



Major projects and JASPERS: evaluation and future organisation

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JASPERS

- Technical assistance facility to support Member States in the preparation of major projects which will be assisted by EU funds, set up in 2006
- Four partners: Commission, EIB, EBRD and KfW
- Priorities for assistance:
 - 12 Member States which joined EU in 2004 and 2007
 - Croatia, in preparation for accession
 - Greece in 2013.

Evaluation of JASPERS

- External evaluation of JASPERS: launched by evaluation unit of DG REGIO
- Call for tender: 28 July 2011
- 9 replies to call for tender
- Final selection: 10 October 2011
- AECOM selected
- Inception: 6 January 2012
- Receipt of final report: November 2012
- Presentation of conclusion to JASPERS steering committee : 12 December 2012
- Report available on DG REGIO website



Impact of JASPERS on project quality

- Positive impact on quality of project development
- JASPERS projects approved faster than non-JASPERS projects
- Involved at late stage of project development
- Role in highlighting low quality projects



Impact of JASPERS on administrative capacity

- Acknowledged positive impact, particularly on:
 - Appraisal techniques
 - Cost benefit analysis
 - EIA procedures
- Useful role of horizontal studies noted



JASPERS structure and performance

- Structures appropriate and working well
- Three way relationship has developed between Commission, JASPERS and national authorities
- Relationships need to be more formal
- Positive feedback about JASPERS from stakeholders (Commission and Member States)



Consultants' recommendations

- JASPERS delivers substantial value for Member States and should continue
- A more strategic approach: sectoral development strategy and more impact at design stage
- developing the technical and project planning capacity of Member States
- Improving knowledge transfer from JASPERS

Major Projects: future Regulation

- Common Provisions Regulation for 2014-2020: Partial General Agreement of Council on articles concerning major projects in May 2012
- These articles subject to position of European Parliament
- Not yet discussed at trilogues
- If these provisions were agreed in the form agreed by the Council, **significant procedural and organisational charges would be required**



Regulation: new procedures

- "At the initiative of a Member State the information in Article 91(a) to (i) [i.e. the necessary information to be provided for major projects proposed for funding] may be assessed by independent experts supported by technical assistance of the Commission or, in agreement with the Commission, by other independent experts."
- "In other cases, the Member State shall submit to the Commission the information set out in Article 91(a) to (i) as soon as it is available."



Decision on major project

- "Where the information referred to in Article 91 has been **appraised positively by a quality review by independent experts**, the Member State may proceed with the selection of the major project. The Managing Authority shall notify the Commission of the selected major project"
- "The major project shall be deemed to be approved by the Commission in the absence of a decision...refusing the major project within two months of the date of notification. The Commission shall refuse a major project only on the grounds that it has established a significant weakness in the independent quality review"

Independent Quality Review bodies: proposed minimum criteria

- Substantial technical experience of all stages of the project cycle
- Broad international experience to ensure adequate benchmarking
- Capacity to provide advice on all aspects of the sector concerned
- Considerable knowledge of EU law, policies and procedures; experience of working with EU institutions

Independent Quality Review bodies: proposed minimum criteria

- A governance structure that is independent of government or national authorities in terms of ownership, control, funding or staffing
- No possible conflict of interest at the level of project, sector or client
- No commercial interest in the outcome of a proposal for funding



JASPERS as Independent Quality Review body

- Commission considers that JASPERS meets the minimum criteria for an independent review body and **proposes that JASPERS can be made available as an independent quality review body to all Member States with major projects**
- Any other independent review body proposed would have to meet the criteria for independence and quality and be acceptable to the Commission
- Any Member State which does not wish to use JASPERS can submit application to the Commission

JASPERS as Independent Quality Review body: organisation

- To be an independent quality review body, JASPERS would require organisational changes
- JASPERS would have to separate:
 - An advisory function prior to the final appraisal of an application for funding
 - An independent quality review function to determine if a project meets necessary compliance and quality requirements to be selected for funding



JASPERS as Independent Quality Review body

- Advice part of JASPERS would continue to provide recommendations, horizontal studies, guidance notes, capacity building activities etc.
- Knowledge and experience built up by JASPERS will be made available through its networking platform.
- Independent Quality Review unit would not duplicate the advice part of JASPERS but would have access to its reports, the consultancy etc. to ensure synergies with the advice function but would produce its own Independent Quality Review report.

Independent Quality Review body

- The report of the Independent Quality Review body (whether JASPERS or otherwise) will be prepared in good faith, drawing on its knowledge and expertise, but **the body cannot be expected to accept any liability in the event that an infringement of EU law or irregularity comes to light at a later stage**
- Member States are obliged, as now, to ensure that all aspects of EU law are respected



Future approval process for major projects: intentions of Member States

- Organisational structures in JASPERS will take some time to modify, including decision-making in EIB, hence the process of consulting Member States is starting at this stage.
- Member States which will receive assistance for major projects in the next programming period are requested to indicate :
 - If they will use independent experts, as described in the draft Regulation
 - If they will make use of JASPERS as independent expert