷ A complete overview of the bilateral support was not available at the Lithuanian Ministry of Agriculture. The Netherlands implemented 1 Phare Twinning project (a short-term), 4 PSO PA projects and 1 MPAP project related to agriculture in Lithuania (see annex 7).

4.3 Use of Bilateral and Assistance Instruments in the Agricultural Sector

Background and bilateral policy instruments

In the 1999 Accents policy document, the Dutch Ministry of Agriculture listed Lithuania amongst the agricultural-politically least important countries (see chapter 3). Although in 2001 a Dutch Embassy was opened in Lithuania, no **agricultural attaché** was stationed here. Hence, the Warsaw Embassy continued to report on the Lithuanian agricultural sector and promote Dutch agricultural interests in the country via the attaché in Poland, who visited Lithuania (at least) twice a year.

Due to the limited priority given to Lithuania in the Dutch enlargement policy, no high level bilateral **visits** took place in the evaluated period and no **Memoranda of Understanding** (MoU) or bilateral working programmes were signed by the Ministers of Agriculture, as was the case for other acceding countries such as Hungary, Poland and Romania. However Lithuania is eligible for pre-accession support through PSO and Matra funds.

Assistance instruments

Lithuania is eligible for assistance through the PSO and Matra pre-accession programmes. The agricultural sector has benefited from the **PSO pre-accession** programme funding of four projects (see annex 6). In total, Lithuania proposed 16 projects. The score (25% of the proposals accepted) is above the country's average percentage of 18% (8 out of 44 projects accepted). Yet the number of rejections was also high, due to irrelevancy and inconsistency between objectives, approach and results of the project proposals.

The only proposal submitted for selection under the **Matra pre-accession** programme was one to support regional authorities in strengthening rural planning organisation, in order to better absorb SAPARD funds. This proposal was rejected in the 2002 assessment round. The reasons were that the assistance needs did not comply with the programme criteria and that Senter was not convinced of adequate guidance and support by the Lithuanian Ministry of Agriculture, a requirement to make the activity a success.

The following projects were accepted for implementation under the Matra and PSO pre-accession programmes.

Table 5 **Agriculture projects accepted for Matra and PSO pre-accession assistance 1999-2002**

Programme	Title
PSO PA 2000	Upgrading quality management for fruit and vegetables in line with EU regulations
PSO PA 2001	Creation and implementation of a monitoring system for the quality of fruit plant propagation material in Lithuania according to EU requirements
PSO PA 2001	Institutional strengthening of the national veterinary diagnostic service
PSO PA 2002	Strengthening county and district capacity for agri-environmental programming and implementation
MPAP 2002	The improvement of food safety and security*

* Counterpart is the Ministry of Health, yet the State Food and Veterinary Service, falling under the Ministry of Agriculture, is one of the beneficiaries.

Besides bilateral assistance, the Netherlands had the possibility to contribute to Lithuania's accession process through the **Phare Twinning** programme. Participation in Twinning projects in Lithuania was, however, very low: the Netherlands took part in

only one project, a short-termer, as a junior partner, and never took the initiative to act as lead. This (again) clearly illustrates that Lithuania does not have priority status in the policy of the Dutch Ministry of Agriculture, especially taking into account the fact that in other countries this Ministry was a very active participant in Phare Twinning projects, both as leading and junior partner.¹⁸

Thematic clustering of activities

Bilateral projects accepted and implemented under the PSO pre-accession programme consisted of two projects in the fruit and vegetable sector: one in the veterinary field and one on agri-environment. The project on food safety partly belongs to the agricultural sector, as the mandates of the ministries in the Netherlands and Lithuania are not the same (see the note at table 5). Given the small number of pre-accession projects (including Twinning), one can hardly discern a clear focus of Dutch support. Yet, the choice of projects is by no means random. One cluster focuses on the horticultural sector. In the recent past there were several PSO economic transformation projects, encouraging bilateral business relations between Dutch and Lithuanian enterprises. The Dutch fruit and vegetable sector has a strong and positive image in Lithuania. Support from the Netherlands to address bottlenecks with regard to the implementation of the *acquis* in this field is therefore appreciated. The two PSO pre-accession projects in horticulture took up the issue of quality management, an important issue for the largely export-oriented Dutch sector. Consequently the Netherlands have an interest in safeguarding the *acquis* dealing with quality requirements, in order to maintain equality in international trade for horticultural products.

Next, and in the same vein, veterinary and food safety issues are at the heart of Dutch pre-accession support activities. It is therefore no surprise that Lithuania received support in these fields too. As a large trader of agricultural and food products, the Netherlands have much interest in creating a level playing field for agribusiness. Furthermore, for a proper functioning of a(n internal) market, a clear set of rules is needed on public issues such as quality standards, environmental protection and food safety. Precisely these issues have been addressed in the Lithuanian PSO projects. Therefore Dutch bilateral activities in the Lithuanian agricultural sector focused on subjects marked as Dutch priorities, to be settled in the pre-accession process. As such, Dutch pre-accession assistance was quite coherent.

4.4 Assessment of Bilateral Pre-Accession Projects

Although the Netherlands do not foster a special relation with Lithuania, the country received a fair share of Dutch pre-accession support to facilitate its accession to the EU. In this section a selection of three bilateral projects in the field of agriculture executed in Lithuania is analysed: 'Upgrading quality management for fruit and vegetables in line with EU requirements',¹⁹ 'Institutional strengthening of the National Veterinary Diagnostic Services',²⁰ and 'The creation and implementation of a monitoring system for the quality improvement of fruit propagating material in

¹⁸ The only Phare Twinning project with Dutch involvement was a so-called short-termer, an institution-building project enabling Lithuania to continue to strengthen its technical and institutional capacity to implement CAP measures. It focuses on strengthening of administrative capacity of the Paying Agency and the Market Regulation Agency, as well as on the implementation of information systems necessary for the administration of CAP measures, in particular the IACS.

¹⁹ Referred to as the 'quality management project'.

²⁰ Referred to as the 'veterinary project'.

Lithuania according to EU requirements'.²¹ More detailed project assessments are presented in annex 9. Projects that at the time of field research had only recently started fall outside the scope of this evaluation (the PSO PA project 'Strengthening county and district capacity for agri-environmental programming and implementation' and the MPAP project 'The improvement of food safety and security in Lithuania', see table 5).

Background of the projects

The initiative for drafting a(n initial) project proposal was in all three cases taken by staff of the Lithuanian Ministry of Agriculture or staff of a related Agency. Interviewees argued that existing contacts with Dutch experts (Senter) helped, but did not guarantee a successful proposal formulation. This is especially true for the horticultural projects, where contacts with specialists did not influence proposal content as required by the acquis.

The three evaluated projects aimed at the strengthening of institutional structures and (national) administration, key issues in the effective preparation for EU membership, and as such relevant to pre-accession. In order to ascertain that the projects addressed pre-accession needs, the Lithuanian National Programme for the Adoption of the Acquis, which identifies the measures necessary to adopt and implement the acquis properly, was used. References were furthermore made to the European Commission's Regular Reports, using the gaps indicated in EU assessments to underline the necessity of pre-accession support.

Many links were found between the evaluated and previous or following PSO projects, but no overlap was identified. When they focused on a similar issue, different aspects were addressed. For instance, the two projects in the fruit and vegetable sector both focused on quality, but one on the quality of planting material and the other on the quality of end (consumer) products. There were also cases where the project addressed gaps in assistance provided by Phare Twinning projects. Thus, the Dutch projects evaluated did not overlap with other bilateral activities or other multilateral projects and in some cases also addressed specific niches in the aid spectrum. Overlap was paid a great deal of attention to during the selection process and some proposals were in fact rejected because such possibility.

Effectiveness

Beneficiaries appreciated the training and knowledge transfers which occurred during projects. The level of expertise of the Dutch consultants/counsellors was considered to be high. Contacts and communication among experts involved were assessed as professional and pleasant. The project outcomes were disseminated to the complete satisfaction of the interviewees. A frequent remark was that the Dutch projects were very practical due to large emphasis on training on the spot. Furthermore, project training manuals were very useful and contributed to the sustainability of work done in Lithuania. The overall conclusion is that Dutch projects contributed effectively to a further strengthening of institutional structures in the fruit and vegetable sector and the organisation of veterinary services, both a requirement for proper implementation of the acquis.

The second policy objective, strengthening of bilateral relations, was chiefly realised at the level of professional experts but little at the ministerial level.

²¹ Referred to as the 'plant propagating material project'.

Efficiency

All evaluated projects were executed efficiently, and in a timely and accurate manner. In the case of the plant propagation material project, management requested (and received) an extension of some months on the basis of sound arguments. The bilateral pre-accession programme was appreciated because of its flexibility, perceived to be higher than in the large Phare Twinning projects. All three projects provide an illustration of this flexibility. For instance Dutch experts displayed great willingness to change some of the activities originally planned, and adapted the project - within limits- to respond to the Lithuanian needs.

4.5 Conclusion

Agriculture was at the centre of Lithuanian EU accession negotiations. The agricultural sector plays an important socio-economic role in Lithuania, employing around one fifth of the working population in 2002. The sector's characteristics (small-scale and low-productivity farming in need of further restructuring) implied it to be non-competitive in a larger European market. No well functioning administrative structure, required for the implementation of the European Common Agricultural Policy, was in place. The perspective of EU integration thus made the need for transformation and restructuring of production, processing and market structures more pressing.

Lithuania's accession negotiations were considered difficult, but successful. Lithuania demonstrated quick progress in legal approximation and was granted more and longer transitional periods than the EU offered at first. The negotiations on the agricultural chapter were concluded in December 2002 at the Copenhagen Summit, one and a half year after they started.

According to the last Monitoring Report of the European Commission (2003) Lithuania essentially met the commitments and requirements arising from the accession negotiations. However, the Commission also expressed some concerns regarding the proper functioning of key mechanisms such as the Paying Agency and the IACS, and of veterinary and phytosanitary control systems.

The Dutch Ministry of Agriculture considered Lithuania to be of little economic-political interest. No agricultural attaché was stationed at the new embassy, no high level bilateral visits took place and no MoUs or working programmes were drafted. Yet, within the framework of Dutch pre-accession assistance a fair share of funds was allocated to the country.

The Netherlands contributed to Lithuanian preparation efforts for EU accession through five pre-accession projects, addressing especially quality and veterinary issues, and somewhat focusing on the horticultural sector. The evaluated projects were all assessed positively. They were requirement driven, as the need for support was clearly based on the *acquis communautaire*. The agricultural projects contributed positively to Lithuania's preparatory work for EU membership and were effective in terms of realised outputs. They also strengthened bilateral contacts, but mainly between professional experts, rather than ministerial staff. The evaluated projects were furthermore implemented efficiently.

5 JUSTICE AND HOME AFFAIRS

5.1 Introduction

In this chapter an analysis of the Dutch-Lithuanian relations in the justice and home affairs sector will be presented. In the first place the situation in this sector, in which accession issues are intimately related to transformation issues, before the start of the accession negotiations will be described. Then a survey of the negotiations on the justice and home affairs chapter will be presented, including particular Lithuanian concerns. The development of Dutch-Lithuanian bilateral relations in the justice and home affairs sector and the use of available policy and assistance instruments again forms the focal point of this chapter. As no bilateral assistance projects were implemented during the evaluated period, no project assessments will be presented here (see annex 8 for an overview of activities in the justice and home affairs sector). This chapter will form a building stone for the Justice and Home Affairs chapter of the final evaluation report.

5.2 Main Issues of Lithuania's Accession in the Field of Justice and Home Affairs

Transformation and reform in the field of justice and home affairs

After the Soviet Union's collapse and the establishment of Lithuanian sovereignty, the social transformation process presented an immense challenge to Lithuania. It included the redrafting and restructuring of the legal system for the market economy and, even more challenging, overcoming the Soviet legacy of 'rule by power'. Compared to for instance reversing behavioural patterns of lawyers and administrators to a functioning democracy with respect to human rights and the rule of law as a basis for society, the harmonisation of legislation to the EU *acquis* is only the small top of a huge iceberg.

In the justice and home affairs sphere Lithuania's goals of national transformation were spelled out well before the negotiations with the EU started. In 1993 Lithuanian parliament formally approved a resolution, the *Framework on Reforming the Legal System*.²² The preamble of this document stated that the current Lithuanian legal system failed to correspond to European Law standards. More importantly, it was unable to fully ensure the principle of the division of powers and satisfy the needs of an emerging market economy.

Paramount attention in Lithuania's reform in the Justice and Home Affairs sphere was focused on safeguarding justice, human rights and freedoms, ensuring ways and means to protect rights and lawful interests, while promoting the rule of law, democracy and clear separation of powers of all the bodies involved in delivering and enforcing justice. This reform could only be implemented in an evolutionary manner and took place in two stages. The first stage was about:

- reforming substantial law and institutions (preparation of new modern codes and restructuring institutions by law);
- gradually retraining and educating new personnel (judges, advocates, prosecutors, police, notary public, etc);

²² Approved by a Resolution of the national parliament of the Republic of Lithuania No I-331, dated 14 December 1993. A second edition was approved in 1998, with amendments in 2002.

- safeguarding sufficient financing for institutions that deliver and enforce justice.

This first stage of reform basically has been finished, but the degree of success varies. New modern codes were drafted and legal institutions restructured. Reform of the court system, notably the independence of the judiciary, is relatively advanced. However, for some of the former so-called 'law enforcement bodies', such as the prosecution service and police, and agencies of the Ministry of the Interior, further reform is still required.

Using the political criteria, the EU pushed Lithuania towards consolidation of the autonomy of the judiciary and public administration. A concrete result of the EU impact was the Public Service Law (1999). The accession process stimulated further transformation. The Public Service Law and other reforms related to the public sector resulted in the establishment of a quasi-independent Weberian type of public service. However, not all transformation needs were addressed. For example, the pressing challenges of reforming the police were not given top priority. Moreover, although transposition of legislation was to a large extent achieved, the major issue remains implementation. The training of judges for example still requires much attention, as modern codes can only have an impact if consistently applied throughout all chains of the court system.

EU accession requirements related to the field of Justice and Home Affairs

Lithuania's accession to the EU in the field of justice and home affairs was primarily covered by negotiation chapter 24 (justice and home affairs), including preparations related to the Schengen Action Plan, border controls, visa policy, asylum and migration, co-operation and modernisation of the police service, combating organised crime and corruption, national drugs strategy, judicial co-operation and data protection. The justice and home affairs chapter stands out, as comparatively small in terms of acquis to transpose, but significant in terms of required investments (related to the Schengen acquis and the physical installation of external borders) and of the required socio-cultural changes needed to obtain proper results (anti-corruption and anti-drug measures, transformation of the legal system). The latter also indicates that especially in justice and home affairs, accession requirements -focusing on the adoption and implementation of the acquis- cannot be isolated from transformation.

General transformation requirements were also addressed in the discussions on and monitoring of the political criteria for accession. These requirements included judicial reform, implementation of the Civil Code and the Law on Administrative Court Proceedings, adoption of the new Code of Criminal Proceedings and ensuring its due implementation, training of specialised judges and prosecutors, improving working conditions of courts, widening the availability of legal aid and reducing the backlog of cases.

Lithuania's EU accession process

Alignment with the acquis was seen as an unquestionable priority for the government of Lithuania. Lithuania submitted its negotiation paper on chapter 24 on 19 December 2000. The then Secretary of the Interior headed the Chapter 24 Negotiating Position Preparation Working Group. The negotiations started on 27 June 2001 and finished smoothly in less than a year (chapter 24 was provisionally closed on 22 April 2002). Lithuania did not raise any political reservations regarding the necessity and priorities of the acquis regarding national developments. The EU mostly focused on border protection, Schengen, migration and asylum, leaving the Lithuanian authorities to

take the lead in deciding the scope and manner of many wider transformation issues, especially in relation to justice matters. Lithuania did not request any transitional periods.

At the political level, the most difficult issue of chapter 24 was the agreement on and the implementation of a **visa regime for Kaliningrad** (see also chapter 2). When harmonising its visa policy with that of the EU, Lithuania had to change or abolish temporary agreements with Belarus, Ukraine and Russia concerning the Kaliningrad oblast on simplified border crossing for residents of border areas and introduce a visa regime by the date of accession. Previously, visits to and transits via the territory of Lithuania were visa-free for Russian citizens. Kaliningrad became a considerable enlargement problem, not so much between Lithuania and the EU, but between the latter and Russia. The issue was solved by trilateral negotiations (between Lithuania, the EU and Russia), which were concluded in spring 2003 when a set of decisions regarding the implementation of a facilitated transit scheme were presented. In July 2003 this system came into operation.

With respect to the **Schengen requirements**, Lithuania - just as other new Member States - will not be fully ready to implement these from the date of accession. Following a periodically updated National Schengen Action Plan, the country intends to fully join the Schengen system and to lift internal border controls by 2007. Whether Lithuania will be ready to implement the Schengen acquis by that time needs to be approved by a unanimous EU decision after thorough examination of the situation in Lithuania.

State Border Control also was one of the more important accession issues. The Lithuanian State Border Protection Service was reorganised in 2001, reducing the central administration from 250 to 145 people and changing the status of professionals. The service has a long-term development plan (2001-2010) to build border infrastructure and to upgrade its equipment for surveillance, both at the green and blue borders. In order to become a professional border guard corps, the service emphasises interagency and international co-operation.

In the field of **data protection** the acquis was transposed before accession. However, the influence and interagency co-operation of the State Data Protection Inspectorate - the key body in this area - still needs to be strengthened.

Lithuania also pursued alignment with the acquis in the field of **asylum and migration**. Minimum guarantees for asylum procedures still have to be developed and also the conclusion of readmission agreements with some of its Eastern neighbours, improving conditions for asylum seekers, establishment of National Access Points for Dublinet and EURODAC are still on the agenda. Lithuania itself is only rarely seen as a destination country for asylum seekers, but illegal human trafficking via the country has been an issue since early 1990. However, thanks to constant improvement of border protection and changes in the country's penal code, human trafficking has been considerably reduced.

Legal alignment concerning **police co-operation and combating organised crime** is almost completed. Transformation of the police service is however an ongoing process. Co-operation and sharing of information between police, prosecutors and judicial bodies as well as police training were named in the Commission's progress report as issues that need reinforcement. Budgetary problems however constitute a

barrier in the transformation to a more client-oriented police force able to provide effective protection of the public.

In the **fight against terrorism** Lithuania has also almost completed the alignment process. The 1999 UN Convention for the Suppression of the Financing of Terrorism has been ratified and the Convention on Mutual Assistance in Criminal Matters between the EU Member States will be signed upon accession. Lithuania has furthermore implemented a National Programme for the Fight against Terrorism.

As regards the **fight against fraud and corruption**, Lithuania still has a long way to go, both with respect to the legal transposition of the *acquis* and, even more so, implementation of anti-corruption measures. As acknowledged by the Lithuanian authorities, corruption remains a source of concern, particularly in the customs, public procurement, traffic police and health sectors, as well as the judiciary.

A few months before accession Lithuania largely completed its legislative measures concerning the **fight against drugs**. Since transformation of society started, the drugs problem had increased, involving mainly juveniles. Some steps have been taken, but to obtain better results the institutional infrastructure and capacity of the National Focal Point for future co-operation with the European Monitoring Centre for Drugs and Drug Addiction needs to be strengthened considerably. Interagency co-operation and co-ordination also needs to be enhanced, including the empowerment of the Governmental Drug Control Commission.

The European Commission's last report emphasised the need for Lithuania's legislation to be aligned with the *acquis* in **customs co-operation**. Interagency co-operation, development of an integrated customs information system and staff training were mentioned as issues for further action. From the point of view of transformation, corruption at the customs is a top priority, overshadowing other issues.

As regards justice matters, Lithuania has seriously worked on the transformation of its **civil and criminal law** systems. After a decade of work, the new modern Civil Code was adopted in 2001, followed in 2003 by the Code of Civil Proceedings, the Criminal Code, the Code of Criminal Proceedings, and the Code of Enforcement of Punishment. Whereas it is still too early to assess the impact of the new codes, their adoption has definitely been a long awaited and necessary step in transforming the Soviet law legacy. To mention a few major changes in criminal law: A new pre-trial judge has been introduced to speed up proceedings, secure the rights of the defendant more efficiently and provide alternative sanctions. According to the new procedures, higher courts will also play a stronger role in guaranteeing uniform court practice. The Law on Courts introduced a new Administrative Court chain and contributed to the consolidation of judicial independence. The effects of these reforms have not yet been seriously evaluated. However, it is clear that the judiciary needs to be further strengthened with respect to professional ethics, and the hiring of additional staff, training and equipment. As argued before transformation in this sector is still ongoing, which is reflected in often expressed public concern.

According to the Commission's Monitoring Report on Lithuania's Preparations towards Membership of November 2003, Lithuania still needs to enhance legislative alignment in the area of judicial co-operation in civil and criminal matters. Particular attention had to be paid to alignment with the Council Framework Decision of 13 June

2002 on the European arrest warrant and surrender procedure between Member States. The Commission also emphasised the implementation of policies, including the anti-corruption strategy, inter-agency co-operation, and technical and organisational preparations for the implementation of the asylum acquis. Furthermore, according to the Commission, the administrative structures for direct contacts between competent judicial authorities are in place, but need to be strengthened further.

5.3 Use of Bilateral and Assistance Instruments in the Justice and Home Affairs Sector

Home affairs

In the area of home affairs bilateral relations between the Netherlands and Lithuania have not been very intensive, as expected from the fact that Lithuania was not listed as a priority country for the Dutch Ministry of the Interior. Bilateral policy instruments were only rarely used. No **Memorandum of Understanding** was concluded between the Dutch and the Lithuanian Ministries of the Interior and no political **visits** took place during the analysed period. Neither is a **justice and home affairs officer** stationed at the Dutch Embassy in Vilnius. However, since the end of 2003, the Dutch **police liaison officer** stationed at the Dutch Embassy in Warsaw also served Lithuania.

Only few Dutch pre-accession assistance activities were developed in the home affairs field. A number of **PUA** missions to the Ministry of the Interior's Police Department, Fire and Rescue Department and Public Safety Department have taken place over the period 2000-2002 (for a survey of the bilateral activities: see annex 8). The Netherlands did not participate in **Phare Twinning** projects in the home affairs field in Lithuania. Although no **Matra pre-accession** (or **PSO pre-accession**) projects were developed in the home affairs sector, the following two subjects deserve to be mentioned:

- **Police co-operation**

Before Lithuania's accession police co-operation did not get off the ground. In both 1999 and 2000 proposals for bilateral pre-accession projects in this field were submitted by the Lithuanian Ministry of the Interior, which was, according to the Lithuanian Ministry, encouraged to do so by its Dutch counterpart. However, on both occasions the proposals were rejected. In the case of the 1999-proposal ('Expert visit programme for the implementation for community policing') as main reason for refusal was listed that the project was previously submitted to the Matra classical social transformation programme. It then was refused because Lithuania was, and still is, not a priority country for the Dutch Ministry of the Interior. Apart from the fact that the proposal was said to be not very well elaborated, the prior refusal by the Dutch Ministry plays an important role in the rejection of the 1999-proposal. In the case of the 2000-proposal ('Training programme for police officers and police trainers') it was stated that Dutch support for the development and implementation of the project was lacking. It was repeated that Lithuania is not a priority country for the Dutch Ministry of the Interior. The rejection of the two proposals met with surprise on the Lithuanian side, since it had the impression that the Dutch Ministry had actually offered the help in the first place. After this, the Lithuanian Ministry of the Interior has not submitted MPAP proposals for police co-operation any more.

- Visa

In 2003 a MPAP project concerning the 'Examination/investigation of travel documents and visa' was selected by Senter. The Lithuanian and Dutch Ministries of the Interior itself will not be directly involved in the project, as visa policy falls under the competency of the Dutch and Lithuanian Ministries of Foreign Affairs, which will henceforth be counterparts in the project.²³

Officials of the Lithuanian Ministry of the Interior indicated in interviews a preference for co-operation with countries with whom the Ministry had already developed good and long-standing contacts. In the first place the UK (described by interviewees as "very active") is mentioned, followed by Germany (several co-operation agreements are signed with Germany, for instance in the fields of legal assistance and police co-operation), France and the Scandinavian countries. The justice and home affairs attachés and police liaison officers of these countries' embassies were identified as important contact points. Contacts with the Netherlands have definitely been less intensive.

