

# Executive summary

The presented analysis developed by Deloitte Advisory s.r.o. (hereinafter referred to as the "Supplier" or "Deloitte") as part of the project "Evaluation of Perceived Functioning and Effectiveness of Selected Tools in a Single methodological environment in terms of tools increasing Transparency in ESI Funds" contains detailed qualitative information obtained during the execution of the works. The evaluation is one of the evaluations of the *Anti-Fraud and Anti-Corruption Strategy within ESI Funds 2014-2020*. Overall, it can be assessed that the Strategy is set optimally; the tools that are described in it are described in a sufficiently general way. Therefore, the Strategy does not require to be updated based on this evaluation. Similarly, the *Anti-corruption Action Plan for 2017*, which is based on the Strategy, does not require an update.

The results of the analysis of the interviews with respondents show that the majority of them is agreeing upon the very idea of the tools creation. However, the implementation of these tools, which varies within the managing authorities, is particularly problematic. Effective use of individual tools without increasing administrative burdens is greatly influenced by the extent to which the Managing Authority / Intermediate Body has managed to develop and implement it into a meaningful practice. This could also be influenced by the interpretation of the relevant parts of the methodological guidelines.

Although the practice of using most tools is to some extent problematic, most of the tools analyzed have an impact on transparency of the ESIF assistance implementation processes. At least half of the tools selected for evaluation are perceived by respondents, in particular, as rules or procedures with primarily other purposes than the reduction of the risk of fraud and corruption. The following table shows an aggregate evaluation of all tools. The tools are then further evaluated in the next chapters of this analysis.

## Legend

---

Symbol	Meaning of a symbol
--------	---------------------

---



The tool is generally perceived negatively and / or is not considered effective in increasing transparency or reducing the risk of fraud and corruption and / or its implementation is very problematic.














The tool is generally perceived neutrally and / or its effectiveness in increasing transparency or reducing the risk of fraud and corruption is not obvious. Its implementation is partly problematic.



The tool is generally perceived positively and / or is considered effective in increasing transparency or reducing the risk of fraud and corruption. Its implementation has not encountered any problems.

---

Tool	Verbal evaluation of the tool	Symbol
<b>Publication of criteria and justification of evaluation</b>	The tool is perceived positively by all target groups, and although the practice differs greatly between the OPs, in most cases it can be considered functional. The evaluation of the projects is very demanding in comparison to the number of quality evaluators, which are deficient in selected areas.	
<b>Code of Conduct</b>	Codes of conduct are primarily seen as a moral appeal and a commitment. Although their impact on fraud prevention is minimal, respondents consider them to be important.	
<b>Setting up checklists (especially in the area of public procurement)</b>	The tool is perceived positively. In the area of public procurement it can have an impact on the prevention of a fraudulent behavior. However, its implementation brings an excessive administrative burden for selected MAs.	
<b>Correctability of the criteria (removal of defects or addition of an application for support)</b>	The correctability of the criteria is not primarily perceived as a tool for increasing of transparency, but is also considered necessary due to the complexity and error rate of the processing of applications. The rules for correction vary, often in between the different challenges within the same OP. There is no single approach of the staff of individual MAs.	
<b>Database of evaluators (conflict of interest)</b>	The tool is considered transparent, however its practical effect is contradictory, mainly due to rather divergent practices between the MA (as well a within the MA in different challenges). The evaluation of the evaluators is formalized and in most cases does not fulfill its meaning.	
<b>Request for review</b>	Applicants consider the tool to be formal and rather not transparent for them. In some calls, the tool is overused. For the MA, reviews are more labor intensive and more administration-oriented, but they consider it an important tool.	
<b>Fraud Indicators</b>	In general, the tool is perceived as positive by the target group of inspectors, however its influence on increasing transparency and prevention of fraudulent behavior is perceived to be rather minimal.	
<b>Procedures in case of suspicion of unfair behavior/maladministration by the recipient</b>	The procedure is not clearly defined, most of the respondents confuse it with suspicion of an irregularity. The procedures are set up correctly, however they do not help in proving a particular suspicion.	
<b>Procedures in case of suspicion of unfair behavior/ maladministration by the MA / IB</b>	The tool is evaluated positively by respondents from the MA / IB, however the respondents from the target group of applicants consider the available information on the organizational structure and possibilities of complaints about unethical behavior by the MA to be inadequate.	

Tool	Verbal evaluation of the tool	Symbol
<b>Self-assessment and risk analysis of the MA</b>	The tool is perceived by respondents as duplicate and is not being used by most governing bodies. The (non) verification of input information is also seen to be problematic.	
<b>Uncovering of the ownership structure</b>	Most respondents consider the idea of unraveling the ownership structure to be correct, however in practice the control of available information is hindered by several barriers. For this reason, according to respondents, the tool is seen to be one of the weakest in the area of increasing transparency and prevention of fraudulent behavior.	

On the basis of this evaluation, the Supplier states that **an update** of the *Anti-Fraud and Anti-Corruption Strategy within ESI Funds 2014-2020* and the *Anti-corruption Action Plan for 2017* **is not required**.

At the level of the individual methodological guidelines (*Methodological Guideline for Calls Management, Evaluation and Selection of Operations in programming period 2014-2020; Methodological Guideline on the execution of controls under the responsibility of Managing Authorities during implementation of European Structural and Investment Funds in programming period 2014-2020; Methodological Guideline on financial flows of programs co-financed by European Structural Funds, Cohesion Fund and European Maritime and Fisheries Fund in programming period 2014-2020*) the Supplier **recommends** further explanation of the intent to create individual tools in order for the MA to develop the implementation of these tools in a form that effectively contributes to increasing transparency and preventing fraudulent behavior.

Based on good practice findings over the programming period, the Supplier further recommends that the administrators of the relevant methodological areas share these examples among the other Managing Authorities and further cooperate with the authorities on successful implementation.