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Subject: Successful implementation of the EU programmes in Romania

Ref: your e-mail of 4 July 2007

Dear Mr. Avram,

I would like to thank you for sending us the NGO Monitoring Report on the current stage of preparing the programmes to be financed through the Structural Funds in Romania, which presents some actions to be taken for improving the administrative and absorption capacity.

We have seen from your website the Romanian ministries have already answered to your questions and proposals; therefore please find hereafter some more issues that have to be taken into consideration for a successful implementation of the EU programmes, as well as some comments regarding your report:

1. Improve the communication between the Managing Authorities / Intermediate Bodies and the potential beneficiaries

A large number of seminars and workshops have been organised in the last period for the preparation of the programming documents as well as for increasing the awareness on EU policies and programmes supporting Romanian development. Nevertheless visibility and awareness process has to continue and, according to EU rules, the Managing Authorities have to prepare a Communication plan with concrete information and publicity measures aimed at potential beneficiaries and the public in general.

The information and publicity activities are going to be financed from each sectorial operational programme and from Technical Assistance Operational Programme.

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You could find more details regarding the responsibilities of the Member States and of the beneficiaries to ensure proper information on the use of the Structural and Cohesion Funds, in the Commission Regulation No. 1828/2006, on the site:

[http://ec.europa.eu/regional_policy/sources/docoffic/official/regulation/pdf/2007/fsfc/ce_1828\(2006\)_en.pdf](http://ec.europa.eu/regional_policy/sources/docoffic/official/regulation/pdf/2007/fsfc/ce_1828(2006)_en.pdf)

An IT Management and Information System, called SMIS, has been designed for the management of the Structural and Cohesion Funds. The system will provide the applicants with the information needed regarding all the stages in the implementation of the Operational Programmes. The IT system, SMIS is under the coordination of the Ministry of Economy and Finance.

2. Legislation on public – private - partnership.

Public-private partnerships (PPPs) are forms of cooperation between public authorities and businesses, which aim to carry out infrastructure projects or providing services for the public. These arrangements which typically involve complex legal and financial arrangements involving private operators and public authorities have been developed in several areas of the public sector and are widely used within the EU, in particular in transport, public health, public safety, waste management and water distribution.

The Romanian legislation on public procurement - Emergency Ordinance 34/2006 - foresees the possibility to finance such kind of projects under concession of services and works contracts. A number of PPP projects are already under preparation with the support of Phare programme under the coordination of the Ministry of Economy and Finance.

More details on this subject you could find accessing the site of the National Authority for Public Procurement: <http://www.anrmap.ro/>. On this site you could also find all the legislative projects in the field of public procurement which are under discussion.

3. Participation of the civil society in the monitoring process

According to EU Regulations, the Romanian institutions have to designate the most representative partners at national, regional and local level and in the economic, social, environmental or other sectors, to work with in the process of programming and monitoring of the operational programmes. Therefore the Monitoring Committee set-up for each Operational Programme as well as the 8 Regional Coordination Committees are going to include the representatives of the civil society. Ministry of Economy and Finance, as well as each Managing Authority will provide information on the composition of these Committees, as soon as they are established.

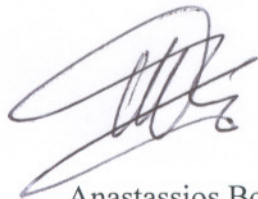
4. Shared management system between the Commission and the Romanian Authorities / technical protocol for interim reporting

The principles of a sound financial management have to be applied by the Romanian Authorities in all the phases of implementation of the Operational Programmes. Therefore the Commission will check the existence and proper functioning of management and control system and shall take the necessary measures in case of misuse of funds.

The Representatives of the Commission will also take part in the meetings of the Monitoring Committees. As you mentioned in your report, a kind of technical protocol or Memorandum of Understanding will be designed in order to define the communication system and benchmarking indicators.

In conclusion, I hope that the clarifications provided are useful and we wish the civil society to have a constructive and active involvement in the sound financial management of the EU funds in Romania.

Yours sincerely,

A handwritten signature in dark ink, appearing to be 'Anastassios Bougas', written in a cursive style with a large loop at the end.

Anastassios Bougas
Head of Unit