Justice

In the justice sector bilateral relations between the Netherlands and Lithuania have not been very intense either, nor have they focused on a specific field of co-operation. In May 2003 a **Memorandum of Understanding** was concluded between the Ministries of Justice of both countries, after two years of preparation. During the analysed period no political **visits** took place. In the fields of the Lithuanian Civil Code and child welfare small thematic clusters of bilateral activities can be identified, largely consisting of activities funded by **Matra classical**. The Dutch Ministry of Justice has also been involved in the training of the Lithuanian judiciary. No **Matra pre-accession** (or **PSO pre-accession**) projects were developed in the justice sector (see annex 8 for an overview of bilateral activities).

Dutch pre-accession programmes are not very well-known in the Lithuanian justice sector, probably because assistance is dominated by communitarian programmes (Phare). The Netherlands participated in a number of **Phare** projects in the justice sector, mainly Phare Horizontal projects.²⁴ Regarding the selection of partners for the projects, interviewees of the Lithuanian Ministry of Justice indicated a preference for co-operation with 'recent' Member States, since these (for instance the Scandinavian countries) were supposed to have a better understanding of the accession process, as they had relatively recently gone through this process themselves. A complicating factor for co-operation in the justice area is the frequent change of staff on the Lithuanian side.

- Memorandum of Understanding

On 23 May 2003 the Lithuanian Ministry of Justice and the Dutch Ambassador in Vilnius (on behalf of the Dutch Ministry of Justice) signed a MoU which besides the exchange of experts and information, formally covers the following topics:

- prison reform in the Republic of Lithuania;
- issues with regard to the register of legal persons;
- civil law;

²³ The Lithuanian Document Investigation Centre, which falls under the Lithuanian State Border Guard Service – Ministry of the Interior –, will however be counterpart.

²⁴ Phare Horizontal projects: Rule of Law project, Synthetic Drugs and Precursor project, Phare Anti Money Laundering project, Migration module of the Migration, Visa and Border Management project. Phare Twinning Light project: Design and Delivery of a Training Programme for Administrative Courts.

- civil procedure;
- institutional reform of court bailiffs.

In May 2001, the then Ministers of Justice (Bartkus and Korthals) met within the framework of the Global Forum on Fighting Corruption and Safeguarding Integrity which was held in The Hague. In this forum Dutch experts gave a presentation to Lithuanian officials on the registration of legal persons, which was appreciated. This was the starting point for more intensified bilateral co-operation, which took place parallel to the drafting of the MoU. The Ministers of Justice of both countries agreed to develop a bilateral agreement concerning co-operation between their ministries. Upon his return the Lithuanian minister sent a letter in which he proposed co-operation in the areas of prison reform and the establishment of a register of legal persons. The Dutch minister subsequently asked Dutch officials to draft a MoU, which included the two topics proposed. In November 2001, this draft was sent to the new Lithuanian Minister of Justice and by the end of January 2002, after some more letters from the Dutch side, Lithuania commented on the draft version of the MoU. In March 2002 Korthals sent another letter, with a new version of the MoU attached, in which three additional topics were added to the two already identified. These were civil law, civil procedure and institutional reform of the court bailiffs. Apparently, there had been some contact between the ministries which cannot be retraced from the files. In July 2002 the final version of the MoU was drafted by the Dutch Ministry of Justice. At that time there was also a change of Dutch government and it took almost another year to officially sign the MoU.

It is clear that the road to conclusion of the MoU was quite a complicated and relatively long. As explanation for the slow negotiations on the MoU, the Lithuanian Ministry indicated during interviews that the agencies whose interests had to be incorporated (judges, public prosecutors, advocates, bailiffs, etc.) are independent and cannot be forced to fit in such a bilateral agreement. The Ministry says its role is only advisory; it can only inform these agencies about such an opportunity. Lack of local resources to absorb foreign assistance is said to be a reason for these agencies' inability to always benefit from the assistance offered.²⁵ Apart from these factors it appears, however, that the change of Lithuanian ministers in 2001 may have led to a certain weakening of enthusiasm and attention for the MoU on the Lithuanian side. A change of Dutch ministers also took place and as the original idea came from a personal meeting between two ministers, this also complicated the issue.

Up till Lithuania's accession no activities were developed as a result of the Dutch-Lithuanian MoU. Several actions regarding the registration of legal persons (exchanges of experts and information) did take place, but these had already started outside the framework of the official MoU, directly after the Forum on Fighting Corruption and Safeguarding Integrity. This co-operation still continues.

Thematic clustering of activities

Two small thematic clusters of bilateral activities can be identified in the justice sector. Both clusters were largely funded by the Dutch social transformation

²⁵ For instance, the Ministry of Justice promoted the idea of having a co-operation agreement with Dutch experts on the employment of detainees. The project did not take place, however, because it implied a too large increase in the budget of the Department of Prisons under the Ministry of Justice. Such a budget increase could not have been approved without a medium term planning, whereas the project required a fast decision.

programme Matra classical. Except for one PUA mission no use was made of the Dutch pre-accession facilities. In general the Lithuanian side expressed its satisfaction with Dutch bilateral assistance, which was characterised as flexible.

- Civil Code

Among the new codes drafted during Lithuania's transformation, the Civil Code is of particular importance. The Lithuanian working group on Civil Code was created in 1992 and finished its work in 1999. Discussions between the Ministry of Justice, government and parliament on the draft Civil Code took about one year; the Code was adopted in 2000 but took effect and replaced the old (soviet model) Civil Code only in July 2001. Many new international legal instruments had to be incorporated into the Civil Code, as they were absent under the command type soviet system. The main foreign sources, which were used in the preparation of the new Civil Code, were comparatively modern civil codes: the Civil Code of the Netherlands (1992) and the Civil Code of Quebec (1991). In addition, many other legal systems were analysed.

Dutch assistance plays a visible role in the field of modernisation and implementation of the Lithuanian Civil Code, a field also covered by the Dutch-Lithuanian MoU. The Netherlands already implemented a Matra classical project in Lithuania ('Assistance at the modernisation of civil law in the Baltic States') and has recently started a new Matra classical project related to the implementation of the new Lithuanian Code of Civil Procedure. This aid in the field of civil law can be characterised as transformation rather than pre-accession assistance.

The idea for co-operation in the field of Civil Code was born in the early nineties, after a Lithuanian judge (a key figure in the field of Lithuanian civil law) met a Dutch professor connected to the Centre for International Legal Co-operation (CILC) on a conference in Sweden. At that time the Netherlands and especially CILC provided assistance to the Russian Federation in the drafting of a new Civil Code. Later on this assistance was also provided to the CIS countries (Commonwealth of Independent States; former soviet countries), with financial support from Matra.²⁶ Just as in other countries this project was not only initiated, but also developed outside the Ministries of Justice's channels. As reasons for wanting to develop a project with the Dutch, the Lithuanian side put forward the following arguments:

- The Dutch civil code is very new and modern compared to other continental countries (in 1992 the Dutch Civil Code was redrafted after 40 years of comparative law research);
- Lithuania had opted for the same model as the Netherlands, incorporating civil and commercial law in one Civil Code;
- The Dutch side (CILC) organised assistance (supply) and was involved in a large number of similar projects.

Despite these early contacts the Matra project only started in 1999, while the drafting of the Code started in 1992. At that time the Lithuanian working group of Civil Code had already finished their work and submitted the Code for discussion. Moreover, the project was intended to assist all three Baltic States. This was often ineffective, as Latvia, Estonia and Lithuania took different approaches in developing their modern civil law legislation (Latvia aimed at restoring their pre-World War II code, and

²⁶ See for an assessment of the following projects: 'Drafting of Russian Civil Code', 'Completing model civil code for CIS countries' and 'CIS model legislation support' the evaluation of the Matra programme 1994-1997 *Diamonds and Coals*, Policy and Operations Evaluation Department (IOB), IOB-evaluations no. 279, The Hague: Ministry of Foreign Affairs, 1999, pp.139-145.

Estonia looked more to the German tradition). In addition, the EU *acquis* was directly incorporated into the Lithuanian codes, whereas in Latvia and Estonia this was done by passing individual laws. The Lithuanian side did not consider the assistance intensive enough, because a seminar once in a while in three Baltic capitals cannot replace intensive discussion during drafting assisted by resident foreign advisors. On the other hand, the Lithuanian Ministry of Justice did not always demonstrate a strong interest in participating in seminars, taken into account the sometimes low number of participants delegated by the Ministry. This probably signals a low level of commitment, which could be related to the lack of ministerial involvement in the initiation and development of the project.

Recently another Matra project in the field of civil law was approved, the 'Implementation of the new Lithuanian Code of Civil Procedure'. The project started in September 2003 and is intended to last three years. On the Dutch side the same institution is involved. The project will focus on the training of judges, which is still a key transformation need as already discussed in the first part of this chapter. No overlap with the ongoing Swedish project ('Strengthening the capacity of Lithuania's judiciary') is said to exist, which also includes training of judges, albeit in a much narrower field (international co-operation of courts).

- Child welfare

A small cluster of activities can be found in the area of child welfare, which is not covered by the MoU. Dutch-Lithuanian co-operation in this field takes place through institutions other than the Ministries of Justice, and they are only minimally involved in most activities. The Matra classical project 'Juvenile Justice Programme Lithuania' consisted primarily of financial support through UNDP, although the Ministry of Justice also monitored the progress and results of the project. A number of visits by Dutch experts took place within the framework of this project. Activities were also undertaken in the field of Juvenile Justice within the framework of PUA. This project (a one-week course, requested by the Lithuanian Ministry of Social Security and Labour, Division of Children and Youth) was not related to the UNDP. Furthermore, contacts have been developed between the Dutch Child Welfare Council and its Lithuanian counterpart. As a result of these contacts the Council, in co-operation with its counterpart, developed a Matra Classical project proposal concerning Children's Rights and civil participation, which has been submitted but not yet approved. Dutch-Lithuanian co-operation in the field of child welfare can also be classified as transformation rather than pre-accession assistance in the sense of the contents of chapter 24 and the political criteria.

5.4 Conclusion

With the establishment of the country's independence the social transformation process presented an immense challenge to Lithuania. In the sphere of justice and home affairs this transformation has only recently started entering into the practical implementation stage. Lithuania adopted its major codes and to a larger or smaller degree changed its policy on dealing with justice matters. In 2000, when the transformation was still in full progress, Lithuania presented its position paper on chapter 24. Alignment with the *acquis communautaire* was seen as an unquestionable priority for the Lithuanian government. In general the accession negotiations ran rather smoothly and were finished in less than a year. The most difficult issue of chapter 24 was the implementation of a visa regime regarding

Kaliningrad. This was solved through trilateral negotiations between Lithuania, the EU and Russia, which ended in spring 2003.

During the analysed period Dutch-Lithuanian bilateral relations in the Justice and Home Affairs field were not very intensive. This is in line with the fact that the Dutch Ministries of Foreign Affairs, the Interior and Justice did not list Lithuania as a priority country and had no elaborate policy for their relations with Lithuania. The relations are mainly on the professional level, embodied in projects.

In the home affairs area hardly any Dutch-Lithuanian co-operation existed until recently, despite some initiatives from the Lithuanian side. In the field of justice contacts were somewhat more intensive. The Netherlands participated in a number of Phare projects, mainly Phare Horizontal. A recently concluded MoU provided an umbrella for the ongoing activities but gives no clear guidance for new ones. Most bilateral projects realised during Lithuania's accession process addressed ongoing transformation needs, which corresponds with the finding that transformation and accession issues can hardly be treated separately due to their strong interrelation.

In general the Lithuanian side was satisfied with Dutch bilateral assistance, which was characterised as flexible.

6 HEALTH

6.1 Introduction

This sectional chapter, focusing on health, has a structure similar to the previous chapters. It depicts the Lithuanian situation in the health sector, the accession negotiations in this field and the difficulties encountered in light of the country's accession and transformation. In addition a description of bilateral relations in this sector will be given, as well as an overview of the bilateral and assistance instruments applied (see annex 8 for an overview of activities in the health sector). Two bilateral pre-accession projects will be assessed. The chapter will form a building block for the 'Four Other Sectors' chapter of the final evaluation report.

6.2 Main Issues of Lithuania's Accession in the Field of Health

Description of the Lithuanian health care sector

Since Lithuania's independence in 1991 many changes have taken place in the health care delivery system. The most important developments were the design of a new legal framework and new financing arrangements. However, in the absence of a strategic long-term programme comprehensive reforms have not yet taken place. This is mainly due to frequent changes in health policies and priorities, and the fact that a radical reform would have implied adoption of a series of unpopular decisions such as the closure of hospitals or laying off large numbers of health workers.

As a result the current health system in Lithuania is characterised by a strong emphasis on inpatient treatment and a high degree of inefficiency, as shown by the high density of hospitals, high bed:population ratio, high rates of hospital admission and low rates of bed occupancy. While rapid world wide progress in new medical technologies puts pressure on policy makers to invest more into hospital care, it is not conducive to the advancement of primary health care, one of the Lithuanian government's priorities. Although achievements have been made in the area of primary health care – the introduction of general practitioners (family health doctors) as gate-keepers to the health care system, the establishment of a network of well-equipped clinics (public health centres), introduction of different styles of management, different funding mechanisms – many consider these changes too slow and insufficient. Prevention and health promotion – as complements to curative care – are not implemented in the primary care system due to the payment system of general physicians.

In January 2003, the Ministry of Health presented a project to the government for the restructuring of health care institutions. This had three main directions: (a) further development of outpatient services, with emphasis on primary health care; (b) optimisation of inpatient service and the development of alternative activities; and (c) development of medical nursing and long-term care services, with an emphasis on improving service delivery to the elderly. With the introduction of a compulsory health insurance system in 1997, the Mandatory Health Insurance Fund (MHIF) was supposed to become the main source for health care funding. This has not been achieved. While state expenditure on health in relation to the GDP has been falling consistently since 1999, there has been a persistent increase in expenditure on curative care.

Lithuania's EU accession in the field of health

As for most other sectors, Lithuania's EU accession process in the health sector has been characterised by negotiations and the adoption and implementation of new legislation in line with the European *acquis communautaire*.

There is no separate chapter of the *acquis* dedicated to health issues only. EU legislation relevant for the health sector is basically spread out over three chapters – chapters 13 (Social Policy and Employment), 22 (Environment) and 23 (Consumers and Health Protection) – although one could argue some of the legislation in other chapters also has an indirect effect on health and welfare. In the case of Lithuania, the chapters 13, 22 and 23 were provisionally closed in respectively March, June and February 2001, after quick negotiations (see chapter 2 and annex 4).

Chapter 13 on Social Policy and Employment covers a wide range of topics, including labour law, social dialogue, equal treatment of men and women, fight against racism, employment, the European Social Fund, social security, aged people, disabled people, the Foundation of Dublin, health and safety at work, and public health. The last topic is considered to fall exclusively in the domain of the health sector.

The Ministry of Health has been working on the adjustment of the health care legal framework to a new environment in which competition should become more prominent. Legal reform of the system was launched in 1998, when the Ministry of Health prepared the public health reform programme. One of its objectives was to establish the legal basis of the reform and to achieve the health care indicators provided in the Lithuanian Health Care Programme approved by the national parliament in July 1998.²⁷ In addition, the role and functions of counties/regions and municipalities in public health care were to be defined as part of the reforms, a public health care policy and strategy were to be developed and adopted, and monitoring and auditing systems were to be put in place. A large amount of reform measures are thus required for modernisation of the Lithuanian health sector and its alignment to EU countries. These reforms however are not formal requirements for accession in terms of adoption and implementation of the *acquis*.

To date, more than 30 laws regulating the health care system have been adopted.²⁸ In the field of public health, by the end of 2003 the transposition of the tobacco legislation still needed to be finalised. Lithuania's legislation with regard to communicable disease prevention and control is in line with EU requirements, although EU case definitions should also be adopted. It is widely recognised that significant administrative, technical and capacity building efforts are needed in order to fully implement these requirements. The timeframe, however, is limited. This constitutes a major dilemma for the Lithuanian government – as well as for the Netherlands as a donor country – as preparations for accession tend to cloud these needs.

²⁷ The Health Care Programme stipulated six priorities for action: Mother and Child Health Care, Health Policy, Health Care Reform, Environment and Health, Prevention and Control of Non-communicable Diseases and Prevention and Control of Communicable Diseases.

²⁸ Among these are: the Law on Public Health Care, the Law on Public Health Care Monitoring, the Law on Health Care Institutions, the Law on Health Insurance, the Law on Alcohol Control, the Law on Tobacco Control, the Law on Drug and Psychotropic Substances Control, the Law on Prophylactics and Control of Human Communicable Diseases, the Law on Occupational Health and the Law on Food.

Structural reform of the public health system is currently being implemented in the State Public Health Service, the national specialised Public Health Institutions and the Public Health Centres at regional level. The State Public Health Service falls under the Ministry of Health and has been the main beneficiary of a Dutch supported MPAP project which is a subject of the current evaluation (see section 6.4 below).

The Ministry of Health and its international partners monitor health care expenditure and indicators of population health. The incidence of some communicable diseases (including HIV/AIDS) and non-communicable diseases (including drug addition and trauma) gives rise to concern. In July 2003 the Lithuanian government established the National Centre for Public Health Research. The Commission's 2003 Comprehensive monitoring report on Lithuania's preparations for membership considers this an important achievement towards increased administrative capacity required to coordinate state-sponsored research in Lithuania. According to information obtained from the Ministry of Health however, the Centre resulted from a merger of several national level laboratories and is meant to serve as a reference laboratory for various county level laboratories.

Chapter 22 of the acquis deals with Environment and covers the issues of horizontal legislation, air protection, waste management, water protection, nature protection, industrial pollution and risk management, chemical substances and genetically modified organisms, nuclear safety and radiation protection. Radiation protection is the domain of the Radiation Protection Centre (RPC), falling under the Public Health Department of the Ministry of Health. The RPC was the main beneficiary of one of the MPAP projects which are subject of the current evaluation. This project set out to strengthen the capacity of the RPC and medical radiological departments of hospitals to implement standards and procedures to protect individuals against possible overexposure to ionising radiation used in medical diagnostic procedures such as X-ray investigations.

Chapter 23 of the acquis deals with Consumer and Health Protection and covers the issues of food safety, safety of non-food products and services, and protection of economic interests of consumers. The Netherlands provided support in this domain through a MPAP project entitled 'Improvement of food safety and security'. The National Nutrition Centre of the Ministry of Health and the State Food and Veterinary Service are beneficiaries of this two-year project, which aims at improving the legal, institutional and operational basis of government departments for supervision and enforcement of the safety of food, foodstuffs and water (see chapter 4 Agriculture).

In conclusion, there is a broad consensus among all relevant parties that adoption of health legislation has largely been completed and the current challenge lies with its implementation. Reforms are required for modernisation of the Lithuanian health sector, but these are not formal EU requirements and therefore independent of the pre-accession process. Addressing these issues and ensuring that preparations for accession and transformation of the health sector go hand in hand have been difficult for both the governments of Lithuania and the Netherlands

6.3 Bilateral Policy and Use of Bilateral and Assistance Instruments in the Health Sector

Bilateral policy

The mission of the Netherlands Ministry of Health, Welfare and Sport (VWS) is to promote health, independence of citizens and their participation in civil society, with a view to contributing to the quality and stability of that society.²⁹ Over the years, VWS has become increasingly involved in international co-operation. In order to accomplish its mission the Ministry has elaborated a policy framework for its international activities. The aims of its international work are four-fold:

- Comply with commitments to international agreements and legislation;
- contribute to and have an influence on international legislation and agreements, with special emphasis on the European Union, the World Health Organisation and the Council of Europe;
- contribute to quality enhancement of health, welfare and sport through knowledge exchange and benchmarking, both multilaterally and bilaterally;
- contribute to international objectives of larger Dutch policy, specifically EU enlargement and development co-operation.

The Ministry of VWS has identified five priority themes for its international activities:

- Quality in care;
- safety and risk management;
- health determinants;
- biotechnology and innovation;
- civil participation.

Each theme has its own strategic objective. The VWS policy paper specifies for each the key issues and international dimensions.

Based on a set of criteria for bilateral co-operation³⁰ the Ministry of VWS has placed Lithuania and the other two Baltic states in the so-called Category B of countries, with which the ministry maintains strategic relations with regard to one or more of the aforementioned priority themes, where possible in a proactive manner. However, the ministry has no permanent representation in Lithuania and relations are maintained through occasional visits of government officers and/or the flexible deployment of experts. The contacts are in principle less intensive compared with countries placed in Category A – which includes several EU Member States and four acceding countries: Poland, Hungary, the Czech Republic and Slovakia – and which receive more attention, amongst others through the posting of (semi-)permanent officers; but more intensive than for Category C countries, with whom the ministry does not pursue strategic relations. In practice there are no large differences between the candidate Member States as regards the number of health projects implemented.

²⁹ The ministry pays particular attention to those groups of people who are - temporarily or permanently - not able to ensure their own health and well-being (source: *Beleidskader Internationale Dimensie VWS Beleid 2003-2005*, Netherlands Ministry of Public Health, Welfare and Sport, Department of International Affairs, July 2003).

³⁰ Four criteria are given: (a) Is the country important from the perspective of the realisation of VWS' ambitions? (b) Is the country one of the candidate members of the EU? (c) Does the Netherlands have a structural development co-operation relation with the country? And if so, is health one of the priority sectors for the development of a 'sector-wide approach'? (d) Is there any historical relation with the Netherlands?

A special strategic paper³¹ on the position of the Ministry of VWS vis-à-vis EU enlargement and the way in which the Ministry sets out to support pre-accession activities suggests that more than a quarter of the *acquis* is related, directly or indirectly, to health and welfare. While bilateral pre-accession support is meant to be in line with the above priority themes and country criteria, the paper does not explicitly recognise that there is a set of necessary health sector reforms in pre-accession countries which is not formally covered by the *acquis*. Neither does it elaborate on the manner in which pre-accession and health sector transformation support can best be combined, or how the different aid instruments can be optimally used to mutually enforce the strategies employed and the results achieved.

Bilateral policy instruments

In line with Lithuania's status of a Category B country (see above), no ministerial **visits** were arranged nor efforts undertaken to conclude a **Memorandum of Understanding** for bilateral co-operation in the domain of health. Furthermore, as pointed out before, no permanent presentation (**attaché**) of the Dutch Ministry of VWS is stationed in Lithuania.

Assistance instruments

Bilateral activities focusing on health care so far comprised two Matra classical projects, three Matra pre-accession projects (MPAP), one Phare Twinning project and several smaller activities.³² The two pre-accession projects on public health and radiation are subject of the present evaluation and will be reviewed in more detail in section 6.4.³³

Thematic clustering of activities

Four main themes can be distinguished in Dutch-Lithuanian bilateral co-operation in the health sector:

- public health;
- protection from radiation;
- mental health;
- primary health care.

- Public health

Out of the four themes mentioned, public health has been the priority in terms of financial and human resource investment. The first activity was the abovementioned MPAP funded project entitled 'Institutional strengthening of the State Public Health Centre'. It was implemented between January 2000 and December 2001 by TNO-Prevention and Health, Leiden – as the lead agency – and the Erasmus University Rotterdam, together with the State Public Health Centre of the Ministry of Health in Lithuania. In the course of its implementation the project's host changed from the State Public Health Centre to the newly created State Public Health Service. The

³¹ *VWS en de EU-uitbreiding – Strategische Nota*, Netherlands Ministry of Public Health, Welfare and Sport, September 2002.

³² These include the participation of Ministry of Health officers from Lithuania in courses organised by Cross/ADEPT in the Netherlands (see below); and the participation of several VWS officers and experts from Dutch public health institutions in meetings for the kick-off of the EU funded Phare Twinning project in Lithuania.

³³ The third project, 'Improvement of food safety and security in Lithuania' (old title: 'Improvement of food safety and its surveillance') started in January 2003, with a lifetime of two years. It is implemented by Precon Food Management BV in Bunnik, the Netherlands, with the Ministry of Health in Lithuania as the counterpart organisation through two of its state level institutes (the National Nutrition Centre and the State Food and Veterinary Service).

project's purpose, institutional set-up, components and achievements will be reviewed in section 6.4.

The EU funded Phare Twinning project 'Strengthening the capacities to manage the public health system in compliance with EU regulation', in which the Netherlands School of Public and Occupational Health (NSPOH) was the leading partner, can be regarded as a successor to the above MPAP project. This project will be further discussed in section 6.4. The Dutch Ministry of Health, Welfare and Sport considers the Phare Twinning programme an important instrument to enhance collaboration between Dutch public institutions and their counterparts in EU candidate Member States, and a meaningful instrument in assisting accession preparations, not only by focusing on the adoption of the relevant legislation of the *acquis*, but also on implementation and adherence to it. The project in Lithuania is one of seven health related Phare Twinning projects in which the Netherlands was involved in the analysed period.³⁴ Since the Ministry of VWS does not have all the necessary capacity in house, it has designated five Dutch institutions as mandated bodies for the implementation.³⁵ In Lithuania the NSPOH fulfilled this role for 18 months through the above mentioned € 750.000 project with the State Public Health Service. The project was finalised in December 2003.

A third project in the public health domain is entitled 'Support of regional public health structures in Klaipėda and Tauragė counties'. Implemented again by the NSPOH, but this time with different beneficiaries – county and municipal public health bureaus – this project started in January 2003, for of two years. It is funded through the Matra classical programme.

Several officers of the Lithuanian Ministry of Health participated in courses offered through Cross/ADEPT on behalf of the Dutch Ministry of VWS. In 2000 and 2001, eleven Lithuanians participated in the course 'Public health in the European Union' organised by the NSPOH. This three-week program concentrated on public health protection, promotion and care, and aimed at strengthening capacity relevant for EU accession as well as harmonisation of public health systems. The development of practical skills such as negotiations, proposal writing and make presentations in public were also addressed. In October 2003 three participants took part in a follow-up in-depth course of one-week.³⁶ It provided an update of the latest developments in public health in the European Union, and a forum for participants to exchange experience while working with EU institutions in public health programmes.³⁷

The promotion of public health requires strong primary health care services – be it general primary health care or specific outpatient services, such as mental health services – and as such there seems to have been a coherent approach in Dutch bilateral support to the health sector of Lithuania. In practice however the various

³⁴ Other projects took place in: the Czech Republic ('Strengthening the capacity of the Public Health Administration'), Estonia ('Implementation of a national drug strategy'), Hungary ('Development and institutionalisation of co-ordination fora on drug affairs'), Latvia ('Institutional strengthening of the Public Health Agency'), Poland ('Mutual recognition of qualifications of medical professions') and Slovakia ('Public health').

³⁵ These are: the Netherlands School of Public and Occupational Health, Trimbos Instituut, Nederlands Instituut voor Zorg en Welzijn (NIZW) and RIVM. Except for the latter, all other institutes are the leading partner in one or two health related Phare Twinning projects in pre-accession countries.

³⁶ Exploring EU decision making on drugs.

³⁷ Other ADEPT courses in which Lithuanian health officers participated are: 'How to operate in Brussels', 'Communication and publication' and 'Food safety first'. So far, the Ministry of Health has not been represented in the course 'EU structural funds'.

implementing agencies have not benefited from each other's approach as no joint activities were undertaken and no experience shared.

- Protection from radiation

Radiation protection is the second theme in Dutch bilateral support for the health sector. The MPAP project entitled 'Improvement of the capacity of services essential for radiation protection in medicine' started in January 2002, for two years, and was implemented by a Dutch consortium led by the Netherlands Institute for Metrology and Technology (NMI van Swinden Laboratorium BV in Delft) and the Radiation Protection Centre of the Ministry of Health in Lithuania. The project was recently completed and a final report is due shortly. It is reviewed in more detail in section 6.4.

As a follow-up to this project another MPAP project has recently been approved, under the title 'Further improvement of capacity of services essential for radiation protection in medicine'. This project is yet to start, again with the RPC as the main beneficiary.

The two projects on radiation protection are somewhat odd as they deal with a highly specific and technical aspect of health service delivery. Although they relate to one of the VWS' priority themes (i.e. safety and risk management), it is difficult to ascertain the level of specialisation and medical sophistication required in Lithuania, where some of the basic conditions for the delivery of quality health services are lacking. One could argue that radiation protection of patients exposed to diagnostic services – the aim of the first MPAP radiation protection project recently completed – is genuinely needed since it serves the public at large, or at least a very large number of people. It is questionable, though, whether the follow-up project – yet to start at the moment of evaluation – which deals with radiation protection in radiotherapy, in particular nuclear medicine and computerised tomography (CT), addresses a public health priority.

- Mental health

The third theme in Dutch bilateral support is mental health. In line with their overall purpose of assisting in social (and economic) transformation, three different Matra classical projects have focussed on the improvement of mental health services in Lithuania. These are:

- 'Basic training course in psychoanalytic psychotherapy'; implemented by the (Dutch) Foundation for the Promotion of Psychoanalysis in Eastern Europe (three year project as of January 1998; project expenditure equivalent to € 110,200);
- 'Development of outpatient psychiatric services in Kaunas'; implemented by the Geneva Initiative on Psychiatry (a Dutch based NGO) through its regional ZIP office in Vilnius (2½ year project as of April 2001; extension granted until June 2004; € 166,000);
- 'DZO Vasaros project – Developing a consecutive chain of mental health services in Vilnius'; implemented by the Geneva Initiative on Psychiatry through its regional ZIP office in Vilnius (three year project as of May 2003; € 543,000).

All three projects are implemented through non-governmental organisations aiming at establishing private clinics for outpatient psychotherapy, and the strengthening of linkages with government mental hospitals such as the Vasaros institute in Vilnius. The latter two projects have strengthened the local ZIP office which now undertakes support activities for mental health in the Baltic region and in Belarus. As an offspring

of the ZIP office, a Centre for Eating Disorders has been established quite successfully.

- Primary health care

The fourth and smallest theme in Dutch bilateral support to the health sector is primary health care, involving only one project, supported through the Matra classical programme. This project, entitled 'Consolidating the role of providers and patients in burgeoning primary health care in Lithuania' was implemented by NIVEL (Netherlands Institute for Health Services Research) for a period of 2½ years starting January 2002 (€ 342,000).

The posting of a Dutch pre-accession advisor for the Phare Twinning project implemented by NSPOH and the State Public Health Service was very instrumental in strengthening bilateral relations. Employed by NSPOH and posted in Lithuania for a period of almost two years, the advisor served as a liaison between, on the one hand, the Ministry of Foreign Affairs, the Ministry of VWS, the Royal Netherlands Embassy in Vilnius and the Dutch agency implementing the Phare Twinning project (and, although the co-ordination of bilateral projects was not a formal activity of the PAA, one of the Matra classical projects), and on the other hand the Ministry of Health in Lithuania and other local partners and beneficiaries. The other implementing agencies, however, had little interaction with this pre-accession advisor and in one case even no interaction at all or until very recently only with the Dutch Embassy.³⁸

6.4 Assessment of Bilateral Pre-Accession Projects

Public health

The Matra pre-accession project 'Institutional strengthening of the State Public Health Centre in Lithuania' was driven by a desire to respond to local demand and to help satisfy EU pre-accession requirements. The project had a lifetime of 24 months, covering the calendar years 2000 and 2001. It was complementary to a number of other externally funded initiatives to support Lithuania's health sector reform process (IMF, WB, EBRD, EU and SIDA). When it started, in January 2000, the State Public Health Centre and its subsidiaries at the county level did not receive any other major external assistance.

The project's dual long-term objective – to support the implementation of reform and to strengthen the capacity of the State Public Health Centre – was ambitious and in hindsight probably a little naïve. At the time of the project's conception, the notion of public health in Lithuania was very much restricted to determinants of health and illness related to the physical environment, rather than social and psychological factors. As the main beneficiary of the project, the State Public Health Centre had a limited mandate and mainly dealt with physical inspection providing laboratory services through its 10 regional/county sub-centres. Moreover, the term public health did not relate to the entire spectrum of state funded and operated health institutions, such as hospitals, health centres and clinics.

³⁸ The mission found that neither the Dutch pre-accession advisor nor the Royal Netherlands Embassy was aware of the activities undertaken by the Dutch institute that was about to complete the Matra classical project 'Consolidating the role of providers and patients in burgeoning primary health care' in two municipalities in Lithuania (Druskininkai and Alytus). The project was meant to result in a model for the involvement of general practitioners, nurses and local communities in primary health care. However, discussions with the Ministry of Health and local medical universities about the possible adoption or replication elsewhere of any model were in an embryonic stage at the time of our field visit.

The project had five different components: (a) policy and management reform, (b) training, (c) monitoring, (d) harmonisation of national legislation to European Community law and (e) regional implementation. For the latter component, three pilot regions were selected (out of 10 regions/counties nation wide): Kaunas, Klaipėda and Vilnius.

Effectiveness

A large number of activities were conducted and a substantial number (though not all) of planned outputs achieved during the project's lifetime (see the project synopsis, annex 9). The project contributed towards the development of relevant public health legislation (mainly through component d) in line with EU requirements, and although it appears not to have been able to restrict a certain extent of overregulation, the project was hence effective. However, this efficiency is more visible in implementation than in adoption of the *acquis*.

An important side effect of the project – since transformation is not among the aims of the MPAP programme – is that the Ministry of Health and other stakeholders (e.g. regional public health centres and municipalities) have gradually come to realise the wide scope of public health, as well as the importance of involving county and municipal levels in the formulation and implementation of local public health strategies. The extent to which this effect can be attributed to the MPAP project or its successor (the Phare Twinning project) is uncertain. The implications in terms of mandates and required institutional capacity of various responsible bodies (the State Public Health Service itself, the State Public Health Centre, the public health centres and laboratories at the county level), have not yet become entirely clear at the time of evaluation. A fierce debate on this matter is ongoing in the national parliament, with strong calls from members of the parliamentary Committee on Health Affairs for the abolition of the State Public Health Service. These current political developments should not be seen as a failure of Dutch support during the past few years, but as a logical result and probably a necessary step towards future operational public health measures. One can safely say that the project has tried and partly succeeded in creating favourable conditions for implementation of new legislation.

In terms of the second objective, the strengthening of bilateral contacts, the MPAP project has led to an intensification of contacts between Lithuanian health policy makers and managers and representatives from Dutch public health organisations. With the closing of the project in December 2001, however, the Dutch implementing agency lost all contact with Lithuania. Indirectly however, the MPAP project has contributed a great deal towards intensification of bilateral contacts as in subsequent years there have been frequent exchanges and consultations between public health experts. From the Dutch side most of the contacts were through the Ministry of VWS, the agency that implemented the Phare Twinning project and a couple of regional public health bureaus (see annex 9 for the specific project assessments).

Although the Phare Twinning project, in its design phase, was labelled as “a continuation of the Matra project ensuring sustainability and further development of Dutch project results”, the actual linkage between the two projects and learning from previous experience was constraint due to the unsatisfactory transition (or hand-over) from one Dutch implementing agency to the other.

Efficiency

With a budget of some € 316,000 for two years, of which the greater part went to technical assistance, the project was managed and implemented fairly efficiently, given the constraints beyond control of the implementing agencies.

The transfer of project ownership from the State Public Health Centre to the State Public Health Service caused some delays in implementation. On the Dutch side, changes in the expert team appear to have caused similar delays. The executing agency was quite flexible though, in ensuring replacements and bringing in new experts to accomplish tasks that were not foreseen during the inception phase or which required additional expertise.

Radiation protection

The long-term objective of the Matra pre-accession project 'Improvement of the capacity of services essential for radiation protection in medicine' was to strengthen the capacity of the Radiation Protection Centre of the Ministry of Health and the radiology departments of several pilot hospitals to implement standards and procedures that enable the protection of individuals against the dangers of ionising radiation associated with diagnostic medical procedures. The rationale of the project is closely linked to chapter 22 of the acquis on Environment, which has a special section on the issue. The result was the adoption of a Law on Radiation Safety and a special Medical Exposure Directive. The project was designed to assist the smooth implementation of legislation which was already in place. The project had a lifetime of 24 months and was divided in two main phases of which the first concentrated on support to the RPC, and the second on support to the pilot hospitals. All operational activities were completed in late 2003.

The starting point for the project was a statement by the Ministry of Health and the RPC that Lithuanian radiation doses were high in comparison to European safety standards and that, as a result, the safety of persons under medical examination and treatment could not be fully ensured. Aware of this weakness and the fact that Lithuania did not meet prevailing EU standards, the project was based on the combination of a concrete request for assistance and the availability of Dutch technical expertise. Asked whether radiation protection was indeed one of the top priorities of the Ministry of Health, the relevant authorities declared it to be "one of the priorities".

At the time of the formulation of the project's terms of reference (in 2001), Lithuania and Sweden were developing a similar project, for which the Commission Delegation concluded and endorsed a Twinning Covenant under the EU Phare Twinning programme. This project aimed at strengthening the same RPC, addressing the completion of the transposition of European environmental acquis for radiation protection, and the strengthening of the executive tasks of the RPC in line with national law. The project, jointly implemented by the Swedish Radiation Protection Authority, the Finnish Radiation and Nuclear Safety Authority and the RPC has a much wider focus than the Netherlands supported MPAP project which was restricted to radiation protection in the medical field only (diagnostic and therapeutic radiation). It is remarkable though, as far as the evaluation team could assess, that except for one case none of the two projects made any reference to each other in any of the project proposals or project progress reports.

In March 2003, the RPC submitted a proposal for a follow-up MPAP project to Senter, entitled 'Further improvement of capacity of services essential for radiation protection in medicine' with a total requested budget of € 125,000. This project, of which again the RPC is main beneficiary, targets the radiology departments of four academic and regional hospitals (in Vilnius, Kaunas, Klaipėda and Ukmergė). With a direct reference to a Euratom directive of 1997, the focus this time is on radioactive diagnostics (computerised tomography), which exposes people to high dose exposures and thus creates health hazards. The Ministry of Foreign Affairs recently approved this follow-up project and a decision as to who will be the implementing agency on the Dutch side is expected early 2004. It is exceptional that two such similar projects are funded through the MPAP programme.

Effectiveness

The project met its objectives and delivered all planned activities and outputs. The main recipient organisation (RPC) expressed its satisfaction with the high quality of work delivered by Dutch experts. The evaluation team finds it difficult to ascertain whether relevant staff at the four pilot hospitals have been sufficiently able to familiarise themselves with the application of the various standards, principles and procedures for radiation protection. All elements seem to be in place for further expansion, and replication to other hospitals elsewhere in the country.

A positive spin-off of the MPAP project is that the Lithuanian Ministry of Health has made significant investments in purchasing new radiology equipment for some of its hospitals as well as instruments to assess possible overexposure to ionising radiation.

In terms of bilateral contacts the project has led to an intensification of contacts between Lithuania – in particular the RPC – and Dutch implementing agencies, including the Dutch Ministry of VWS. It is unlikely however that the follow-up MPAP project will broaden already established bilateral contacts.

Efficiency

No serious delays occurred during project implementation. The recipient RPC judges the manner in which Dutch expertise was made available as very efficient. It is not clear whether there might have been efficiency gains through collaboration with the Phare Twinning project.

Final observation

Although Dutch bilateral pre-accession support is phasing out because of Lithuania's accession to the EU in May 2004, there are possibilities for Lithuania to obtain funding through the EU structural funds. For instance, the programme of Community Action in the Field of Public Health agreed in September 2002, is a five-year programme (2003-2008) designed to complement national policies and aiming to protect and promote public health. The programme has a total budget of € 312 million and is open to EU Member States as well as acceding and (some) other eastern European states. Although Lithuania was interested in participating in the programme, it was not allowed to do so as it neglected to pay its EU contribution. Pre-accession projects could have focused on assisting the Lithuanian government in getting access to funding through the above EU programme. The sole Dutch supported activity assisting Lithuania in soliciting EU structural funds was the ADEPT course 'EU structural funds'. Most of the participants from Lithuania were from the Ministry of Finance and none were from the Ministry of Health.

6.5 Conclusion

Pre-accession requirements related to the acquis for the health sector in Lithuania were rather limited. When Dutch bilateral support to Lithuania was taking shape most health related legislation was already in place or well underway. As a result support activities were not so much geared towards adoption of the necessary legislation than its implementation. This has been done in a fairly effective and efficient manner, although both Lithuania and the Netherlands were confronted with the challenge to strike the right balance between addressing pre-accession and transformation requirements.

The Matra classical programme provides a mechanism to support the social transformation process, for instance in the domain of mental health, through projects implemented by non-governmental organisations. Inherent to the MPAP aid instrument however is the emphasis on pre-accession (focused on adoption and implementation of the acquis). High priority issues for an accession country which do not feature in the acquis can consequently not be tackled by means of the Matra pre-accession programme. Mental health, for example, is a priority for the Lithuanian Ministry of Health, but it is not part of the acquis and hence can in principle not be addressed by an MPAP project. However, in some cases transformation is an issue in projects supported through the Matra pre-accession programme. Due to the design of the Matra pre-accession programme however, also in such cases emphasis remains on pre-accession. This does not seem fully justified given the urgency of certain (more transformation-oriented) matters. Another example illustrating that pre-accession can sometimes divert attention and resources from more pressing issues is the radiation protection project. It has a clear link with pre-accession but constitutes only a small part of health service delivery. One could question whether the considerable investments in equipment which the Ministry of Health made in connection with this project were justified, given the enormous challenges in other fields, such as for instance public health, training and reorientation of health workers and improving quality of care. We therefore conclude that the emphasis on pre-accession in the design of the Matra pre-accession programme has, to some extent but persistently, neglected pressing issues in Lithuania's health sector reform.

It may furthermore be concluded that it is difficult to make the distinction between pre-accession and transformation, which is made in the design of the Matra programme. This is exemplified by the fact that similar projects attracted funding through different aid instruments. The most striking example is that of public health where subsequent projects were funded through Matra pre-accession, Phare Twinning and Matra classical.

7 CONCLUSION

The accession negotiations between Lithuania and the EU can be described as fast and relatively smooth. Lithuania, belonging to the Helsinki six, made full use of the opportunity to catch up with the Luxembourg six. Negotiations on complicated chapters such as justice and home affairs often took less than a year. In fact, the number of real bottlenecks in the accession process was limited. Trilateral negotiations, involving Lithuania, the EU and the Russian Federation on a visa regime for the Russian Kaliningrad oblast was one of the more complicated issues. The Lithuanian government, supported by parliament, attached high priority to the accession process. Remaining questions for Lithuania are whether the country's accession and transformation priorities are consistent, and whether required reforms get sufficient attention across all sectors.

Lithuania is not a priority country for the Netherlands. In fact, Dutch policy documents on EU enlargement pay relatively little attention to Lithuania and hardly make a distinction between the three Baltic States. The relatively low number of political visits and the limited number of MoUs concluded reflect this low priority. According to Dutch policy embassies would be opened in all acceding countries, and the Vilnius embassy was one of the last to open in Central Europe. The country priorities formulated for the general Dutch bilateral policy towards Central Europe were not translated into the bilateral pre-accession programmes, which hence did not have clear country priorities. The budget for Lithuania hardly differed from that available to a priority country such as Poland. Despite low policy priority a considerable number of Dutch-Lithuanian activities was developed during the accession period. Various factors contributed to this development, such as 1) the availability of bilateral assistance funds, 2) line ministries wanted to set their own priorities and did not always accept the priority setting of the Dutch Ministry of Foreign Affairs, 3) Dutch business showed increasing interest for Lithuania. The 2002 New Accents policy document indicated that relations with the Baltic States had developed more than originally expected. Consequently the low priority status was lifted, although this was not driven by an explicitly new approach of the Netherlands Ministry of Foreign Affairs.

In the agricultural sector the general picture of limited high-level and structured contact is quite visible. The low rate of Dutch participation in Phare Twinning projects in the agricultural sector in Lithuania (especially compared to very active involvement in various other countries), the absence of political visits and the absence of a MoU or joint work programme are clear indicators of low priority status. Nevertheless, various bilateral pre-accession activities, addressing key accession issues for Lithuania were implemented. Our assessment of agricultural projects is positive, both in terms of effectiveness and efficiency. Contacts developed rather at the professional level than on the governmental level.

In the field of justice and home affairs the picture is slightly different. Hardly any bilateral activities were developed, in line with Lithuania's low priority status for both the Dutch Ministry of Foreign Affairs and the Ministry of the Interior. In justice small clusters of activities were developed, focusing more on transformation than accession requirements. The Ministries of Justice of both countries even signed a MoU in 2003. This MoU, however, served more as an umbrella for already ongoing activities than as a guide for the development of new relations.

The third sector included in this evaluation is the health sector. Professional bilateral relations developed quite well through the implementation of a variety of projects. In fact, requirements laid down in the acquis while the transformation process is ongoing are limited compared to other sectors as reflected in the need for structural health reform. Dutch assistance to Lithuania's health sector can be clustered into four different sub-sectors. In general, Dutch assistance was well appreciated and the two projects evaluated were rather effective. The borderline between the various transformation and pre-accession programmes, however, is unclear as similar projects were financed through different programmes. Moreover, in view of the need for structural health reform in Lithuania, one might question the particular choice of the four sub-sectors supported by the Netherlands.

Lithuanian counterparts praised Dutch assistance for its flexibility. They saw it as a welcome addition to bilateral assistance by the Nordics. So far bilateral relations were developed on the basis of various jointly implemented operational activities and were primarily assistance-based. This is in line with the unambitious Dutch policy objective for its relations with Lithuania.

ANNEX 1 MAIN FINDINGS AND ISSUES FOR THE FUTURE

Background

The enlargement of the European Union (EU) has been an important issue in Dutch politics and policy in the past few years. The enlargement was one of the main EU policy objectives of the Netherlands Ministry of Foreign Affairs. Besides Cyprus and Malta, eight Central European states joined the EU on 1 May 2004. In 2007 two more Central European countries, Romania and Bulgaria, will also accede to the Union. Since 1990 the Netherlands has been supporting these ten former communist countries, first in their transformation and then in their accession process. During that same period, bilateral relations with these countries have gradually grown closer. In view of the political, social and policy-related importance of this accession process, the Policy and Operations Evaluation Department (IOB) decided to evaluate the Dutch policy on the accession of Central European states to the EU during the period 1997-2003.

Dutch policy in this area is complex, as the title of this publication, 'An Enlarged Europe Policy', suggests. The Netherlands Ministry of Foreign Affairs co-ordinates the Dutch policy as a whole and each of the line ministries is responsible for developing and implementing sectoral policy. The policy consists of four components:

- a. the Dutch policy on EU enlargement;
- b. bilateral policy on accession;
- c. pre-accession assistance policy; and
- d. sectoral policy.

The research questions focus on the cohesion, co-ordination, effectiveness and efficiency of policy. Due to the complex nature of the policy area, not all the components were studied separately. The analysis does not describe how the Netherlands negotiated enlargement within the EU. Because, as the analysis shows, the questions on effectiveness and efficiency cannot be answered for the policy as a whole, the study of those aspects focuses on the pre-accession assistance policy pursued in the Dutch pre-accession programmes. The total expenditure on those programmes from 1997 to 2003 was € 96 million. During that period, the Netherlands was also involved in the implementation of 112 EU pre-accession projects (Phare Twinning) with a total budget of € 108 million.

For this evaluation, IOB conducted research in four of the ten candidate Member States in Central Europe: Hungary, Lithuania, Poland and Romania. In each country, IOB examined three sectors: agriculture, justice and home affairs (JHA), and a third sector (social policy in Hungary, health care in Lithuania, transport and water in Poland and environment in Romania).

Main findings

1. The coherence of the policy was limited due to compartmentalisation

Initially (1997-1998) the Netherlands Ministry of Foreign Affairs pursued a coherent policy vision. The policy-making process was politically driven during that early period. The Netherlands felt it was important for the candidate countries to achieve compliance with the stringent requirements for accession quickly. Actively assisting these countries also served Dutch interests, notably by creating goodwill that would benefit coalition forming in the enlarged EU. The Netherlands' efforts therefore

focused on the transformation of the candidate countries and on compliance with the accession requirements.

The original coherent nature of the policy was gradually lost. This is most evident from the fact that the policy principle of country differentiation was never developed into concrete guidelines. When assistance was divided up among the candidate countries, the country priorities were ignored. Poland, by far the largest of the ten countries and the highest priority in Dutch bilateral policy, received no more pre-accession assistance from the Netherlands than, for example, Slovakia or Bulgaria.

The coherent that had once characterised the policy disappeared as the three policy divisions of the Netherlands Ministry of Foreign Affairs and the line ministries continued to develop and implement the four policy components. The focus of the political steering gradually shifted towards the EU-level negotiations on enlargement, i.e. to only one of the four policy components. After 1999 bilateral policy and pre-accession support received little political attention, which resulted in disharmony among the policy components.

The loss of coherence between the policy components was not merely due to the limited management of the policy area as a whole. Compartmentalisation also played a role. This applied first and foremost to the policy divisions within the Netherlands Ministry of Foreign Affairs, which failed to work together sufficiently and were never forced to do so. They each concentrated on their own policy component. It also applied to the relationship between the line ministries and Foreign Affairs. Each of the parties was pursuing different interests and all were convinced of the necessity of coherent policy, but there were no standards or mechanisms in place to achieve it. There was a decided lack of management.

2. The co-ordination of bilateral policy and Dutch pre-accession assistance was unsatisfactory

The Netherlands Ministry of Foreign Affairs is responsible for co-ordinating policy. Each of the three policy divisions, which fall under two Directorates-General within the Ministry, bears individual responsibility for the interministerial co-ordination of its policy component. Around 2000, the Netherlands Ministry of Foreign Affairs observed a lack of internal harmonisation and co-ordination. Organisational changes were made in 2000 and 2001, but the division for pre-accession assistance was left out of consideration, in part because of the Ministry's policy of distinguishing between diplomatic work (enlargement negotiations and bilateral policy) and assistance management (pre-accession support and transformation assistance).

The interministerial co-ordination of the first policy component, the EU-oriented policy on enlargement, was based on clear procedures that were followed in specific consultation committees. The Netherlands Ministry of Foreign Affairs also co-ordinated the Dutch participation in the EU pre-accession programme Phare Twinning. That co-ordination task was performed well and in accordance with clear procedures. The line ministries appreciated that, particularly because they had a clear decision-making role in these processes.

By contrast, the interministerial co-ordination of the other policy components, and in particular pre-accession support, was minimal. The line ministries defended their policy autonomy and were not always willing to harmonise or set joint strategic priorities, and Foreign Affairs had no adequate response to that.

The large number of Dutch programmes providing support to the Central European countries complicated co-ordination. The line ministries were involved in an advisory rather than a decision-making capacity, and co-ordinating assistance had been a low priority at Foreign Affairs for some time. This was one of the main reasons why the overlaps between the accession-oriented programmes and those aimed at social transformation remained undetected. Most of the overlaps arose in the areas of justice, home affairs and health care.

3. The effectiveness and efficiency of the policy as a whole cannot be assessed because the policy was not formulated in a result-oriented way and implementation was highly fragmented

No clear objectives for the bilateral policy or the accession support policy were laid down in writing. The policy reconstruction shows that, in fact, two general objectives were pursued: a) supporting the accession process and b) strengthening bilateral relations in order to serve Dutch interests. Since no concrete targets were set for these objectives, the parties involved were at liberty to interpret them in their own way.

The bilateral policy relied on communicative policy instruments, such as visits by ministers and civil servants, diplomatic representation, agreements for specific sectors or themes, and partnerships. Under the pre-accession assistance policy, ten support programmes were established and implemented by numerous different bodies. This led to a highly fragmented process, undermining efficiency at the policy level. It is difficult to assess the impact of this policy because of the large number of small-scale, heterogeneous interventions, many of which were not clearly related to the policy objectives.

The findings described below show that it was possible to determine the extent to which the two policy objectives were achieved for a few of the components and sectors.

4. The pre-accession programmes brought about virtually no demonstrable change in bilateral relations

The policy objective of strengthening bilateral relations with the new Member States at the level of central government was barely pursued. Opinions on whether this objective was achieved vary, but are not substantiated by concrete indicators. Optimists claim that the Netherlands generated goodwill by providing bilateral assistance and making other efforts. Sceptics argue that there is no evidence that any goodwill was created or that the Netherlands' prospects for forming coalitions with the new Member States have improved.

Because this objective was not actively pursued it is difficult to demonstrate whether the various instruments helped to strengthen bilateral relations. When concrete indicators such as the frequency of contact, intensity and nature of bilateral relations are examined, there is little evidence to suggest that bilateral relations at the central government level have improved as a result of the assistance efforts. The partnership with Poland, the 'Utrecht Conference', has proved that certain interventions can indeed foster more frequent and closer relations at central government level.

Dutch assistance contributed to the formation of several professional networks between implementing bodies in the candidate countries and the Netherlands. It was

not possible, however, to determine the extent to which these contacts helped to improve bilateral relations in certain sectors within central government.

5. At the activity level, the Netherlands made a positive contribution to the accession process involving the candidate countries, but in most cases that contribution is not visible at national or sectoral level

The Netherlands made a positive contribution to the accession process of the candidate countries by conducting activities geared towards amending legislation, establishing new institutions, and helping institutions that implement the *acquis communautaire* (EU legislation) to function more effectively. In many cases, the Netherlands was only one of the many donors involved. Effectiveness at activity level varied from over 60% to 90% for the programmes that were evaluated.

In view of the sheer magnitude of the changes required, the Dutch contribution towards helping the candidate countries through the process was obviously limited. In most cases, its support was too small-scale and fragmented to allow for aggregation at country or sector level (less than 1% of the total aid to candidate countries, spread over nearly all of the sectors).

6. The efficiency with which the activities were carried out was satisfactory

Approximately two-thirds of the assistance activities were carried out efficiently. The factors that aided efficiency were the flexibility of the Dutch effort, which was mentioned by several respondents in the countries concerned, and the fairly low cost of many of the activities. The factors that impeded efficiency were mainly related to institutional problems in the candidate countries, such as reorganisations within recipient organisations. The activities suffered due to the lack of commitment and responsibility in the candidate countries, frequent staff changes and absorption problems.

7. A coherent policy was pursued in the agriculture sector. This produced good results that were also visible at the sectoral level in the candidate countries

The agriculture sector pursued a uniquely coherent accession policy. When the policy was developed, the line ministry took the lead and the Netherlands Ministry of Foreign Affairs played a modest role. There are economic reasons – notably the expansive Dutch agricultural industry's interest in ensuring it is competing with Central Europe on a level playing field – for the highly active role the Netherlands played in the agricultural accession processes. The line ministry's long experience in EU matters was also an important factor. The agriculture sector took a proactive approach, thanks to the efforts of the line ministry, which had access to sufficient resources and capacity. Most of the other line ministries did not meet this precondition.

Issues for the future

The issues for the future ensue from the main findings:

1. Clarity regarding policy coherence and the required management

In complex policy areas in which the individual components are interrelated, policy management needs to be given adequate attention. For the EU negotiations, this management was determined at both political and official level. However, this was not done for the other policy components or for the policy area as a whole. The strategic

planning of the Dutch effort in the new Member States and the candidate countries, in consultation with those countries, remains largely undeveloped. There are opportunities to make improvements by setting clear priorities in order to develop more country-specific and sector-specific policies.

2. Development of better co-ordination mechanisms, not just for EU negotiations, but also for bilateral policy and the pre-accession and transformation support

The co-ordination mechanisms used for the EU policy could be applied to the bilateral policy and the assistance policy for Central Europe, possibly after some adjustment if necessary. Careful harmonisation and co-ordination on many levels are essential in this complex policy area in which many parties are active. All the parties involved have policy autonomy in their own area, but they also have an interest in achieving harmonisation and co-ordination because this will increase the effectiveness and efficiency of the policy. The Netherlands Ministry of Foreign Affairs should take the lead in shaping these mechanisms.

3. For policy to be result-oriented, clear objectives, consistent prioritisation, the logical use of policy instruments, proper steering and monitoring are required

When new policy is being developed, the 'what question' (What is the aim of the policy?) should precede the 'how question' (How can it be achieved?). New policy should be developed on the basis of policy objectives, rather than the existing set of instruments. When priorities are set, for instance, they need to be incorporated into the set of instruments. When the policy objectives are put into practice, indicators can be identified and used to evaluate the execution of the policy, which can then be adjusted if necessary.

4. Learning from positive examples (best practices), such as the co-operation in the agricultural sector

The agricultural sector stood out in a positive sense, in part because the line ministry had more capacity than others. This gave the sector a head start, but the advantage should not stop others from learning from the experiences gained here. Other sectors (e.g. water and social dialogue) also did well, but on a more limited scale. This shows that with the right priorities and the right set of policy instruments, good results can be achieved in various areas.

5. Streamlining the support programmes and preventing overlap

The fragmentation of the Dutch assistance to Central Europe into a large number of programmes undermined effectiveness and efficiency. The programmes need to be streamlined, and the first step in that direction has already been taken. This applies not only to the pre-accession and post-accession programmes, but also to the transformation support.

Terms of Reference, final version

Evaluation of the Dutch policy concerning the accession of countries from Central Europe to the European Union

IOB, 16 September 2003

1. Introduction

European integration is one of the Ministry of Foreign Affairs' most important policy areas. In recent years, the Explanatory Policy Document has referred to the enlargement of the European Union to include ten new members in Central Europe as one of the three main objectives in this area, alongside the deepening of integration and the strengthening of the Union's external policy. Ten new Member States will join the EU in May 2004. The decision-making process regarding their accession is complete, and the process of ratification is now in progress, so this is a good moment to assess Dutch policy on the accession process in order to draw lessons for future enlargements, and for our relations with the new Member States.

2. Background

The accession process

The fall of the Berlin Wall in 1989 not only brought the Cold War to an end. It also heralded a new era in which confrontation made way for co-operation between the European Union and Central Europe. One co-operation proposal tabled in the early days was that the countries of Central Europe should join the European Union. The Copenhagen European Council in 1993 drew up criteria with which candidate Member States would have to comply to qualify for membership of the EU. The Copenhagen criteria state that new Member States:

- *must have achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for, and protection of minorities (political criteria);*
- *a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union (economic criteria);*
- *an ability to take on the obligations of membership, which means among other things that they must have adopted and implemented the *acquis communautaire* by the time of their accession.*³⁹

In 1997 the European Commission issued an opinion (*avis*) on the possible accession of each country that had applied to join the EU. These *avis* assessed the countries on the basis of the Copenhagen criteria. The Luxembourg European Council in 1997 decided that at that time accession negotiations could be launched with six countries: five in Central Europe (Estonia, Hungary, Poland, Slovenia, the Czech Republic) and Cyprus. The 'Luxembourg six', with which negotiations had

³⁹ The EU also stipulated that the Union itself must have the capacity to absorb the new Member States, which in the literature is referred to as the fourth (informal) Copenhagen criterion.

already been opened, were joined in 1999 by the 'Helsinki six' – another five countries in Central Europe (Bulgaria, Latvia, Lithuania, Romania and Slovakia) and Malta. Turkey was also confirmed as a candidate Member State at the Helsinki meeting. In the end of 2004 the EU will decide on when to start the negotiations with Turkey. Croatia submitted an application for EU membership in 2003. The European Commission is preparing an 'avis' on its application.

The accession negotiations cover the adoption and implementation of the *acquis communautaire* – the entire corpus of legislation and agreements that the EU Member States have put in place since the beginning of European co-operation, plus the case law of the Court of Justice. The *acquis* comprises over 80,000 pages of legislation and is constantly being amended and revised. For the purposes of accession, the *acquis* is divided into 31 chapters covering different themes, including the free movement of goods, persons, services and capital; competition (the foregoing all concern the internal market); agriculture; and justice and home affairs. The European Commission and the Member States are monitoring the adoption and implementation of the *acquis communautaire* chapter by chapter. They are also monitoring the candidate Member States' compliance with the Copenhagen criteria.

On the basis of progress reports issued by the Commission, the European Council in Brussels decided in October 2002 that ten candidate Member States would be expected to be ready to join in 2004. These countries are Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovenia and Slovakia. At the Copenhagen European Council in December 2002 the accession negotiations with these ten countries were officially closed, and an accession date of 1 May 2004 was set. Negotiations are continuing with Romania and Bulgaria. The accession treaty was signed in Athens in April 2003, and is awaiting ratification by the Member States. Procedures for the ratification of the treaty have been launched in the Netherlands. The Council of State has already issued an advisory report on the treaty. The accession treaty itself, the accompanying explanatory policy document, the Council of State's advisory report and a further report were submitted to parliament before the summer recess.

Details of the 2004 enlargement

The planned enlargement to 25 Member States in 2004 is the fifth enlargement in the EU's history. Previous enlargements since the start of European co-operation in the 1950s occurred in 1973 (when Denmark, Ireland and the United Kingdom joined), 1981 (Greece), 1986 (Spain and Portugal) and 1995 (Finland, Austria and Sweden). The forthcoming enlargement differs significantly from these earlier enlargements, however. First and foremost because of the large number of countries joining, but also because of the major income differences between the current Member States and the ten candidate Member States in Central Europe (CE), which are former Communist countries.⁴⁰ Although the population of the EU is set to rise by 28% when they join, GNP will increase by barely 5%.

⁴⁰ Cyprus and Malta have an entirely different history and their economic and geographical position is also different. These two countries will therefore not be considered here.

	<i>Population in millions</i>	<i>Per capita GNP</i>	<i>Inflation (%)</i>	<i>Unemployment (%)</i>
EU 15	378.4	22520	2.1	8.2
10 CE candidate countries	104.4	3600	16.6 (8.6 without Romania)	12.7
Bulgaria	8.2	1600	10.0	16.4
Estonia	1.4	3800	4.0	13.7
Hungary	10.0	5000	9.8	6.4
Latvia	2.4	3300	2.6	8.0
Lithuania	3.7	3300	1.0	15.4
Poland	38.6	4400	10.1	15.0
Romania	22.4	1800	45.7	10.8
Slovenia	2.0	9800	8.9	7.0
Slovakia	5.4	3900	12.0	18.6
Czech Republic	10.3	5400	3.9	8.8

Source: WRR working document 131, Hobza, October 2002

There are also considerable differences between the candidate Member States. Poland has a population of 39 million, followed by Romania with 22 million, but four of the countries (Estonia, Latvia, Lithuania and Slovenia) have fewer than five million of a population. Income is highest in Slovenia (GNP: €9,800 per capita), followed by the Czech Republic (€5,400) and Hungary (€5,000), with Romania (€1,800) and Bulgaria (€1,600) bringing up the rear. The ten countries' accession processes have also differed. This is the first enlargement that has been so extensively and consistently monitored.

Dutch policy

Dutch policy on the enlargement of the European Union is reflected in a number of documents. The positions the Netherlands has taken as a member of the EU in the negotiations on enlargement are part of its multilateral policy. Shortly after the fall of the Berlin Wall a debate began in the European Union about its relations with the countries of Central Europe. In the early 1990s the Netherlands opted for both 'widening' of the Union – enlargement to encompass the countries of Central Europe – and 'deepening' – closer co-operation between the Member States and the completion of the internal market, Economic and Monetary Union and the Common Foreign and Security Policy (CFSP), among other things. Since the start of the accession negotiations, the Netherlands has *'always called for speed and quality to go hand in hand in the enlargement process'* (State of the European Union, 17 September 2002).

As has been said, the Dutch position in its multilateral policy and in the accession negotiations has always been that speed and quality are equally important; bilateral policy also has the same emphasis. The Netherlands therefore developed instruments at an early stage for helping the candidate Member States meet the conditions for accession. This policy of support was launched in the regional policy document on Central Europe and discussed with the Permanent Committees of the parliament on Economic Affairs and Foreign Affairs in 1997. It announced the creation of a set of pre-accession instruments. These were worked out in further detail in 1998, and most of the actual programmes were launched in 1998 and 1999 (see page 5 for details). The bilateral pre-accession instruments can be regarded as an extension of bilateral policy. To enhance the consistency between multilateral

policy and bilateral accession support, special policy documents (the 'accents policy documents') were drawn up in 1999 and 2000. They took stock of the Dutch contribution to the EU enlargement process from a bilateral point of view.

Policy on the enlargement of the EU and pre-accession policy are devised and implemented through four channels:

1. *Multilateral*

Letters and policy documents from the Minister of Foreign Affairs and Minister for European Affairs on the enlargement of the European Union and the Netherlands' viewpoint: amongst others six policy documents between November 1999 and October 2002, prepared by the European Integration Department (DIE) of the Directorate-General for European Co-operation (DGES).

2. *Bilateral and regional*

Letters and policy documents on regional policy, such as the 1999 accent policy document and 'New Accents in an Enlarged EU', drafted in 2002 by the regional department, currently the Directorate-General for European Co-operation's Western and Central Europe Department (DWM), previously the Central Europe Department (DEU/ME) of the former Directorate-General for Regional and Country Policy (DGRB).

3. *Assistance*

Letters and policy documents on the progress of pre-accession programmes, often combined with progress reports on traditional transformation programmes, such as the Matra policy letter of 2000, and the progress report on the implementation of the Matra programme 1999-2001, 8 January 2002, drafted by the Directorate-General for Regional and Country Policy and Consular Affairs' Southeast and Eastern Europe and Matra Programme Department, which is responsible for Matra (formerly DEU/UM at the former DGRB).

4. *Individual ministries*

Letters and policy documents drawn up by the other ministries concerning their role in the enlargement of the EU. They refer to their part in the accession negotiations, bilateral relations with counterparts in the candidate Member States and the pre-accession aid in which they have been involved.

The Ministry of Foreign Affairs bears official responsibility for co-ordinating the Dutch contribution to European decision-making. According to the Explanatory Memorandum, this includes interministerial co-ordination on issues related to European integration. The European Integration Department (DIE) plays an important role in this. Since 1997 it has been responsible for co-ordinating the work of the individual ministries related to EU enlargement, and regularly chairs meetings of the Enlargement Task Force (TFU). Since 2000 the regional department (first DEU, later DWM) has co-chaired the Task Force. The Matra department (DZO/UM) regularly holds talks with the various ministries that have an advisory role in the different programmes running under Matra. Since 1999 DZO/UM has regularly convened meetings to discuss Matra pre-accession activities which are attended by the organisations implementing the programmes. Most of the ministries concerned have set up divisions that focus on enlargement and/or pre-accession assistance. Some have their own budget, but most of them are dependent on the Ministry of Foreign Affairs' and the Ministry of Economic Affairs' pre-accession programmes and the Community programmes.

Pre-accession programmes

Since 1998 the Dutch government has supported candidate Member States through a number of pre-accession programmes. They are intended primarily to support candidate Member States' efforts to adopt and implement the *acquis communautaire*. Their second objective is to enhance bilateral relations. These programmes are:

- **the Matra pre-accession instruments**, special programmes specifically geared towards accession under the Social Transformation Programme for the non-economic sectors (via the Ministry of Foreign Affairs, total expenditure 1999-2002 €31.7 million);⁴¹
- **the Eastern Europe Co-operation Programme (PSO) pre-accession instruments**, a continuation of the traditional economic transformation programme for the economic sectors geared specifically to accession (via the Ministry of Economic Affairs, total expenditure 1998-2002 €39.5 million).⁴²

A number of Matra pre-accession programmes have a broader aim, in that they are intended to promote good governance as well as help prepare countries for accession.

Matra and PSO pre-accession programmes consist of the following:

⁴¹ The Matra programme itself, which traditionally focuses on strengthening civil society, has also been continued in the candidate countries, with the exception of Slovenia.

⁴² The PSO itself ceased operations in most candidate countries when the pre-accession PSO was launched, except in Romania and Bulgaria.

Type of activity	Name of programme	Implementing agency	Expenditure 1998-2002 (in million €)
Matra Pre-Accession:			31.7
Projects (mainly technical assistance)	Matra Pre-Accession Projects Programme (MPAP)	Senter	16.7
Training	Accession-oriented Dutch European Proficiency Training Programme (ADEPT)	Cross	6.9
Local authority co-operation	Local Authority Co-operation with Candidate Countries Programme (GST)	VNG (Association of Netherlands Municipalities)	3.3
Internships	Internships Matra for Pre-accession Training Programme (IMPACT)	NUFFIC	0.9
Secondment of Dutch former civil servants	Advisory Missions to Governments Programme (PUA)	NMCP	1.2
Partnerships	Partnership funds	Ministries and DWM	0.2
Departmental initiatives	Departmental Initiatives Programme (DIP)	Ministries and DWM	1.9
Various (including support desk, to promote and co-ordinate Dutch participation in Phare Twinning programme)	Various	DGES/AP and others	0.6
PSO Pre-Accession			39.5 *
Projects (mainly technical assistance)	PSO Pre-Accession Programme (PSO PA)	Senter	33.2
Exchange of expertise through working visits, conferences etc.	PSO short	Senter	3.6
TOTAL PRE-ACCESSION			71.2

* Including €2.7 million for PSO PA in 1998.

Most activities are very small-scale (such as internships lasting a few days or a week, a few days' training, secondment of a civil servant for a few weeks, a workshop etc.) and spread among eleven countries (i.e. the ten countries in Central Europe plus, since 2001, Turkey) and across eleven different sectors.⁴³ By way of comparison: the EU gave a total of some €13.6 billion in pre-accession aid to the candidate Member States over the same period. It is therefore difficult to evaluate the Dutch effort in the light of the complex system of accession aid and the huge EU efforts in this area. The projects financed through MPAP and PSO PA and some ADEPT courses are larger in scale (with average expenditure of approx. €350,000). A total of 70 MPAP projects and 81 PSO PA projects were undertaken in 1999-2002.

Alongside the bilateral instruments, there are also specific Community pre-accession programmes such as the Phare Twinning programme (since 1998), ISPA (since

⁴³ Cyprus and Malta do not receive Dutch support under the bilateral pre-accession programmes.

2000, structural instrument to help with preparations, particularly in the fields of transport and environment) and SAPARD (since 2000, to help with structural adjustment in the agricultural sector). The Phare Twinning programme is a continuation of the Phare transformation programme in the form of pre-accession aid for the candidate Member States. It involves institutional support to help them adopt and implement the *acquis communautaire*. National governments in the Member States can register for Twinning projects, after which the candidate Member States select partners. The Netherlands has been involved in the implementation of 88 of the 687 Phare Twinning projects to date (as leading partner in 55, and co-operating partner in the other 33). Dutch efforts in the framework of the Twinning programme are co-ordinated and supported by a support desk set up especially for the purpose at the Ministry of Foreign Affairs (DGES/AP).

From the moment they accede, the pre-accession programmes and transformation programmes for the first group of acceding countries will be phased out over three years. In other words, no new projects will be approved and existing projects will be implemented as stated in the contract. The EU is to make a Transition Facility available to the new Member States for the first three years after accession to help them tackle any final problems and to consolidate the institutional strengthening they have already achieved. The debate on a new form of bilateral 'post-accession' co-operation or a transitional fund is already under way, but no decisions have yet been made.

Evaluation of pre-accession programmes

The PSO and Matra pre-accession projects programme (PSO PA and MPAP) are the subject of a joint, decentralised evaluation by the Ministry of Economic Affairs and the Ministry of Foreign Affairs. IOB is involved in an advisory capacity, as a member of the supervisory committee. Its remit is to safeguard standards in terms of the ToR, the tendering procedure, prior communication with those implementing the projects, and assessment of the inception report, interim reports and the final report. This evaluation has already been seriously delayed and the results are unlikely to become available in 2003.

IOB is evaluating the international activities of the Association of Netherlands Municipalities (VNG) and individual local authorities in the Netherlands funded through the Ministry of Foreign Affairs. The evaluation is also considering local authority co-operation under the Matra pre-accession programme, and is expected to be complete before the end of 2003.

An evaluation of the secondment of civil servants under the PUA programme began in June 2003. IOB was involved in the design of the evaluation and is monitoring its quality. The results should be available well before the end of the year.

Fairly detailed self-evaluations of the Matra training programme ADEPT and internship programme IMPACT are available.

The Phare Twinning programme was evaluated in 2000. The evaluation looked at a selection of projects approved in 1998, and focused on methodology and on the registration and implementation process. It looked to a lesser extent at the effectiveness of the programme. No new evaluation of this programme is planned.

3. Objective and key questions

This evaluation is taking place at a strategic moment, just before ten new Member States join the EU in May 2004, and at a time when the existing Member States are in the process of ratifying the Treaty of Accession. Referendums approving accession have been held in most candidate Member States. Further enlargement is likely in the future, when Romania and Bulgaria – with which negotiations continue – join the EU. Negotiations have not yet started with Turkey, and Croatia has submitted an application. The evaluation of the Dutch policy concerning the accession of Central European countries to the EU should allow us to draw important lessons for our relations with the new Member States, including any post-accession aid, and for any reorientation as regards ongoing and future accession processes. This can be regarded as the functional aim of this evaluation.

The following key questions will be addressed during this evaluation:

1. What coherence is there between the Dutch policy on the accession of Central European countries, our bilateral relations with those countries and the pre-accession aid supplied by the Netherlands?
2. How effective has the policy been? In other words, to what degree has the Netherlands helped the candidate Member States adopt and implement the *acquis communautaire* and strengthened its relations with those countries?
3. How efficiently has the policy been implemented? In other words, how do the results relate to the costs and the resources deployed?

1. Coherence

The policy itself clearly states the need for coherence between the four channels of policy and the actors associated with them (multilateral and bilateral policy, policy on accession aid and the policy of individual ministries). A key element of this evaluation will therefore be the assessment of coherence in policy and its implementation. A number of indicators will be used. They have largely been drawn from the policy documents themselves, and concern:

- The number and substance of references to other policy channels in the policy documents.
- Information on decision-making in the EU regarding accession and changes to Dutch policy in response to these decisions.
- The form and frequency of consultations within and between ministries on matters related to enlargement.
- Co-ordination procedures and compliance with them.
- Ministry of Foreign Affairs co-ordination activities and the Ministry's actual input.
- Regular exchange of general information between the main Dutch actors concerned with accession.

2. Effectiveness

The assessment of the effectiveness of policy will focus mainly on bilateral policy on enlargement, including pre-accession aid, and will be concerned with the degree to which the results of activities have helped achieve the specified policy objectives. Appendix 1 contains an evaluation matrix of indicators for pre-accession activities and their outputs and effects. The decision-making on the accession of ten new Member States is more or less complete, a signal that a judgement has been made as to their ability to meet the requirement that they adopt and implement the *acquis* in 2004. However, the debate on the safeguard clauses continues, and this indicates

the extent to which problems remain with the adoption and implementation of the *acquis*. It is no simple matter to determine in retrospect what contribution the Netherlands has made to the accession process with its support for pre-accession activities. After all, it is not easy to distinguish the Netherlands' efforts from those of the many other donors, particularly the EU itself. To assess the Netherlands' contribution to the adoption and implementation of the *acquis*, attention will first be focused on the effectiveness of the activities. In other words: were pre-accession activities geared to problems the European Commission (in the *avis* and progress reports) and/or the governments of the candidate Member States (*National Plans for the Adoption of the Acquis*, and their response to the progress reports) regarded as priorities at that particular point in time? After the relevance of the activities has been assessed, the effects of the Dutch effort on the accession process can be evaluated (see evaluation matrix in appendix 1).

The evaluation matrix also contains indicators of effects related to the second policy objective – the strengthening of bilateral relations.

The matrix does not include any indicators of impact, as it is too early to assess this. However, the study will consider whether impact indicators can be identified so that it can be measured in two or three years' time. The present evaluation could then serve as a baseline measurement.

3. *Efficiency*

The assessment of efficiency will focus on the degree to which the results achieved are proportionate to the costs of the resources chosen, and particularly the way in which they were deployed. It will consider the choice of pre-accession programmes, the management of these programmes, and co-ordination between them, and between bilateral and Community pre-accession programmes.

4. **Scope and representativeness**

The preliminary study showed that there is no shortage of written material about enlargement. This, and the plethora of information available, mean that the scope of the evaluation has to be clearly defined. Its added value must therefore lie in increasing knowledge and understanding, with a focus on the Dutch perspective.

There are various ways of defining the scope of an evaluation. The first explicit choice was *not* to restrict the evaluation to one area of policy, but in fact to study the multilateral and bilateral aspects of policy *in conjunction with* pre-accession aid. At the same time the choice has been made to study all four policy channels and their coherence, while *no* separate analysis will be made of the course of the negotiation process within the European Union and the Dutch position in these negotiations. After all, these negotiations take place in another arena - that of the current EU15 - and these negotiations do not directly concern the Dutch relations with the new Member States. Yet, the key questions concerning coherence, effectiveness and efficiency can only be answered if they are placed within the wider context of the outcomes of the negotiations and the Dutch positions in these negotiations. In short, the outcomes of the negotiations will serve as the framework for the answering of the key questions, while the negotiation process itself within the European Union will be left out of consideration. The scope of the evaluation has furthermore been limited in other ways: time period, countries, sectors and pre-accession programmes.

Period

Although the accession process officially began in 1993, when the Copenhagen criteria were laid down, it was not until 1997 that further steps were taken towards launching accession negotiations with a small number of candidate Member States. The evaluation will therefore focus on the period from 1997 (when the Luxembourg European Council took the decision to start negotiations with six candidate Member States) to 2002 (when the Copenhagen European Council decided that ten new Member States should accede in May 2004). Developments prior to 1997 and new developments in 2003 will of course be mentioned where relevant.

Countries

The selection of countries for field studies was based on a number of considerations. Negotiations have been held with twelve countries in recent years – ten countries in Central Europe, Cyprus and Malta. Dutch policy on Cyprus and Malta has clearly been less intensive than that on Central Europe. Cyprus and Malta have received no bilateral pre-accession aid, for example. These two countries will not, therefore, be included in the evaluation. The two countries with which negotiations have not yet started (Turkey and Croatia) will also be excluded. The choice of countries in which to conduct a field study was made from the remaining ten, based on the following criteria:

- a balanced representation of countries with which negotiations were launched at different times – the Luxembourg six from 1997 and the Helsinki six from 1999. Without Cyprus and Malta, only five remain from each group;
- a balanced representation of countries with different economic backgrounds and performances (with per capita GNP, economic growth and unemployment as indicators);
- a balanced selection of small and large countries (with population as indicator);
- at least one country with which negotiations have started but which will not join in May 2004 (Romania or Bulgaria);
- a preference for countries with which the Netherlands has close cooperative ties in several areas and/or on specific themes (with partnerships, and number of MPAP, PSO-PA and Phare Twinning projects as indicators) and/or where IOB has carried out previous evaluations;
- a balanced selection of countries with which negotiations progressed differently (with rate at which chapters opened and closed, and transitional arrangements as indicators);
- the opinion of stakeholders (policy departments and/or individual ministries).

The following four countries were selected on the basis of these criteria (see appendix 2):

- *Poland*, one of the Luxembourg six, the largest country acceding to the EU, mediocre economic performance, special cooperative ties with the Netherlands via the Utrecht Conference, fairly difficult negotiation process.
- *Hungary*, also one of the Luxembourg six, fairly good economic performance, medium-sized in relation to the other candidate Member States, previous field study as part of the IOB Matra evaluation, smooth negotiation process.
- *Lithuania*, one of the Helsinki six, mediocre economic starting position, reasonably good progress with negotiations, most populous of the Baltic states, preferred by stakeholders.

- *Romania*, one of the Helsinki six, will not join in 2004, poorly performing economy, very difficult negotiation process, preferred by stakeholders.

Strangely enough, the 'close cooperative ties with the Netherlands' criterion had little bearing on the choice, except in the case of Poland, as a result of the Utrecht Conference. A number of projects are being carried out in all the countries, and there are no country priorities in the bilateral programmes. There is therefore little variation in the distribution of bilateral pre-accession activities among the ten countries. In several cases stakeholder preference and previous IOB evaluations therefore determined the choice between virtually equally eligible countries (Hungary or the Czech Republic, Lithuania or Latvia, Romania or Bulgaria).

Areas/sectors

Given the huge range of subjects covered by the negotiations, as illustrated by the 31 chapters in the *acquis*, two areas or sectors have been selected for further analysis in the four country studies. These are the Common Agricultural Policy (CAP) and Justice and Home Affairs (JHA). The CAP is an important part of the *acquis* on which the Netherlands has very definite views, and has also been the subject of many pre-accession projects. JHA gained more and more importance during the negotiations, and new *acquis* has also been created in this area. Both agriculture and justice and home affairs are suitable for further analysis in each of the four countries selected. The possibility of adding one more sector to each of the country studies is being considered.

Pre-accession programmes

The final narrowing down involves the selection of pre-accession programmes that can be evaluated separately and in more depth. Given the scale and diversity of these programmes (not so much in financial terms, more in terms of the number of activities in different countries and sectors), it will not be possible to examine them all in detail. The two biggest MPAP and PSO PA programmes are currently the subject of a joint evaluation under the direction of an independent supervisory committee on which IOB is represented. This initiative runs parallel to this IOB evaluation of the Netherlands' role in the enlargement of the EU, but could be effectively tied in with it. IOB will therefore use the findings of these programme evaluations. The two other evaluations of Matra programmes – PUA and GST – are not of immediate importance to the research questions, given the scale and significance of these programmes. The fact that both these evaluations were undertaken for other reasons does not, however, mean that they cannot provide input for the IOB evaluation. These three programme evaluations together cover 85% of expenditure on bilateral pre-accession activities.

The Netherlands has also provided substantial input to the Phare Twinning programme. For IOB to conduct a separate evaluation of the effectiveness and efficiency of this input would be problematic not only in methodological terms, it would also be beyond its mandate. However, it will be considered in the assessment of whether policy and policy implementation have been coherent.

Representativeness

The area to be studied is huge, and the design of the study combines a broad-ranging consideration of policy with more in-depth field studies. It has been decided that the in-depth studies should be systematically narrowed down to a particular time (1997-2002), and to four countries, two sectors and a number of specific

programmes. This combination of broad-ranging and in-depth studies, which will be examined in more detail in the next section, gives a sufficiently representative view of the object of the evaluation to be able to address the research questions.

5. Strategy and phasing

Three studies are planned, combining an analysis of policy and the negotiations with in-depth studies designed to provide an actual insight into the implementation of policy and the results achieved. The first will look at Dutch policy and the accession negotiations, outlining the context for the implementation of policy and providing hypotheses that will be examined further in the implementation studies. The other two studies will look at the implementation process from two different perspectives: the country and the programme. The table below shows which of the studies will address the key questions outlined above.

Study → Key issue	Analysis of policy and negotiations	Country studies	Programme evaluations
1. Coherence	X	X	---
2. Effectiveness		X	X
3. Efficiency		X	X

The table shows that each of the key questions will be addressed on the basis of the findings of at least two studies. In only one case will a key issue explicitly be overlooked in one of the studies; the programme evaluations will not look at the issue of coherence. The table does not indicate the more indirect relationships between the studies and the key issues. For example, it will be possible to assess effectiveness and efficiency as part of the country studies only on the basis of the analysis of multilateral and bilateral policy. These links will become apparent when the studies are planned in more detail. The final report will of course elaborate on the links between the findings of the studies.

Study 1: Analysis of policy and accession negotiations

This study consists of a policy analysis of the four policy channels described before. The main issue examined here will be coherence, though the study will also provide material for the assessment of effectiveness and efficiency in the country studies (study 2) and the programme evaluations (study 3).

The study will take the form of a retrospective process evaluation, examining the coherence between multilateral policy, bilateral policy, policy on accession aid and the policy of the individual ministries concerning accession. It will therefore look not only at the different elements of policy, but also, and more especially, at the methods applied, including the way in which the Ministry of Foreign Affairs played its co-ordinating role. The reconstruction of the policy will also set out the main assumptions underlying policy so that they can be verified in the country studies and, to some extent, in the programme evaluations. This study also involves a reconstruction of the intervention logic of the pre-accession instruments.

The methodology will be as follows:

- Analysis of bilateral policy on acceding countries, including priorities in terms of countries, themes and/or sectors and interaction between the ministries;

- Analysis of policy on pre-accession aid, with a reconstruction of the intervention logic;
- Analysis of multilateral policy and interaction between ministries.
- Institutional analysis;
- Compilation of a database on pre-accession activities for the selected countries and for the selected sectors or themes;
- Formulation of hypotheses to be tested in interviews conducted in the Netherlands and during field studies.

Study 2: Four country studies

The table shows that the country studies are key to the study design, because they will provide a partial answer to the three main questions to be addressed in the evaluation. Each of the four studies – in Hungary, Lithuania, Poland and Romania – will follow roughly the same pattern. The country studies will focus particularly on coherence in the implementation of multilateral EU policy, bilateral relations and pre-accession aid policy. They will be based on insights and information acquired during the first, policy-oriented study and will test the hypotheses formulated. To this end, against the background of the outcomes of the negotiations, the process of policy implementation and interaction between the actors will be examined for each of the four selected countries. The focus will be on the candidate Member States' perception of the Dutch position in the negotiations, the policy pursued by the Netherlands and pre-accession aid. There will be a more specific focus on agriculture, justice and home affairs and a third sector to be chosen specifically for each country. IOB will draw up specific terms of reference for each country study.

The four country studies will consider the following:

- Inventarisation of the outcomes of the accession negotiations and relevant European decision making. The focus will be on the system of opening and closing the various 'negotiation chapters', in general and for each of the four countries. There will also be made an inventory of specific Dutch positions concerning certain chapters, which can be derived from Dutch multilateral policy;
- The progress of the accession negotiations with the country in question, from the perspective of the candidate Member State;
- Bilateral contacts in connection with accession (e.g. reciprocal visits by ministers, conferences, regular meetings);
- Pre-accession activities with Dutch input (both bilateral projects and Phare Twinning projects run by the Netherlands).

Given the diversity and generally limited scale of pre-accession activities, it will not be possible to fully assess their effectiveness in this study. They will therefore be examined from a thematic perspective (CAP, JHA and a third sector), which will limit the scope of the assessment of their effectiveness and efficiency. Particular attention will be given to typical bilateral activities such as partnerships (Utrecht Conference with Poland, thematic partnerships with Hungary). In terms of the effectiveness of policy, the focus will be on the extent to which the various activities have helped build up bilateral contacts that will benefit European decision-making and coalition-forming in the enlarged EU. The study will also look at the extent to which the activities really have helped the candidate Member States adopt and implement the *acquis*. The evaluation matrix in appendix 1 contains indicators for measuring such effects. The third study will assess the overall effectiveness of selected pre-accession programmes.

Study 3: Programme evaluations

The design of the country studies means it will not be possible to assess the effectiveness and efficiency of the various programmes for pre-accession aid in a sufficiently representative way. A separate programme evaluation would be desirable, certainly for the biggest of the pre-accession programmes (MPAP and PSO PA), to allow the issues of effectiveness (particularly their contribution to the adoption and implementation of the *acquis*, see evaluation matrix) and efficiency to be thoroughly addressed. Three separate programme evaluations are planned, covering five bilateral pre-accession programmes mentioned above:

- A joint decentralised evaluation of the Matra Pre-Accession Projects programme (MPAP) and the PSO pre-accession instruments (PSO PA and PSO short).
- A decentralised evaluation of the Matra Advisory Missions to Governments programme (PUA).
- A central IOB evaluation of the GST programme.

IOB will be involved in the first two in an advisory capacity. This will allow it to co-ordinate the decentralised evaluations with its own policy evaluations. The programme evaluations will also be based on the evaluation matrix in appendix 1. One methodological complication lies in the fact that a number of Matra pre-accession programmes such as PUA and GST have a broad objective – to promote good governance and transformation (in both central and local government), including institutional capacity-building and the adoption and implementation of the *acquis communautaire*. The programme evaluations will be based on this broad objective, but this IOB evaluation will be limited to the objectives more specifically connected with pre-accession.

6. Organisation

IOB-evaluator Anneke Slob will be responsible for designing the study, supervising its implementation and producing the final report. Together with Anneke Slob, IOB-evaluator Gerard van der Zwan and research assistants Merel Wielinga and Bas Limonard will form the core team for this evaluation.

Researchers from the selected countries will be taken on for the four country studies. Along with the Dutch researchers, they will bear joint responsibility for the analyses at country level.

A reference group of external experts and stakeholders, representing Ministry of Foreign Affairs policy departments and other ministries, will meet several times to monitor the progress of the evaluation and comment on the draft final report. The members have already provided comments on the draft terms of reference.

7. Products

The final report, incorporating the results of all the individual studies, will be submitted to parliament in accordance with the usual procedures.

The individual studies themselves will culminate in interim reports: policy analysis and four country studies, that might be published as an IOB working document.

If there is sufficient response to the publication of the report, IOB will organise a workshop to explain its findings.

8. Planning

IOB aims to publish the final report of this evaluation before the new members actually accede on 1 May 2004. This is a fairly ambitious target and whether it is achieved will depend to some extent on other actors. The third individual study is to comprise two decentral programme evaluations, whereby IOB will be responsible for monitoring quality. The most important of these – the evaluation of MPAP and PSO PA – has already been delayed, and it is unclear when the results will be available. If the programme evaluations experience further delay, and additional research becomes necessary to guarantee sufficient quality, IOB might consider producing a working document on policy analysis before May 2004. The publication of the full final report would then have to take place later in 2004 according to a revised timetable.

The current timetable is as follows:

	July 03	Aug. 03	Sept. 03	Oct. 03	Nov. 03	Dec. 03	Jan. 04	Feb. 04	Mar 04	April 04
TOR	X									
Study 1 Analysis of policy and negotiations	xxx	xxxX policy	xxxxx	xxxxx	xxxX					
Study 2 Poland			xx	xxxxx	X					
Study 2 Hungary		xx	xxxxx	X						
Study 2 Lithuania					xxxxx	xxX				
Study 2 Romania				xx	xxxxx	X				
Study 3 Programme evaluations	xxx	xxxxx	xxxxx	xxxX GST ?	xxxX PUA ?	xxxxx	X PSO and MPA P?			
Final report						xxxxx	xxxxx xx	X draft		X final
Reference group						x		x		

X Document: TOR, interim or final report
 x implementation of research activity

Appendix 1. Evaluation matrix for assessment of pre-accession activities in studies 2 and 3

	Type	Indicator	Methods and sources
ACTIVITIES	Experts for long and short term, secondments, training, internships, workshops, courses, conferences	Number and duration of activities, number of participants	Desk study, database of Dutch pre-accession activities (MIDAS)
OUTPUTS	Transfer of knowledge on adoption and implementation of <i>acquis</i>	Workshops and conferences: agenda, quality and participation, focus on <i>acquis</i> Courses: type, content and participation, focus on <i>acquis</i> Experts: length of secondment, job description, expertise, recipient organisation Internships: background of interns, content of internship and recipient organisation, focus on <i>acquis</i> Courses, publications: content, standard, focus on <i>acquis</i>	Desk study Interviews
EFFECTS	Positive impact on accession process Intensification of bilateral contacts	New legislation: adoption of <i>acquis</i> Enhancing capacity to implement <i>acquis</i> : <ul style="list-style-type: none"> - Knowledge/advice translated into plans of action; - Commission progress reports: identified improvements in implementation; - References to Dutch recommendations in reports and documents; - Contribution to functioning of new institutions; - Improvements in working methods of existing institutions Contact/consultation with NL on specific accession issues raised during negotiations Contact/consultation with NL on decisions concerning future of Europe and constitution (IGC etc.) Contact/consultations with NL on future operations of candidate Member States in Brussels Participation in international knowledge network	Desk study Interviews
IMPACT	Functioning of candidate Member States as fully-fledged Member States and functional bilateral relations comparable to those with other Member States	None Possible identification of impact indicators that can be used in a follow-up study in 2-3 years, with this evaluation as baseline measurement	

Appendix 2. Indicators for choice of countries

	Bulgaria	Estonia	Hungary	Latvia	Lithuania
Inhabitants (millions) ¹	8.2	1.4	10.0	2.4	3.7
Per capita GNP 2000 ¹	€ 1600	€ 3800	€ 5000	€ 3300	€ 3300
Econ. Growth (% , 2001) ²	4	5.4	3.2 (2002)	7.6	5.5 (2002)
Unemployment (% , 2001) ²	17	12.6	5.8 (2002)	7.7	11 (2002)
Start of negotiations	Helsinki 1999	Luxembourg 1997	Luxembourg 1997	Helsinki 1999	Helsinki 1999
Accession	January 2007?	May 2004	May 2004	May 2004	May 2004
Progress of negotiations ³	-	+	++	+	-/+
No. of MPAP projects ⁴	8	6	9	3	6
No. of PSO PA projects ⁵	7 (+1)	9	7 (+1)	6 (+1)	7(+2)
Country study for evaluation of MPAP and PSO-PA	yes	yes	no	no	no
No. of Phare Twinning projects with Dutch involvement ⁶	8 (5)	5 (4)	12 (6)	2 (2)	4 (3)

	Poland	Romania	Slovenia	Slovakia	Czech Rep.
Inhabitants (millions) ¹	38.6	22.4	2.0	5.4	10.3
Per capita GNP 2000 ¹	€ 4400	€ 1800	€ 9800	€ 3900	€ 5400
Econ. Growth (% , 2001) ²	1.1	4.4	3.1 (2002)	3.3	3.6
Unemployment (% , 2001) ²	16	6.6	11.5 (2002)	18.6	8.5
Start of negotiations	Luxembourg 1997	Helsinki 1999	Luxembourg 1997	Helsinki 1999	Luxembourg 1997
Accession	May 2004	January 2007?	May 2004	May 2004	May 2004
Progress of negotiations ³	+/-	-	++	-/+	+
No. of MPAP projects ⁴	8	5	4	10	5
No. of PSO PA projects ⁵	11 (+1)	6 (+1)	8 (+2)	9 (+1)	7
Country study for evaluation of MPAP and PSO-PA	no	no	no	yes	no
No. of Phare Twinning projects with Dutch involvement ⁶	20 (11)	13 (6)	5 (3)	8 (6)	13 (9)

1 Data from WRR, *CEE Countries on the Way to the Eurozone*, 2002.

2 Data from Ministry of Foreign Affairs website, country files.

3 Preliminary IOB analysis based on quick scan of files.

4 Number of Matra pre-accession projects (MPAP) 1999-2002.

5 Number of PSO PA projects 1999-2002, with number of Ministry of Housing, Spatial Planning and the Environment pre-accession projects developed in 2002 in brackets

6 Number of Phare Twinning projects 1999-2002 with Dutch involvement, at 22 January 2003, with number of projects where the Netherlands is leading partner in brackets (no short-termers included).

ANNEX 3 TERMS OF REFERENCE LITHUANIA

IOB-evaluation of the Dutch policy on the accession of Central European countries to the European Union

Terms of reference for the country study Lithuania November 2003

Background

The design for the overall evaluation is presented in the general Terms of Reference. Four country case studies are planned for which specific Terms of Reference will be drawn. This document contains the Terms of Reference for the country study Lithuania. The general Terms of Reference are attached in annex 2 and form an integral part of this document.

Design of the country study

The country studies will seek to provide an answer to the three main research questions to be addressed on coherence, effectiveness and efficiency. Three sectors are selected in order to answer these research questions. In Lithuania the following sectors have been selected:

- Agriculture;
- Justice and Home Affairs (JHA);
- Health.

Next to the general overview of the Lithuanian accession process and an overview of Dutch policy and the Dutch-Lithuanian bilateral relations, for each sector the Dutch supported pre-accession activities in Lithuania will be listed and a selection of these activities will be assessed in detail. An overview of Dutch supported pre-accession activities is provided for in annex 8.

Approach

A joint Dutch-Lithuanian team of independent evaluators will carry out the evaluation. The Dutch team will consist of Anneke Slob (IOB), Siemen van Berkum (LEI), Leon Bijlmakers (ETC Crystal) and Merel Wielinga (IOB). The country case study will start with preparatory research in the Netherlands and in Lithuania. At the start of the field research all information will be put together, hypotheses for the field research will be formulated and the methodology will be elaborated in detail. On the basis of the preparatory reports and the results of the joint mission a concise case study report will be prepared and submitted for comments to the main stakeholders. During all phases of the research communication and interaction with the stakeholders are the key to a successful outcome of the evaluation.

Research activities

Preparations in the Netherlands

IOB/Dutch researchers:

- Provide a general overview of the Dutch policy concerning EU enlargement including hypotheses to be tested during field research;

- Provide an overview of major developments in the bilateral relation (list important Dutch political visits to Lithuania and vice-versa during the period 1997-2003, partnerships, etc.);
- Provide an overview of Dutch pre-accession activities and projects in Lithuania in the three selected sectors;
- Make a preliminary analysis of selected activities to be included in the evaluation (project fiche for each of the selected activities);
- Hold interviews with main stakeholders in the Netherlands (Ministries, Lithuanian Embassy);
- Hold interviews with pre-accession programme and project contractors.

Preparations in Lithuania

IOB:

- Discuss the research with the Embassy.

Lithuanian researchers:

- Provide an overview of the main issues in the Lithuanian accession negotiations from the Lithuanian perspective (approx. 5 pages);
- For each of the selected sectors: provide an overview of the main accession issues for Lithuania in the chapters concerned (approx. 5 pages for each sector);
- Provide an overview of general pre-accession support to Lithuania by the European Union and the most important EU Member States in order to assess the importance of the Dutch contribution;
- For each of the selected sectors: list the contribution of the EU and EU Member States to Lithuania's preparation for accession.

Joint field research IOB/Dutch researchers and Lithuanian researchers:

- Hold a workshop for all researchers to discuss results of preparations and formulate hypotheses to be tested during final research; elaborate methodology in detail;
- Hold interviews with Dutch Embassy;
- Hold interviews with MFA, Ministry of Justice, Ministry of the Interior, Ministry of Agriculture, Ministry of Public Health;
- Hold interviews with PAA's a.o.;
- Hold interviews with delegation of the EU and representatives of other Member States;
- Hold interviews with research persons;
- Debriefing at the end of the mission at the Embassy.

Report

At the end of the research a country case study report for Lithuania (approx. 40 pages) will be made by the research team and submitted to the main stakeholders and the reference group for comments.

Organisation and responsibilities

IOB bears the overall responsibility for the evaluation. Anneke Slob, IOB-evaluator, co-ordinates the evaluation, including the Lithuanian case study. The Dutch core team for the evaluation is involved in the preparations in the Netherlands. Dutch researchers for the sectors JHA and Agriculture will also contribute to the country case studies. The role of the Dutch researchers during the field research will be

defined in a later stage. A number of Lithuanian researchers will be identified to participate in the research. They will cover the selected research sectors.

Planning

Preparations will take place during the period November 2003-January 2004. The joint field research is tentatively planned from January 19th to January 23rd. The draft country case study report for Lithuania should be available February 15th 2004.

ANNEX 4 SURVEY OF THE ACCESSION NEGOTIATIONS - LITHUANIA

<i>Chapters</i>	<i>opened</i>	<i>closed</i>	<i>transitional arrangements</i>
1. free movement of goods	May 2001	December 2002 Prov. closed May 2001	One transitional arrangement, until 1 January 2007, concerning the renewal of marketing authorisation for pharmaceuticals.
2. freedom of movement for persons	June 2001	December 2002 Prov. closed November 2001	One, of 5 or 7 years, requested by the EU for all candidates except for Cyprus and Malta.
3. freedom to provide services	July 2000	December 2002 Prov. closed June 2001	Exclusion of credit unions; lower levels of bank deposit guarantee and investor compensation until end-2007.
4. free movement of capital	autumn 2000	December 2002 Prov. closed spring 2001	A seven year transitional period for the acquisition of agricultural and forestry land, excluding self employed farmers who have been residing for 3 years and active in farming from the scope. Possibility to extend this transitional period by three years if Lithuania invokes safeguard clause.
5. company law	July 2000	December 2002 Prov. closed June 2001	Lithuania has accepted the EU's proposal on pharmaceutical products and Community Trademark.
6. competition policy	May 2000	December 2002 Prov. closed November 2001	none
7. agriculture	June 2001	December 2002	Several transitional arrangements regarding the financial and market related aspects and the veterinary and phytosanitary aspects of agriculture are provided for.
8. fisheries	March 2001	December 2002 Prov. closed May 2001	none
9. transport	November 2000	December 2002 Prov. closed December 2001	<ul style="list-style-type: none"> - Retrofitting of certain vehicles used in domestic transport with tachographs; - financial standing criterion for transport operators carrying out domestic transport services; - access of non-resident hauliers to the national road transport market of other Member States to be phased in gradually; - phasing out the operation of noisy aircraft from third countries.
10. taxation	May 2001	December 2002 Prov. closed March 2002	<ul style="list-style-type: none"> - Turnover threshold to exempt SMEs from VAT set at € 29 000; - lower excise duty rates on cigarettes until 31 December 2009; - VAT exemption on international passenger transport.
11. economic and monetary union	first half of 2001	December 2002 Prov. closed first half of 2001	none
12. statistics	April 2000	December 2002 Prov. closed June 2000	none
13. employment and social policy	November 2000	December 2002 Prov. closed March 2001	none
14. energy	first half of 2001	December 2002 Prov. closed first half of 2002	Build up of oil stocks to required level, until the end of 2009.
15. industrial policy	second half of 2000	December 2002 Prov. closed second half of 2000	none

16. small and medium sized enterprises	May 2000	December 2002 Prov. closed May 2000	none
17. science and research	first half of 2000	December 2002 Prov. closed May 2000	none
18. education and training	first half of 2000	December 2002 Prov. closed May 2000	none
19. telecommunications , IT and postal services	October 2000	December 2002 Prov. closed March 2001	none
20. culture and audiovisual policy	May 2000	December 2002 Prov. closed December 2000	none
21. regional policy and co-ordination of structural instruments	March 2001	December 2002 Prov. closed June 2002	none
22. environment	November 2000	December 2002 Prov. closed June 2001	- Emissions of volatile organic compounds from storage of petrol until 2007; - recovery and recycling of packaging waste until 2006; - treatment of urban waste water until 2009; - air pollution from large combustion plants until 2015.
23. consumer protection	February 2001	December 2002 Prov. closed February 2001	none
24. justice and home affairs	June 2001	December 2002 Prov. closed April 2002	none
25. customs union	March 2001	December 2002 Prov. closed in the second half of 2001	none
26. external relations	first half of 2000	December 2002 Prov. closed first half of 2000	none
27. common foreign and security policy	first half of 2000	December 2002 Prov. closed first half of 2000	none
28. financial control	first half of 2001	December 2002 Prov. closed second half of 2001	none
29. finance and budgetary provisions	first half of 2001	December 2002	-
30. institutions	first half of 2002	December 2002	Transitional arrangements relating to the Parliament and Council.
31. others		December 2002	none

Source: European Commission, Enlargement of the European Union – *Guide to the Negotiations Chapter by Chapter*, December 2003

ANNEX 5 OVERVIEW OF BILATERAL POLITICAL VISITS 1997-2003

Bilateral political visits from and to Lithuania 1997-2003

Date	visit by
12-10-1997	Dutch Minister of Foreign Affairs van Mierlo to Lithuania
23-02-1999	Lithuanian vice-minister of Foreign Affairs Rimkunas to the Netherlands
16-06-1999	Dutch state secretary of Economic Affairs Ybema to Lithuania
15-09-1999	Lithuanian state secretary of Foreign Affairs Milukas to the Netherlands
30-11-1999	Dutch state secretary of Foreign Affairs Benschop to Lithuania
09-02-2001	Lithuanian vice-minister of Foreign Affairs Cekuolis to the Netherlands
14-03-2001	Lithuanian vice-minister of Finance Grybauskaite to the Netherlands
27-06-2001	Lithuanian vice-minister of Foreign Affairs Ignatavicius to the Netherlands
30-10-2001	Dutch Minister President Kok to Lithuania
21-03-2002	Lithuanian vice-minister of Foreign Affairs Cekuolis to the Netherlands
..-04-2002	Dutch Minister of Transport and Infrastructure Netelenbos to Lithuania
..-06-2002	Dutch crown prince Willem-Alexander to Lithuania
..-06-2002	Dutch state secretary of Economic Affairs Ybema to Lithuania
20-11-2002	Dutch state secretary of Foreign Affairs Nicolai to Lithuania

**ANNEX 6 OVERVIEW OF MPAP AND PSO PA PROJECT PROPOSALS
1999-2003**

Project identification MPAP 1999-2003

	<i>Agriculture</i>	<i>Social secur. & labour</i>	<i>Education and science</i>	<i>Environment</i>	<i>Environmental planning</i>	<i>Interior</i>	<i>Health</i>	<i>Foreign affairs</i>	<i>Other</i>	<i>TOTAL</i>
1999										
proposals	-	-	1	-	-	1	1	-	-	3
accepted	-	-	-	-	-	-	1	-	-	1
rejected	-	-	1	-	-	1	-	-	-	2
2000										
proposals	-	1	1	1	-	1	1	-	-	5
accepted	-	-	-	1	-	-	-	-	-	1
rejected	-	1	1	-	-	1	1	-	-	4
2001										
proposals	-	1	1	-	-	-	1	-	-	3
accepted	-	-	1	-	-	-	1	-	-	2
rejected	-	1	-	-	-	-	-	-	-	1
2002										
proposals	2	-	-	3	1	-	1	-	4	11
accepted	1	-	-	-	1	-	-	-	-	2
rejected	1	-	-	3	-	-	1	-	4	9
2003										
proposals	-	-	-	-	-	2	2	1	3	8
accepted	-	-	-	-	-	-	1	1*	-	2
rejected	-	-	-	-	-	2	1	-	3	6
TOTAL										
proposals	2	2	3	4	1	4	6	1	7	30
accepted	1	-	1	1	1	-	3	1	-	8
rejected	1	2	2	3	-	4	3	-	7	22

* This project concerns travel documents and visa.

Project identification PSO PA 1999-2003

	<i>Agriculture</i>	<i>Transport and Communications</i>	<i>Economy</i>	<i>Finance</i>	<i>Justice</i>	<i>Other</i>	<i>TOTAL</i>
1999							
proposals	3	2	-	-	-	2	7
accepted	-	1	-	-	-	-	1
rejected	3	1	-	-	-	2	6
2000							
proposals	4	2	1	-	-	-	7
accepted	1	-	-	-	-	-	1
rejected	3	2	1	-	-	-	6
2001							
proposals	4	2	2	4	-	3	15
accepted	1	-	-	1	-	1	3
rejected	3	2	2	3	-	2	12
2002							
proposals	4	4	-	-	1	1	10
accepted	1*	-	-	-	-	-	1
rejected	3	4	-	-	1	1	9
2003							
proposals	1	2	-	1	-	1	5
accepted	1	1	-	-	-	-	2
rejected	-	1	-	1	-	1	3
TOTAL							
proposals	16	12	3	5	1	7	44
accepted	4	2	-	1	-	1	8
rejected	12	10	3	4	1	6	36

* This project was initiated in co-operation with the Ministry of Environment.

ANNEX 7 OVERVIEW OF PHARE TWINNING PROJECTS WITH DUTCH PARTICIPATION 1998-2003

Phare Twinning projects in Lithuania in all sectors with The Netherlands as leading or junior partner

	<i>Total</i>	<i>Miscellaneous</i>	<i>Public administrative reform</i>	<i>Transport and energy</i>	<i>Telecommunication</i>	<i>Enterprise</i>	<i>Public expenditure management projects</i>	<i>Statistics</i>	<i>Competition</i>	<i>Audit and control</i>	<i>Internal Market</i>	<i>Taxation and customs union</i>	<i>Employment and social affairs</i>	<i>Justice and home affairs</i>	<i>Regional development</i>	<i>environment</i>	<i>Health and consumer protection</i>	<i>Fisheries</i>	<i>Agriculture</i>
1998 leading junior	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -
1999 leading junior	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -
2000 leading junior	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -
2001 leading junior	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	1* -	- -	- -	- -	- -	- -	- -
2002 leading junior	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	1 -	- -	- -	- -	- -	- -	- -	- -	- -
2003 leading junior	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -
Total leading junior	- -	- -	- -	- -	- -	- -	- -	- -	- -	- -	1 -	- -	2 -	- -	- -	- -	- -	- -	- -

* This project relates to the health sector.

ANNEX 8 OVERVIEW OF ACTIVITIES IN THE SELECTED SECTORS - LITHUANIA 1998-2003

In italics: Activities not included in the evaluation of effectiveness and efficiency

	Agriculture	JHA	Health	General
Phare Twinning and Horizontal NL leading partner		Phare Horizontal: -Rule of Law (activity: support to the Council of Courts) -Synthetic drugs -Phare anti-money laundering -Migration module of the migration, visa and border management project Phare Twinning light: -Design and delivery of a training programme for administrative courts	LT01/IB/SO-02 Strengthening capacities to manage the public health system	
Phare Twinning NL junior partner (between brackets: leading partner) PSO PA	LT02/IB/AG-01 (DK) Strengthening the capacity to implement EU acquis for agriculture (CAP) (short-term) PSO0/LT/9/1 Upgrading quality management for fruit and vegetables in line with EU regulations PPA01/LT/9/1 Institutional strengthening of the National Veterinary Diagnostic Services PPA01/LT/9/3 The creation and implementation of a monitoring system for the quality of fruit propagating material in			

	Lithuania according to EU requirements PPA02/LT/9/2 Strengthening county and district capacity for agri-environmental programming and implementation			
MPAP	MAT02/LT/9/1 The improvement of food safety and security in Lithuania (was: The improvement of food safety and its surveillance in Lithuania)	MAT03/LT/9/1 Examination/Investigation of travel documents and visa (falls under competency Ministries of Foreign Affairs)	MAT09/LT/9/1 Institutional strengthening of the State Public Health Centre in Lithuania MAT01/LT/9/1 Improvement of capacity of services essential for radiation protection in medicine	
Partnerships	-	-	-	-
PUA	Missions to: Ministry of Agriculture, 2000 (16098) & 2002 (24514) State Food and Veterinary Service, 2001 (23262) Mission NMCP to study problems in the animal feed sector, 2000	Missions to: Ministry of the Interior, 2 times in 2000 (16194) Police Dep. Organised Crime Investigations, 2000 (16341) Fire and Rescue Dep. of Ministry of the Interior, 2000 (16601) & 2002 (24555) Police Dep. of Ministry of the Interior, 2002 (23878/25626) Public Safety Dep. of Ministry of the Interior, 2002 (25605) Juvenile Justice; one-week expert mission	Missions to: State Medicine Control Agency, 2000 (17654) & 2001 (22276) Vilnius Blood Centre, 2001 (21762) & 2002 (24401)	Missions to: International Relations and European Integration Dep., 2000 (16306) European Committee under the Government, 2000 (16735/16738/16739)
ADEPT	Course on food safety first, 2000, 2001 Course on chain management in agriculture, 2001		Course public health in the EU, 2000, 2001	
IMPACT			Internship health protection 001a/99, 1999 Visit handicapped persons care, 002/99, 1999	Internship public governance and European integration 036/99, 1999

<p>DIP</p>	<p>Conference 'Preparing for EU membership', 2000 Course for all acceding countries 'European agricultural policy in transformation', 2001 Conference for all acceding countries 'EU enlargement: The relation between agriculture and nature management', 2001</p>	<p>Data protection and prison administration (MoU)</p>	<p>Kick off meeting and follow up of Phare Twinning project LT01/IB/SO-02, 2002 Presentation and preparation covenant Phare Twinning project LT01/IB/SO-02, 2001 Presentation for Baltic States on EU directive 86/609/EEG, 2001</p>	
<p>Matra and PSO: economic and social transformation projects</p>		<p>Matra classical: QE006201 Assistance at the modernisation of civil Law in the Baltic States (CILC project) LT000501 Juvenile Justice Programme Lithuania (UNDP project) Practical training in international human rights litigation (courses in the Netherlands; for all acceding countries) Implementation of the new Lithuanian Code of Civil Procedure (CILC project, started September 2003)</p>	<p>Matra classical: LT000901 Set up a training structure in psycho-analytic psychotherapy LT001901 Contribute to the upgrading of the positions of general practitioners and community (home care) nurses LT002001 Further development of the 11 existing mental health centres in the direction of building a community mental health network LT003601 Developing a consecutive chain of mental health services in Vilnius</p>	

ANNEX 9 PROJECT EVALUATION METHODOLOGY AND PRE-ACCESSION PROJECT EVALUATIONS

Methodology

Selection of Pre-accession Activities and Projects

For this country case study an overview of all pre-accession activities with Dutch involvement in the three selected policy sectors was compiled. This overview served three purposes:

1. Insight in the thematic concentration of deployment of policy instruments in various sectors, for the purpose of coherence analysis;
2. insight in the deployment of different types of policy instruments in various sectors;
3. selection of activities to assess their effectiveness and efficiency.

The following criteria have been applied to select pre-accession activities for the evaluation:

- Countries

Only activities in the four countries that were selected according to the Terms of Reference have been included in the evaluation.

- Sectors

Activities fitting the sectors selected in the Terms of Reference, as well as activities beyond these sectors and focused on bilateral co-operation and/or the accession process in a more general sense have been selected.

- Suitability for evaluation in relation to the sub-programme

Minor activities such as certain internships (IMPACT programme) or two-week courses (ADEPT programme) have been kept outside the product evaluation, because measuring their effectiveness is virtually impossible. Phare Twinning projects with Dutch participation also have not been evaluated, because this falls outside the mandate of IOB. Three sub-programmes were selected: MPAP, PSO PA and Partnerships (for Romania only the first two).

- Finalised or nearly finalised activities

Activities just started or at their height of implementation did not qualify for selection.

In Lithuania five projects (three PSO PA and two MPAP) were assessed in terms of effectiveness and efficiency.

	<i>Agriculture</i>	<i>JHA</i>	<i>Health</i>	<i>General</i>
PSO PA	3			
MPAP			2	

Criteria and indicators

Appendix 1 of the Terms of Reference for the general study already contained an evaluation matrix with indicators to measure effects. These indicators are related to two policy objectives: contribution to the accession of candidate Member States and strengthening bilateral relations. This evaluation matrix also forms the basis for the

evaluation. In the assessment the effectiveness for each policy objective has been measured, using a four-point scale. Two scores on this scale qualify as 'sufficiently effective' and two as 'insufficiently effective'. Initially the criterion of pre-accession relevance was also assessed. However, this partly coincided with the assessment of the policy objective concerning contribution to the accession process of the candidate Member State. Consequently, projects not relevant for accession were assessed as 'not effective', even when project objectives were realised.

Furthermore, for each project demand and supply conditions and possible overlap with other projects were checked. Scores were not attached to these factors. Because of time and scale related problems, it is not possible to assess the impact of the activities.

In the assessment the following definitions and scores were applied:

- Effectiveness A Contribution to the accession process

In the evaluation matrix attached to the general Terms of Reference several indicators are defined to measure contribution to the adoption and implementation of the acquis. Score 1 activities have visibly contributed to the adoption (e.g. new legislation) and/or implementation of the acquis (e.g. new institutions, better functioning of institutions). Score 2 activities have contributed to a lesser extent and follow up is necessary. Score 3 projects have contributed to a limited extent. Score 4 activities have not visibly contributed to this policy objective.

- Effectiveness B Strengthening bilateral relations

Score 1 activities have clearly contributed to strengthening bilateral relations at government level, and concrete examples of the intensified relations are given. Score 2 projects are characterised by intensive dialogue between professionals supported to some extent by central government organisations. In score 3 projects central government organisations are not involved, although exchange between professionals may be quite intensive during and after finalisation of the project. Score 4 projects have not led to professional or government contacts after finalisation of the project. Exchange of views between professionals has remained limited to the project period.

- Efficiency

Also here a four-point scale has been applied. Indicators for efficiency relate to planning (both time and finance), costs and changes in the project team. Score 1 projects have been very efficient, i.e. no time delays occurred, the outcome is reasonable in relation to the costs, technical assistance has been used in a flexible way, intermediate project results were clear and the project was well planned. Score 2 projects also do well on these indicators, but to a lesser extent. In score 3 projects, some important efficiency problems occurred related to one or more of the mentioned indicators (e.g. either time delays, technical assistance was not perceived to be flexible, the absorption capacity of the recipient organisation was problematic, etc.). Score 4 projects show important problems on two or more efficiency indicators.

Pre-accession project evaluations

The creation and implementation of a monitoring system for the quality of fruit plant propagating material in Lithuania according to EU requirements

PSO PA, agricultural sector

PROJECT SYNOPSIS

Project title	Creation and implementation of a monitoring system for the quality of fruit plant propagation material in Lithuania according to EU requirements
Programme	PSO PA
Project number	PPA01/LT/9/3
Budget	€ 340,355.16
PA-objective	To increase efficiency of the horticultural sector in Lithuania through upgrading the quality of the fruit plant propagating material to EU standards
Counterpart	Ministry of Agriculture, Lithuania
Beneficiary	State Seed and Grain Service, under the Ministry of Agriculture (SSGS)
Executing agencies	Stoas-Agriment Consultancy & Training B.V.
Duration	01-01-2002 / 31-12-2003, extension until end of April 2004
Overall objective	To increase efficiency of the horticultural sector in Lithuania through upgrading the quality of the fruit plant propagating material to EU standards
Specific objectives	<ul style="list-style-type: none"> • To position and put into operation a solid and sound certification and labelling system in the fruit plant propagating sector that meets EU requirements; • to minimise the number of nurseries that sell uncertified planting material; • to reduce the number of fruit producers that produce their own planting material.
Planned activities	<p>ad result 1) Training of SSGS, LIH and SPPS staff; discuss and determine the desired monitoring system; review existing primary legislation and assist in the development of secondary legislation in the field of plant propagating materials; set up a system of nurseries; develop a system for certification and for labelling; operationalise formal linkages between SSGS, SPPS and LIH concerning certification;</p> <p>ad result 2) develop a certifiable propagating system; operationalise formal linkages between SSGS and LIH concerning the supervision of SSGS on the propagation of pre-basic material; organise a round table to consult the nurseries to achieve agreement on responsibilities of the LIH for the maintenance of material; develop a vision and strategy on the developments in the fruit and fruit plant sector; familiarise nurseries with national legislation and the benefits from selling certified material; disseminate information on quality requirements to nurseries;</p> <p>ad result 3) training of SSGS, SPPS and LIH staff and field inspectors in respectively methodologies for quality control and certification of plant propagating material, quality requirements and supervision/auditing, virology and technical aspects of fruit plant propagating material inspection; improve facilities for virological testing and for conserving pre-mother material;</p> <p>ad result 4) upgrade priorities with LAAS to address needs of fruit growers and especially gardeners; develop an extension plan for this target group and disseminate information to them; set up demonstration orchards or plots; organise a seminar on the benefits of the use of certified virus-free material and a final seminar to disseminate results of the project.</p> <p>ad result 5) study visits, expert missions and upgrading of working methods; monitoring the development of working relations. During the project, activities will be organised in such a way that they enhance contacts.</p>
Realised activities	All planned activities have been realised.
Planned outputs	<ol style="list-style-type: none"> 1. The State Seed and Grain Service (SSGS) is strengthened in enforcement and implementation of national legislation and monitoring of quality (through field inspections, certification tasks and bacteriological and virological research) of fruit plant propagating materials; 2. an adequate system for the production of plant propagating material in the fruit sector is set up and functioning in accordance with national legislation; 3. there is adequate expertise and facilities within the involved institutes for executing the

	<p>production, inspection and certification of fruit plant propagating material in line with EU requirements (capacity building);</p> <p>4. Dissemination of the results of this project to the whole fruit sector, including gardeners (small household plot owners). Fruit growers are familiarised with and informed about the benefits from using certified and labelled fruit plant materials;</p> <p>5. Contacts and sustainable working relationships established between Dutch and Lithuanian partner institutions.</p>
Realised outputs	All planned outputs have been realised.
EU accession related effects	In Lithuania a sound certification and labelling system in the fruit plant-propagating sector is in operation, which meets EU requirements.
Effects related to strengthening of bilateral contacts	Co-operation between Lithuanian and Dutch organisations already existed for several years via technical bi- and multilateral assistance. The project made it possible to intensify existing relations.
Bottlenecks during implementation	
Related project activities	

The project synopsis is prepared by the evaluation team. The information on planned output and activities is based on the inception report, on which all parties agreed. Further information on the project and its results is derived from interviews with stakeholders and file research. The project synopsis reflects how the evaluators understand the intervention logic of the project.

Main documents:

- Terms of Reference 2001, prepared by Senter (Oct 2001);
- Inception report, prepared by Stoas-Agriment Consultancy & Training B.V. (May 2002), covering Jan-April 2002;
- Quarterly progress report, prepared by Stoas-Agriment Consultancy & Training B.V. (July 2002), covering May-June 2002;
- Quarterly progress report, prepared by Stoas-Agriment Consultancy & Training B.V. (Jan 2003), covering Oct-Dec 2002;
- Quarterly progress report, prepared by Stoas-Agriment Consultancy & Training B.V. (July 2003), covering April-June 2003;
- Status Document Beheer, prepared by Senter (Aug 2002);
- Minutes of meetings of the Project Advisory Committee.

Background of the project

In its National Plan for the Adoption of the Acquis of May 1999 the Lithuanian government (the Ministry of Agriculture) indicated that the modernisation of the agricultural sector, including the processing industries, was a priority in its accession process. The modernisation of the agricultural sector should lead to the strengthening of the sector's competitiveness. Concerning the necessary measures to achieve this, the focus was primarily on a set of institutional changes that would support the transition of the existing network for quality inspection and certification into one that meets EU requirements. With respect to the quality of seed, grain and propagating material the Commission mentioned in its 2000 Regular Report that Lithuania's policy needed to be brought further in line with EU principles. Furthermore, concerning the implementation of policy measures, Lithuania was urged to make efforts to set up a laboratory infrastructure in conformity with EU requirements.

Against this background the State Seed and Grain Service formulated a project proposal, indicating that the Service had a serious lack of knowledge about EU legislation with respect to the quality system of plant propagating material and the consequences of implementing the legislation, especially with regard to the institutional structure for implementing the system. Senter selected this project for

funding by the PSO PA programme. Both the Lithuanian Ministry of Agriculture and the Service, together with the Dutch consultant, decided therefore to include the Lithuanian Institute for Horticulture (LIH) and the Lithuanian Agricultural Advisory Service (LAAS) into the project proposal.

During the inception phase some alterations were made in the work plan, while the overall and specific objectives of the project remained the same. Everybody involved agreed on the suggested modifications. The purpose of the proposed modifications was to better meet assistance needs expressed by Lithuanian partners.

The project support aimed at strengthening the institutional structure with respect to the certification and labelling of fruit plant propagating material in order to improve its quality. To have a sound certification and labelling system in operation is a requirement for EU membership, which is formulated in several EU regulations, most specifically in the Council Directive 92/34/EEC '*...on the marketing of fruit plant propagating material and fruit plants intended for fruit production*' and in the Council Directive 93/64/EEC '*...setting out the implementing measures concerning the supervision and monitoring of suppliers and establishments pursuant to Council Directive 92/34/EEC on the marketing of fruit plant propagating material and fruit plants intended for fruit production.*'

The project had a strong link with the PSO PA project 'Upgrading quality management for fruit and vegetables in line with EU regulations' (PSO0/LT/1/9). The latter project focused on improving the quality management of end products while the evaluated project focused on plant propagating material. In both projects, LIH and LAAS were involved. The evaluated project also had a link with the Phare project 'Technical assistance to veterinary and phytosanitary control' (2000-2001), in which SPPS was also involved. Two subjects covered by the Phare project were also of importance to the evaluated PSO project: the development of a phytosanitary register and a system for plant passports. Some fine-tuning between the projects was needed on these issues.

Effectiveness A: support to Lithuania's accession

The beneficiaries (SGGS, LIH) were very positive about the training and exchange of information and knowledge through the consultants. The project has proven to be very effective in updating the scarce Lithuanian knowledge on methodologies for laboratory testing and analysis. Another important effect is that all stakeholders are working well with each other now. Before the project started, some of the services struggled with each other about their competencies and responsibilities. Thus, the project has clearly contributed to setting up an institutional structure to establish an appropriate controlling system for fruit and vegetables quality.

Effectiveness B: strengthening bilateral relations

Bilateral contacts between professional experts on both sides have been strengthened through this project and most probably will remain strong. Contacts with the consultants/advisers, but also with Senter and the Dutch agricultural attaché from Warsaw, have always been very close and positive and experts were said to have a good understanding of Lithuanian needs. A stimulus for the professional contacts was the establishment of a propagation garden in Babtai at the LIH. Propagation material (seedlings, seeds) will be delivered by the garden in Horst. Furthermore, several Lithuanian interviewees pointed towards the good Lithuanian perspectives of expanding its horticultural production and selling at international markets. They

consider contacts with Dutch knowledge providers and business as favourable, as these may contribute to the strengthening of competitiveness of the Lithuanian horticultural sector.

Efficiency

According to interviewees and available progress reports (up to the 6th Quarterly report), all activities have been executed timely and accurately. The project was extended to April/May 2004 to complete the full legal basis for inspection rules and have additional time for implementation. At the end of 2003 some training still had to be delivered, while also equipment for the screening house had not yet arrived. The latter had to do with the fact that construction of the screening house could only start when the ground would have sufficiently thawed out.

Upgrading quality management for fruit and vegetables in line with EU regulations

PSO PA, agricultural sector

PROJECT SYNOPSIS

Project title	Upgrading quality management for fruit and vegetables in line with EU regulations
Programme	PSO PA
Project number	PSO0/LT/9/1
Budget	€ 430,768.57
PA-objective	To assist the Government of Lithuania/the Ministry of Agriculture in order to establish a quality management system for horticultural products conform EU quality standards
Counterpart	Ministry of Agriculture
Beneficiary	State Food and Veterinary Service
Executing agencies	Agriment International B.V.
Duration	01-01-2001 / 31-12-2002
Overall objective	To assist the Government of Lithuania/the Ministry of Agriculture to establish a quality management system for horticultural products (in particular vegetables and fruits) conform EU quality standards
Specific objectives	<ul style="list-style-type: none"> • To strengthen the Ministry of Agriculture, division Crop Products, in the harmonisation of national legislation with EU quality standards for fruits and vegetables; • to put the State Food Inspectorate Department within the State Food and Veterinary Service into operation; • to strengthen inspection and certification capacity of the SFI Department; • to strengthen dissemination of the quality standards for fruits and vegetables towards the stakeholders (farmers/wholesalers/retailers).
Planned activities	<p>The following activities were planned (with reference to outputs, see below):</p> <p>(1.1) Transfer knowledge concerning the harmonisation of Lithuanian legislation in quality control and certification with EU regulations;</p> <p>(1.2) Improve practical experience regarding the quality standards of fruits and vegetables;</p> <p>(2.1) Develop accessible tools for quality assessment;</p> <p>(2.2) Deliver manuals on sampling techniques;</p> <p>(2.3) Assess training needs and provide in-service training for inspectors to perform their tasks conform EU standards;</p> <p>(2.4) Organise a study visit to The Netherlands for the management of the State Food Inspectorate, inspection officers in the fruits and vegetables sector and relevant staff;</p> <p>(2.5) Assist with the development and implementation of recommendations for efficient administrative structures, and division of tasks and responsibilities;</p> <p>(3.1) Develop a certification and labelling system for fruits and vegetables in line with national harmonised legislation;</p> <p>(3.2.) Develop an administrative system to register certification and labelling activities (monitoring system);</p> <p>(3.3) Develop an execution plan for certification and labelling, including assistance to ensure the efficient introduction and implementation of this plan;</p> <p>(4.1) Analyse existing stakeholders (farmers/wholesalers/retailers) in the fruits and vegetable sector in relation to the harmonisation of quality standards and quality inspection (building the network);</p> <p>(4.2) Draft recommendations to inform stakeholders on developments regarding legislation, inspection and implementation of quality standards for fruits and vegetables;</p> <p>(4.3) Design publishing materials to promote Lithuanian quality management policy and corresponding EU requirements for stakeholders/target groups within the horticultural sector;</p> <p>(4.4) Assist the LAAS to inform horticultural farmers on the legislation and inspection of quality standards for fruits and vegetables;</p> <p>(5.1) Recruit interested fruit and vegetables growers, wholesalers and retailers in</p>

	line with the development of a horticultural branch organisation.
Realised activities	All planned activities have been executed.
Planned outputs	The following results were foreseen: <ol style="list-style-type: none"> 1. The Ministry of Agriculture strengthened in the realisation of national legislation of quality standards of major fruit and vegetable products in Lithuania, in line with EU regulations. This legislation shall include a template for harmonisation of quality standards of remaining horticultural crops; 2. the State Food Inspection Department strengthened in its inspection function of the assessment of fruit and vegetable quality, in line with EU regulations; 3. the State Food Inspection Department strengthened in its certification function of labelling of quality fruit and vegetables, in line with EU requirements; 4. a national network was established for the dissemination of information and advice to stakeholder groups in the private sector about the practical implications of quality management measures for fruit and vegetables, according to certified standards; 5. a plan for the establishment of a national branch organisation for quality management of fruits and vegetables growers developed and its implementation initiated.
Realised outputs	All planned outputs have been realised.
EU accession related effects	Lithuania expanded its knowledge of the EU requirements, policy and implementation with respect to the quality standards and management system of the major fruit and vegetable products.
Effects related to strengthening of bilateral contacts	There are still many and frequent bilateral contacts between the professional experts since the project has ended.
Bottlenecks during implementation	
Related project activities	Exchange of information with and training of Estonian fruit and vegetable quality inspectors.

The project synopsis is prepared by the evaluation team. The information on planned output and activities is based on the inception report, on which all parties agreed. Further information on the project and its results is derived from interviews with stakeholders and file research. The project synopsis reflects how the evaluators understand the intervention logic of the project.

Main documents:

- Terms of Reference 2000, prepared by Senter (Oct 2000);
- Inception report, prepared by Agriment International B.V. (April 2001), covering Jan-March 2001;
- Quarterly progress report, prepared by Agriment International B.V. (July 2001), covering April-June 2001;
- Quarterly progress report, prepared by Agriment International B.V. (Jan 2002), covering Oct-Dec 2001;
- Quarterly progress report, prepared by Agriment International B.V. (Oct 2002), covering July-Sept 2002;
- Final report, prepared by Agriment International B.V. (Jan 2003), covering Jan 2001-Dec 2002;
- Status Document Beheer, prepared by Senter (July 2003);
- Minutes of meetings of the Project Advisory Committee;
- Letter of Satisfaction of the State Plant Protection Service of the Republic of Lithuania (Dec 2002);
- Letter of Satisfaction of the State Food Inspectorate under the State Food and Veterinary Service of the Republic of Lithuania (Dec 2002);
- Letter of Observation of the ministry of Agriculture of the Republic of Lithuania (Dec 2002).

Background of the project

The initial project proposal for support to assist in the improvement of the quality control and inspection system was formulated by the Lithuanian Ministry of

Agriculture. The existing system in Lithuania was very weak, due to lack of legislation enforcement and lack of human knowledge and proper equipment. The need for upgrading the quality management system was brought forward in EU assessments, which indicated that this issue was not well addressed and below EU standards. In the Acquis Implementation Action Plan of the NPAA the upgrading of inspection tasks with respect to fruit and vegetables was foreseen and indicated as a priority measure for the development of the sector, through improving the quality of products.

The Dutch-Lithuanian pre-accession project focused on the provision of expert knowledge on EU regulations concerning a Lithuanian quality management system for horticultural products (in particular vegetables and fruits) that meets EU quality standards. In 2000 it was clear that the acquis requirements in these fields had not been met yet by Lithuania. There were hardly any guidelines regarding legally allowed quality standards for horticultural products, while only a very minor share of imported products was inspected in a basic phytosanitarian way.

A Phare Twinning project on phytosanitary issues, led by Germany, was related to the abovementioned project. It also touched on the subject of agricultural product quality improvement. Within the framework of this project several seminars on the quality issue were organised. The information provided was only very general, whereas the Dutch-Lithuanian project focused on ways to improve the quality management system through the transfer of knowledge and expertise on legislation and technical training of inspectors. The Dutch-Lithuanian pre-accession project therefore was very practical and met Lithuanian needs very well. Another related project was PSO PA project PPA01/LT/9/3, which regards the creation and implementation of a monitoring system for the quality of fruit propagating material according to EU requirements. The difference between this PSO PA project and the currently evaluated pre-accession project was that the former focused on the quality of plant propagating material, whereas the latter addressed end product quality.

Effectiveness A: support to Lithuania's accession

The project has been effective in realising all planned outputs and has thus provided support to Lithuania's accession. The project resulted in two good working inspection services (SPPS for the import and collection/distribution centres, and SFVS for the retail and market places) under the co-ordination of the Ministry of Agriculture, with participation and involvement of the private sector in upgrading the standards of local produce. The project furthermore trained 72 local quality inspectors. A small group of inspectors went to the Netherlands for an intensive course to become trainers themselves. The dissemination of information on quality requirements to growers and other actors in the area of fruit and vegetable production and trading was largely organised by the Lithuanian Institute for Horticulture (LIH), in co-operation with the Chamber of Agriculture and growers and traders associations. The planned role for LAAS (Agricultural Advisory Service) in disseminating information on the issue did not materialise, because it showed little interest. LIH now has the status of training centre (certified by the Lithuanian Ministry of Agriculture). Due to seminars and courses organised in the framework of this project (and followed-up by LIH) on quality issues, the network of actors improved and contacts between growers, traders and government institutions became more intensive.

The Agriment agency executes a similar project in Estonia and has asked the Lithuanian SPPS to host Estonian inspectors for a short-course training and teach them what Lithuanians have learned from this bilateral project.

Effectiveness B: strengthening of bilateral relations

Through this project bilateral relations between professional organisations of both countries were strengthened. Dutch official institutions such as the produce board for horticulture (PT) and AQS are now familiar with their Lithuanian counterparts. At work floor level, intensive contacts have been established, although these are much less frequent as the project ended over a year ago. However, contacts remain strong enough to be useful in case questions come up or needs for additional support would be identified.

Efficiency

The project worked out smoothly and was implemented in a timely manner. One bottleneck that was encountered was related to the appointment of a new head inspector at SPPS, who was less familiar with quality norms. Consequently, there was a need for rearranging responsibilities among staff inside the SPPS. Another issue was a dispute about the responsibilities of the SPSS and SFVS. In both cases the proposal of the project team about the division of responsibilities was accepted and implemented by the Ministry.

The SPPS expressed its satisfaction about the organisation of the project, expertise of the Dutch consultants and their flexibility and commitment to the project. According to SPPS this has been one of the most useful projects in helping the institution to prepare for accession. SPPS keeps in touch with the Dutch experts informally on a regular basis, mainly through email and telephone contact. The organisation regularly needs updated information about changes in EU regulations with respect to quality policy. If possible SPPS would like to receive Dutch experts' support in other projects.

Institutional strengthening of the National Veterinary Diagnostic Service in Lithuania

PSO PA, agricultural sector

PROJECT SYNOPSIS

Project title	Institutional strengthening of the national veterinary diagnostic service in Lithuania
Programme	PSO PA
Project number	PPA01/LT/9/1
Budget	€ 431.091,21
PA-objective	
Counterpart	State Food and Veterinary Service (SFVS)
Beneficiary	National Laboratory under the State Food and Veterinary Service
Executing agencies	Agri-Livestock Consultants Ltd. (ALC) Vrian Projects B.V.
Duration	01-01-2002 / 31-12-2003
Overall objective	To strengthen national and regional capabilities of the State Food and Veterinary Service and relevant Governmental institutions to undertake the effective transposition of the EU control system for animal health and food safety in conformity with European requirements
Specific objectives	To strengthen institutional structures of the veterinary diagnostic services in Lithuania, aimed at upgrading the monitoring, surveillance, eradication and prevention of (infectious) animal diseases, in conformity with European Union legislation.
Planned activities	Ad 1) Do assessments of the present organisational structure, provide training of staff, guidance and support with implementation of proposals for improvement; ad 2) formulate a strategic plan for revision of veterinary laboratory structure, support implementation of suggestions for improvement; ad 3) assess the current situation and provide recommendations for improvement, plan definition; ad 4) workshops, seminars, and training; ad 5) disseminate project results.
Realised activities	All planned activities were realised.
Planned outputs	<ul style="list-style-type: none"> • The State Food and Veterinary Service strengthened its organisational and functional capacity, including an optimised mutual co-operation with and between subordinate institutions; • veterinary laboratories strengthened the area of diagnostic laboratory activities in accordance with related EU legislation; • a definition plan for a veterinary surveillance network (VSN), including interfaces with other relevant systems; • the National Veterinary Laboratory was appointed as a reference laboratory for the Baltic states for at least one disease and prepared for the ISO/IEC 17025-accreditation; • contacts with similar Dutch institutions were expanded, with the aim to exchange information about the experience of The Netherlands with diagnostic activities in accordance with EU requirements, and to set up sustainable co-operation.
Realised outputs	All planned outputs have been realised.
EU accession related effects	Through knowledge transfer and training of specialists Lithuania now has a well operating National Veterinary Laboratory, working according to EU requirements as laid down in the acquis.
Effects related to strengthening of bilateral contacts	Working relations between experts have been extended and intensified. Contacts are close enough that when Lithuanian experts need advice or assistance, Dutch experts would help them.
Bottlenecks during implementation	No bottlenecks were identified.
Related project activities	

The project synopsis is prepared by the evaluation team. The information on planned output and activities is based on the inception report, on which all parties agreed. Further information on the project and its results is derived from interviews with stakeholders and file research. The project synopsis reflects how the evaluators understand the intervention logic of the project.

Main documents:

- Terms of Reference 2001, prepared by Senter (Oct 2001);
- Inception report, prepared by ALC/Vrian Consortium (April 2002), covering Jan-March 2002;
- Quarterly progress report, prepared by ALC/Vrian Consortium, (July 2002), covering April-June 2002;
- Quarterly progress report, prepared by ALC/Vrian Consortium, (Jan 2003), covering Oct-Jan 2002;
- Quarterly progress report, prepared by ALC/Vrian Consortium, (July 2003), covering April-June 2003;
- Status Document Beheer, prepared by Senter (Nov 2002);
- Minutes of meetings of the Project Advisory Committee;
- Letter of Satisfaction of the National Veterinary Laboratory of the Republic of Lithuania (2003);
- Letter of Observation of the State Food and Veterinary Service of the Republic of Lithuania (Dec 2003).

Background of the project

In 2001 the State Food and Veterinary Service (SFVS) asked for support to improve diagnostic capacity and training of staff in order to comply with the EU accession requirements and the acquis. Lithuania was free from OIE List A diseases but the level of expertise, laboratory facilities and communications in the veterinary surveillance network was considered a weakness in the ability to detect and investigate new and emerging diseases or significant changes in existing diseases.

The Lithuanian National Programme for the Adoption of the Acquis of May 1999 foresaw the implementation of legal and institutional structures related to veterinary activities in accordance with EU requirements on the medium term. Based on EU audits the European Commission indicated in its 2000 Regular Report that laboratory activities related to the prevention of the outbreak and spread of animal diseases were not yet carried out in line with European legal standards. The Commission emphasised the need to pay special attention to upgrading the material basis of veterinary laboratories and the level of expertise of veterinary surgeons. This project has responded to this recommendation.

The PSO pre-accession project was related to other foreign assistance projects. It followed up on some important recommendations of the 1996 Phare Multi Country Veterinary Programme (MCVP-project number B5-96-001), the evaluation reports of FVO and already undertaken pre-accession activities by the Lithuanian government. In that Phare project an in-country surveillance chain review and audit was performed in Lithuania during 1996-1999. This presented the limitations of the current animal disease surveillance system in Lithuania, compared to a presumptive standard present in EU countries. Furthermore, the currently evaluated PSO pre-accession project was fairly similar to one implemented in Latvia (PSO0/LV/9/1) with the same title. Between these projects there was a search for synergy, illustrated for instance by the visit of Latvian beneficiaries to their Lithuanian colleagues to share experiences and discuss results of the projects in a joint seminar in May 2003 (see also 'Effectiveness A').

Effectiveness A: support to Lithuania's accession

The beneficiaries of the project were very satisfied with the results. The project supplied them with useful advice on the organisation of diagnostic activities,

techniques and equipment to be used, laboratory renovation, sampling and logistical issues. The interviewees underlined the high competence and professionalism of Dutch experts. Their flexibility was also emphasised, illustrated by a number of examples, such as the additional support provided to the Klaipėda laboratory quality support system.

As all planned outputs were realised, the project was very useful and effective. An important indicator of the success was the accreditation of the NVL veterinary diagnostic activities by an official German body. Further results indicating the success of the project relate to regional co-operation. Within this project a scientific meeting of experts of the National Veterinary Laboratories of the Baltic States took place in Vilnius in May 2003. This meeting was said to have stimulated regional co-operation. Moreover, the development and implementation of the EU Phare Twinning project on I&R/VSN has benefited from ideas developed and advice given during this Senter project. The Phare project is expected to benefit from activities developed in the framework of the PSO PA project.

Effectiveness B: strengthening bilateral relations

Via this PSO PA project good bilateral contacts were developed, which focused on the professional rather than governmental level. Due to this project amongst others the relationship between the Klaipėda laboratory and the NVL (National Veterinary Laboratory) improved.

Efficiency

The project finished in December 2003. No problems related to planning occurred and the project ran smoothly. The project was thus implemented in a timely manner and accurately. The 6th Quarterly report (covering the period April-June 2003) pointed out that many activities had even been realised earlier than expected. During implementation, several changes in activities were proposed and agreed on. These modifications were necessary in order to be (more) realistic in reaching objectives, line up with Phare projects, and/or respond to explicitly expressed Lithuanian needs. For instance, a seminar about accreditation was planned as an internal seminar, but the successful audit and experience of the NVL with accreditation made it less useful. It was replaced by regional seminars for private veterinarians, to inform them about relevant developments and present the benefits of the use of services of an accredited laboratory. In this way, project results were more widely disseminated than originally planned.

Institutional strengthening of the State Public Health Centre in Lithuania

MPAP, health sector

PROJECT SYNOPSIS

Project title	Institutional strengthening of the State Public Health Centre in Lithuania
Programme	MPAP
Project number	MAT99/LT/9/1
Budget and expenditures	Budget: NLG 695,000 (€ 315,900)
PA-objective	To strengthen the Ministry of Health in managing the harmonisation of Lithuania's health laws with the requirements of the European Union
Counterpart	Ministry of Health
Beneficiary	Initially: the State Public Health Centre. From early 2001 onwards: the State Public Health Service
Executing agencies	TNO PG (Prevention and Health), Leiden with Erasmus University Rotterdam
Duration	24 months, from 01-01-2000 / 31-12-2001 (including an inception phase of 4 months)
Long-term objective	To support the public health sector with the implementation of reforms and strengthen the capacity of the State Public Health Centre.
Short-term objectives	Five components, each with their own objectives (revised objectives defined in the inception report of April 2000): a. Policy and management reform (with 4 separate objectives) b. Training (7 objectives) c. Monitoring (9 objectives) d. Harmonisation of national legislation with European Community law (4 objectives) e. Regional implementation in 3 pilot regions: Kaunas, Klaipėda, Vilnius (4 objectives)
Planned activities	(According to the plan of operations that was part of the inception report:) a.1 Review of the Public Health Strategy a.2 Design of an implementation plan for the Public Health Strategy a.3 Review of the draft Public Health Law a.4 Review of the structure of the Public Health Service b.1 Development of a strategy for improved university based public health curricula b.2 Review of university curricula on public health and hygiene b.3 Development of a strategy for re-training b.4 Establishment of core curriculum requirements for re-training in specific areas b.5 Design of a university module and implementation of a one-week retraining course b.6 Training in programme management and internet use b.7 Review of the basic health management training curriculum; implementation. c.1 Define a set of indicators for public health c.2 Identify levels and provenance of indicators within the public health system c.3 Same, outside the public health system c.4 Propose a subset of priority indicators c.5 Decide on subset of priority indicators c.6 Design forms for information collection c.7 Train experts in the use of the new information system c.8 Implement the system in a pilot region c.9 Set-up of a system of periodic review and updating of monitoring procedures d.1 Review further versions of the draft Public Health Law d.2 Identification and selection of policies and instruments of direct relevance to the new law d.3 Design of legislation d.4 Training in EC law and legal decision making e.1 Identification of pilot sites (by a ministerial working group)

	<p>e.2 Monitor regional implementation at pilot sites</p> <p>e.3 Elaborate methodology of linking national priorities to regional level and below</p> <p>e.4 Hold periodical meetings with local and regional professionals and involvement of pilot areas in the above activities c.8, b.6 and a.2</p>
Realised activities	<p>a. Activities related to policy and management reform largely completed</p> <p>b. Training related activities largely completed, except for b.5 re-training course</p> <p>c. Monitoring related activities partly completed: activities c.6-c.9 abolished or partly completed</p> <p>d. Legal harmonisation activities all completed</p> <p>e. Regional implementation activities partly completed: e.1 and e.2 modified into awareness raising; c.8 abolished.</p>
Planned outputs	<p>Amongst others:</p> <p>a. Public Health Strategy, Strategy Implementation Plan 2000-2010, position papers for the Parliamentary Committee for Health Affairs;</p> <p>b. Strategy document for re-training, training curricula, 10 managers trained;</p> <p>c. Agreed priority indicators, simple monitoring systems;</p> <p>d. Further drafts of the Public Health law; officers trained in EC law and legal decision making</p> <p>e. Regional implementation plans of the Public Health Strategy, simple monitoring systems in place and functional in pilot areas.</p>
Realised outputs	<p>Highlights:</p> <p>* Approval and parliamentary adoption of the National Public Health Care Strategy (in July 2001).</p> <p>* Academic public health training strategy; new training curricula, 10 managers trained.</p> <p>* Some 30 laws regulating the health care system</p> <p>* Regional and local public health survey, Lithuania (June 2001).</p> <p>A Public Health Strategy Action Plan, of which the planned duration was brought down from 10 to a four-year period (2001-2004), was never finalised.</p>
EU accession related effects	<p>Public health legislation was developed, though some insiders are of the opinion that it is far too detailed to be practical. The project has tried and partly succeeded in creating favourable conditions for implementation of legislation.</p>
Effects related to strengthening of bilateral contacts	<p>TNO-PG no longer has any bilateral contacts with Lithuania, partly because of the departure of relevant staff from the institute, and partly because its role has been taken over by the NSPOH.</p> <p>Bilateral relations between the Dutch Ministry of VWS and the Lithuanian Ministry of Health continue, mainly because of the Phare Twinning project and another (more recent) MPAP project (radiation protection), though they are not very intensive.</p>
Bottlenecks during implementation	<p>* Insufficient convergence in thinking between Dutch and Lithuanian parties about what public health really means;</p> <p>* Transfer of ownership of the project from the State Public Health Centre to the State Public Health Service; and related to this, delay in the formation of an Implementation Working Group, for the development of the Public Health Action/Implementation Plan and delay in the formation of a Project Working Group.</p> <p>* Changes in the Dutch expert team appear to have delayed project implementation (replacement of the legal expert and health economist). On the other hand, TNO-PG was quite flexible in bringing in new experts to accomplish tasks that were not foreseen during the inception phase or which required additional expertise (a specialist for the public health survey and a training specialist).</p>
Related project activities	<p>* EU funded Phare Twinning project 'Strengthening the capacities to manage the public health system in compliance with EU regulation' was a kind of follow-up project, also with the State Public Health Service but with a different Dutch implementing agency.</p> <p>* A new two-year Matra classical project was approved during 2002 and started in January 2003: 'Support of regional public health structures in Klaipėda and Tauragė counties'. This project, in which county and municipal public health authorities and centres are the beneficiaries, tries to circumvent the highly centralised public health bureaucracy and work more in a bottom-up fashion by providing capacity building in the periphery, facilitating the formulation of local public health intervention strategies and supporting the implementation of these interventions. Like the Phare Twinning project, it is implemented by the NSPOH, but this time in conjunction with the Faculty of Public Health of Klaipėda University.</p>

The project synopsis is prepared by the evaluation team. The information on planned output and activities is based on the inception report, on which all parties agreed. Further information on the project and its results is derived from interviews with stakeholders and file research. The project synopsis reflects how the evaluators understand the intervention logic of the project.

Main documents:

- Terms of Reference, prepared by Senter (Nov 1999);
- Inception report, prepared by TNO (van Rijckevorsel et al., April 2000), covering Jan-April 2000;
- Quarterly progress reports, prepared by TNO (van Rijckevorsel);
- Quarterly and final report, prepared by TNO (van Rijckevorsel, May 2002), covering Jan 2000-Dec 2001;
- Minutes of meetings of the Project Advisory Committee;
- Project fiche (May 2003), project evaluation by Senter;
- Letter of Satisfaction of the Ministry of Health of the Republic of Lithuania (Jan 2002);
- Regional and local public health survey Lithuania (June 2001), by TNO (Crone, Heeren, Veniute and van Rijckevorsel).

Background of the project

The State Public Health Centre was regarded as a key player in the establishment of necessary reforms in the Lithuanian public health sector in line with the country's bid for EU membership. At the time of formulation of the terms of reference for the project (late 1999), the State Public Health Centre did not receive any significant bilateral or multilateral assistance, yet the Ministry of Health saw a need to strengthen and modernise the public health sector. This was in particular with a view to meeting article 512 of the Treaty of Amsterdam, which requires that "a high level of human health protection shall be ensured in the definition and implementation of Community policies and activities". The currently evaluated project was hence driven by a combination of the desire to respond to local demand and the intention to help satisfy EU accession requirements.

The Ministry of Health in Lithuania started the health care reform process in the early 1990s. The Ministry attempted to adjust the legal framework of the health care delivery system towards a new 'environment of competition' and align it to EU requirements. The project aimed at contributing to the development of relevant public health legislation. Equally important is the contribution of the project – at least in its design – to the development of a common understanding of public health and defining the direction of health sector reforms and creating favourable conditions for implementation. In other words: although it was not an explicit aim of the aid instrument (i.e. MPAP), the contribution to necessary transformation/reform of the sector was as important as the contribution to the accession process itself. For instance, project components a, b and e (policy and management reform, training, and regional implementation, respectively) are more related to transformation than pre-accession.

The present MPAP project is related and complementary to a number of other projects in the public health sphere in Lithuania. The project, one of the first Netherlands' supported bilateral activities, was directly linked to two subsequent projects - respectively funded by the EU Phare Twinning Programme and the Matra classical Programme - in which the Netherlands was involved as well. Thus, the Netherlands used three different aid instruments, almost in a consecutive fashion, to support the development of public health in Lithuania.

The EU funded Phare Twinning project 'Strengthening the capacities to manage the public health system in compliance with EU regulation' should be seen as "a continuation of the MPAP project so as to ensure sustainability and further

development of Dutch project results".⁴⁴ This two-year project started a few months after the MPAP project ended (in June 2002), also with the State Public Health Service⁴⁵ as the Lithuanian counterpart organisation, but with a different Dutch implementing agency: the Netherlands School of Public and Occupational Health in stead of TNO-PG. The objective of the Twinning project was very similar to that of the MPAP project: to assist the Ministry of Health of Lithuania in strengthening public health capacities both at national as well as regional level, aimed at supporting harmonisation and enforcement of the European Union's *acquis* regarding the public health sector. The budget of the Twinning project, which ran up to December 2003, was about triple the amount of that of the MPAP project.⁴⁶

The related Matra classical project ('Support of regional public health structures in Klaipėda and Tauragė counties') was approved in the course of 2002 and started in January 2003 for two years. This project tries to avoid the highly centralised public health bureaucracy. It works more in a bottom-up fashion by building capacity in the periphery, facilitating the formulation of local public health intervention strategies and supporting their implementation. Like the Phare Twinning project, it is implemented by the NSPOH, but this time in conjunction with the Faculty of Public Health of Klaipėda University, and not through the State Public Health Service or any other Ministry of Health department. This reflects the failure – at least in part – of the MPAP and Phare Twinning projects to get public health off the ground at operational level.

The Dutch MPAP project was also complementary to other donors' projects in the public health sphere. At the time of project formulation Lithuania received considerable international support for its reform programme (from IMF, WB, EBRD, EU, SIDA), including health sector reform. Under the Phare programme of the European Union, a project to introduce the concept of general practitioners at primary health care level as 'gate keepers' of the health care delivery system, and several other projects, amongst others on food safety and occupational health and safety at work, were implemented. When the MPAP project started in January 2000, it did not overlap with other projects, as the State Public Health Centre and its subsidiaries at county level did not receive any other major external assistance.

Effectiveness A: support to Lithuania's accession

A large number of activities and (though not all) planned outputs was achieved during the project (see above project synopsis). The project was hence quite effective. The MPAP project outputs were more related to transformation of the sector, creating conditions for implementation of the *acquis*, than to its adoption. By trying to contribute to the development of a common understanding of public health, defining the direction of health sector reform, and creating favourable conditions for implementing reform, the project in fact partly succeeded in creating favourable conditions for implementation of new legislation. However some insiders are of the opinion that the set of laws, rules and regulations developed is far too detailed to be practical. The project was not able to rationalise legislation and restrict over-regulation.

⁴⁴ Source: Standard Summary Project Fiche of project number LT 01 08 01 (Phare Twinning) prepared by the Ministry of Health, 9 March 2001.

⁴⁵ In the course of its implementation the ownership of the MPAP project was transferred from the State Public Health Centre to the State Public Health Service.

⁴⁶ € 1.14 million, of which € 140,000 from national co-financing, € 750,000 for technical assistance and training, and € 250,000 for investment support.

An important side effect of the project - since transformation is not among the aims of the MPAP programme - is that the Ministry of Health at central level has gradually come to realise the comprehensiveness of the public health concept, as well as the importance of involving county and municipal levels in the formulation and implementation of local public health strategies. The extent to which this should be attributed to the MPAP project or its successor (the Phare Twinning project) cannot be established with certainty. The implications of these new insights, in terms of mandates and the required institutional capacity of the various responsible bodies (the State Public Health Service itself, the State Public Health Centre, the public health centres and laboratories at the county level), have not yet fully become clear at the time of evaluation. A fierce debate on this matter is ongoing in the national parliament, with strong calls from members of the parliamentary Committee on Health Affairs for the abolition of the State Public Health Service.⁴⁷ These current political developments should not be seen as a failure of Dutch support to public health in the past few years,⁴⁸ but as a logical result and probably a necessary step towards future operational public health measures.

Effectiveness B: strengthening of bilateral relations

In terms of bilateral contacts, the MPAP project led to intensified contacts between Lithuanian health policy makers and managers and representatives from Dutch public health organisations. TNO-PG, the implementing agency, however lost all contacts with Lithuania after the project was finalised in December 2001. This was partly due to disappointment on the side of TNO-PG staff with the fact that another Dutch player (NSPOH) entered the arena through the new Phare Twinning project, which some saw as a hostile take-over. It was also related to the fact that many of the TNO-PG staff left the institute fairly soon after the project expired.

Indirectly, the MPAP project contributed a great deal to intensified Dutch-Lithuanian bilateral contacts due to frequent exchanges and consultations between public health experts, which from the Dutch side not only involved NSPOH, but also the Ministry of VWS, a couple of GG&GD's (regional public health bureaux) and, to a lesser extent, the RIVM.

Efficiency

Given some constraints beyond the control of the implementing agencies, the project was managed and implemented fairly efficiently. The greater part of the budget of € 316,000 for two years went to technical assistance.

⁴⁷ It is not clear whether the recent departure of both the Director and the Deputy Director from the State Public Health Service is linked to this.

⁴⁸ An interim evaluation conducted in June-July 2003 by the EMS consortium (the independent interim evaluation and monitoring services of Phare) rated the Public Health Twinning project as "unsatisfactory", the only one out of nine Twinning projects evaluated in Lithuania to receive such a rating. The main reason given was that "...the objectives of the project were too ambitious and too much change was expected within the time available. Although the effectiveness of several activities has been strongly positive, the lack of effectiveness of other activities reduces the critical mass of the project and thus its impact. Furthermore, the current unresolved definition and acceptance of responsibility of public health issues at regional/municipal level is limiting the impact of the project for strengthening public health surveillance." The evaluation further noted that "... the collaborative skills that are being developed are likely to contribute to better co-operation between institutions, which is a most important impact." (EMS Interim Evaluation No. LT/SOC/02084, July 2003).

The transfer of ownership of the project from the State Public Health Centre to the State Public Health Service caused some delays in project implementation.⁴⁹ The formation of an implementation working group for the development of the Public Health Action/Implementation Plan was for instance delayed. The formation of the project working group was also delayed, which created a lapse in project leadership. On the Dutch side, changes in the expert team (i.e. replacement of the legal expert and health economist) appear to have delayed project implementation as well. TNO-PG was however quite flexible in ensuring replacements and bringing in new experts to accomplish tasks not foreseen during the inception phase or proved to require additional expertise (i.e. a specialist for the public health survey and a training specialist).

Although a large number of reports were produced (technical reports, mission reports, workshop reports, minutes of meetings), there was not any quarterly project reporting in the second year of operations. Production of the final report, which was rather succinct, was delayed (dated May 2002, five months after the project ended) and for reasons unknown to the evaluation team it only became available to those engaged in the implementation of the Phare Twinning project over a year later. Likewise, the Senter evaluation report was completed only in May 2003, at a time when it was no longer relevant to the Phare Twinning project.

⁴⁹ Project components a, c and e were clearly hampered by the limited mandate of the project's recipient body, in this case the State Public Health Centre. During implementation, the project beneficiary changed from the State Public Health Centre to the State Public Health Service, which constituted a new policy making layer in the Ministry of Health with a co-ordination function towards all public health services. This was a logical and – from the perspective of the Matra project – very positive move, since the Service received a much wider mandate, while the Centre's mandate remained restricted to implementation, i.e. preventing and controlling environmental and physical health hazards. The institutional change, of which it is not clear to what extent the project influenced it, has somewhat hampered project implementation, because of related changes in positions and lines of responsibility on the Lithuanian side.

Improvement of the capacity of services essential for radiation protection in medicine

MPAP, health sector

PROJECT SYNOPSIS

Project title	Improvement of the capacity of services essential for radiation protection in medicine
Programme	MPAP
Project number	MAT01/LT/9/1
Budget and expenditures	Budget: € 315,765 (equivalent of NLG 694,682)
PA-objective	To contribute to progress in implementation of the concerned acquis (cf. chapter 22, Environment), in particular the Medical Exposure Directive, mentioned in the NPAA.
Counterpart	Ministry of Health
Beneficiaries	The Radiation Protection Centre (RPC, established in January 1997), two university hospitals (in Vilnius and Kaunas) and two pilot hospitals at the county/municipal level (in Klaipėda and Ukmergė).
Executing agencies	Nederlands Meetinstituut (NMI van Swinden Laboratorium BV, Delft) as leader of a consortium with: Vrije Universiteit Medical Centre (VUmc, Amsterdam) Klinisch Chemisch Laboratorium (KCL, Leeuwarden) and: Interfaculty Reactor Institute (IRI) of the Technical University of Delft and Leiden University Medical Centre (LUMC) Institute for Radio-pathology and Radiation Protection (IRS).
Duration	22 months foreseen: 01-01-2002 / 01-11-2003 Actual start: February 2002 (inception mission) Extension granted until 01-02-2004.
Long-term objective	To strengthen the capacity of the Radiation Protection Centre (RPC) and medical radiological departments of hospitals to implement standards and procedures enabling protection of individuals against dangers of ionising radiation related to medical exposure as described in the European Union Directive 97/43/Euratom.
Short-term objectives	No break down has been given of the above overall objective. However, the three planned results (section 1.6 of the ToR) come close to specific objectives: * Strengthened inspection, guidance and regulatory tasks of RPC * Public hospitals and clinics familiarised with application of 'justification and optimisation principles' relating to protection of patients from radiation * Public hospitals and clinics familiarised with standards and procedures for quality assurance in medical radiology and with the monitoring role of the RPC.
Planned activities	Grouped in two modules or consecutive phases: I. Support to strengthening of operational tasks of RPC related to medical exposure of patients (see realised activities below); II. Support to familiarisation with the application of standards, principles and procedures in hospitals related to medical exposure of patients in radiology (see realised activities below).
Realised activities	Phase I was finalised in December 2002. Activities realised: I.1 Development of training modules, conducting training sessions. I.2 Development of QC standards and QA protocols (incl. flowchart for the use of protocols; 'blue print quality manual') I.3 Development of examples of QC manuals and methods: familiarisation of the quality manuals at the radiological departments of pilot hospitals; draft quality manuals. Phase II started in January 2003. Activities realised: II.1 Study visit to the Netherlands II.2 Staff training at pilot hospitals II.3 Supportive supervision at pilot hospitals A one-day evaluation workshop was successfully held in November 2003.
Planned outputs	See below: realised outputs were as planned.

Realised outputs	<p>I. Training Training modules produced; trainers trained and certified. Quality of care standards and protocols developed and finalised (incl. a flowchart for the use of protocols and a blueprint quality manual. Quality manuals provided.</p> <p>II. Familiarisation Study visit to the Netherlands conducted with representatives from all four pilot hospitals and the RPC. Staff trained at the pilot hospitals. Acceptance tests and certification of equipment completed. Staff of pilot hospitals trained in the use of new QC equipment. Supportive supervision at pilot hospitals completed to guide implementation of standards and procedures.</p> <p>As a side effect, the RPC now feels empowered to serve as a centre of excellence for other countries and some of its staff would be pleased to act as consultants or trainers for radiation protection in medical radiology.</p>
EU accession related effects	The project was entirely geared towards implementing legislation that had already been adopted prior to the start of the project.
Effects related to strengthening of bilateral contacts	Bilateral contacts have been strengthened, both at the policy level (through the involvement of a technical expert from the Netherlands Ministry of VWS in all phases of the project) and at the operational level (between Dutch institutions and the RPC).
Bottlenecks during implementation	No major bottlenecks were encountered. The quarterly reports make reference to insufficient sharing of knowledge by the trained experts with hospital technicians who operate X-ray equipment, but this issue is reportedly being addressed.
Related project activities	An EU Phare Twinning Project, between MoH/RPC Lithuania, Sweden (leading partner) and Finland (junior partner).

The project synopsis is prepared by the evaluation team. The information on planned output and activities is based on the inception report, on which all parties agreed. Further information on the project and its results is derived from interviews with stakeholders and file research. The project synopsis reflects how the evaluators understand the intervention logic of the project.

Main documents:

- Terms of Reference 2001, prepared by Senter (Oct 2001);
- Inception report, prepared by NMI (Oosterman, March 2002);
- Quarterly progress report, prepared by NMI (July 2002), covering April-June 2002;
- Quarterly progress report, prepared by NMI (Feb 2003), covering Oct-Dec 2002;
- Quarterly progress report, prepared by NMI (April 2003), covering Jan-Mar 2003;
- Quarterly progress report, prepared by NMI (July 2003), covering April-June 2003;
- Quarterly progress report, prepared by NMI (Oct 2003), covering July-Sept 2003;
- Minutes of meetings of the Project Advisory Committee;
- Twinning covenant between Lithuania and Sweden (ref no LT2001/IB/EN/02): Creation of radiation protection infrastructure and development of supporting services;
- MPAP project proposal entitled 'Further improvement of capacity of services, essential for radiation protection in medicine' (MAT03/LT/9/2);
- Product plan 2003 MPAP Lithuania prepared by Senter (June 2003).

Background of the project

Senter International identified this project in 2001 and then formed an expert team to formulate detailed terms of reference in conjunction with the Lithuanian Ministry of Health (MoH) and the Radiation Protection Centre (RPC), the main project beneficiary. The starting point of the project was a statement by the MoH and the RPC that radiation doses applied in medicine are high in comparison with European safety standards and, as a result, the safety of persons under medical examinations and treatment could not be fully ensured. Aware of this weakness and the fact that Lithuania did not meet prevailing EU standards in the area of protection of citizens

from exposure to radiation, the project was based on the combination of a concrete request for assistance and the availability of Dutch technical expertise.

The RPC was established in January 1997 and charged with ensuring the proper enforcement of EU aligned national legal acts related to protection from radiation through food, drinking water, medical procedures (diagnostic or therapeutic) and nuclear power plants.

Chapter 22 of the EU *acquis communautaire* deals with Environment and covers, amongst others, the issues of air protection, waste management, water protection, nature protection, industrial pollution and risk management, chemical substances and genetically modified organisms, nuclear safety and radiation protection. Council Directive 97/43/Euratom is on the health protection of individuals against the dangers of ionising radiation in relation to medical exposure. The directive evolves around two basic principles: justification of exposure and optimisation of protection. These principles must ensure that any medical procedure involving exposure to radiation shall follow a sufficient net benefit - diagnostic or therapeutic - to the patient, with adequate protection against individual detriment that such exposure might cause. The regulatory requirement of justification implies in particular that:

- (a) all new types of medical radiation procedures shall be justified before being adopted, and existing types be reviewed whenever new evidence about their efficacy or consequences is acquired; and that
- (b) all individual medical exposure shall be justified in advance, taking into account the specific objectives of medical exposure and characteristics of the individual involved.

The optimisation principle implies that radiation doses resulting from each medical practice have to be kept as low as reasonably possible, consistent with the need to obtain the required diagnostic information and/or with the intended purpose of medical treatment; and taking into account economic and social factors. Key elements in the practical application are the selection of equipment, quality assurance and the systematic assessment and evaluation of levels of exposure to radiation.

While relevant national legislation was already in place prior to project identification, the MPAP project thus focused on implementation of legislation, in particular application of the principles of 'justification' and 'optimisation'.

At the time of formulation of the project's terms of reference (in 2001), Lithuania and Sweden were in the process of developing a similar project for EU funding under the EU Phare Twinning programme. A Twinning covenant between Lithuania and Sweden was signed and endorsed by the Commission Delegation in July 2002. This Twinning project aims at strengthening the same RPC, addressing completion of transposition of European environmental *acquis* for radiation protection and strengthening of executive tasks of the RPC in line with the national legal basis. Started in September 2002 and jointly implemented by the Swedish Radiation Protection Authority (SSI), the Finnish Radiation and Nuclear Safety Authority (STUK)⁵⁰ and the RPC, the project has a much wider focus than the Netherlands supported MPAP project, which is restricted to radiation protection in the medical field only (diagnostic and therapeutic radiation). It is not surprising therefore, that the budget is more than twice the budget of the MPAP project.⁵¹ But the Twinning project

⁵⁰ Finland is a junior partner under this covenant.

⁵¹ € 750,000 for two years. A Swedish Pre-accession Advisor has been based in Lithuania since January 2003.

also envisages implementation of EU directives and regulation (area 1 out of seven distinct areas), quality management systems (area 2) and strengthening technical capabilities (area 3). The remaining four areas deal with preparedness for emergencies and accident situations, nuclear waste management and decommissioning of nuclear facilities, and radiation protection of professionals and trainers. With regard to the latter (protection of professionals), the Twinning project covers radiation protection in medicine, another aspect of this issue, however, than the MPAP project. The MPAP project restricts itself to the protection of patients/clients and is thus complementary to the Twinning project. The two projects do not refer to each other in project proposals and progress reports, except for one case.⁵²

The project bears no relation to any other Dutch bilateral activity to support the health sector in Lithuania. Other Dutch bilateral activities focus on the domain of public health and primary health care services, in particular strengthening the position of general practitioners and supporting mental health services.

In March 2003, the RPC submitted a proposal for a follow-up MPAP project to Senter, entitled 'Further improvement of capacity of services essential for radiation protection in medicine' with a total requested budget of € 125,000. This project, for which again the RPC is the main beneficiary, targets radiology departments of four academic and regional hospitals (in Vilnius, Kaunas, Klaipėda and Ukmergė). With direct reference to the same Euratom directive of 1997, the focus this time is on nuclear medicine and computerised tomography (CT), two advanced techniques in radiotherapy. The Ministry of Foreign Affairs recently approved this follow-up project (along with one other project out of eight project proposals)⁵³ and a decision as to who will be the implementing agency on the Dutch side is expected in early 2004. It is exceptional that two such similar projects are funded through the MPAP programme.

Asked whether radiation protection was indeed one of the top priorities of the Ministry of Health, the relevant authorities declared it was "one of the priorities". One could argue that the Netherlands as a donor agency sends out equivocal messages by concurrently supporting initiatives in the domain of public health reforms – based on a 'health for all' approach – and highly technical interventions from which a relatively small group of the population benefits and which have important investment and recurrent cost implications. On the other hand, the Radiation Protection projects do relate to one of the five priority themes that the Dutch Ministry of VWS has identified for its international activities, namely that of Safety and risk management.

Effectiveness A: support to Lithuania's accession

The project was effective as it fulfilled its objectives and delivered all planned activities and outputs. The main recipient organisation (RPC) expressed its satisfaction with the high quality of work delivered by Dutch experts.

The evaluation team finds it difficult to ascertain whether the relevant staff at the four pilot hospitals have been able to sufficiently familiarise themselves with the application of the various standards, principles and procedures for radiation protection. It is noted that one of the pilot hospitals (Ukmergė hospital) appears to be an exemplary case. All elements seem to be in place for further expansion and

⁵² The inception report of the MPAP project (March 2002) does make a brief reference, claiming that the two projects are complementary and "strengthen the total system".

⁵³ Source: Product plan 2003 MPAP, June 2003, drafted by Senter for DZO/UM.

replication to other hospitals elsewhere in the country. To facilitate such replication, the NMI produced a special guide map.

Effectiveness B: strengthening of bilateral relations

In terms of bilateral contacts, the project has led to intensified contacts between Lithuania - in particular the RPC - and Dutch implementing agencies. A senior policy officer of the Dutch Ministry of VWS visited to Lithuania and was in contact with the experts involved. It is unlikely that the follow-up MPAP project will broaden the already established bilateral contacts.

Efficiency

No serious delays have occurred in project implementation. The recipient RPC judges the manner in which Dutch expertise was made available as very efficient. It is not clear whether there might have been efficiency gains through collaboration with the Phare Twinning project.

ANNEX 10 LIST OF INTERVIEWEES

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Bykova, E., psychiatrist, Primary Health Care Centre Druskininkai and director of two local NGOs, Republic of Lithuania

Cironkiene, S., Lithuanian Institute of Horticulture, Babtai (Kaunas), Republic of Lithuania

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Mikelenas, V., judge, chairman of the Judges' Appointment Committee, Republic of Lithuania

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Miliuniene, M., chief official of the Personnel Department, Ministry of Justice, Republic of Lithuania

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