



EU Twinning Instrument in Ukraine: Strengths, Weaknesses, Opportunities and Threats

Dmytro Panchuk and Fabienne Bossuyt

Key points for policymakers

The Twinning instrument in Ukraine, while being generally effective, has punched below its weight due to systemic weaknesses in its internal setup and a number of threats emanating from the domestic situation in Ukraine and the EU itself. In addition to the recent Twinning reform introduced by the European Commission, the Twinning instrument in Ukraine and the Eastern Partnership (EaP) region more generally can be improved further through enhanced flexibility, more targeted interventions, stronger individual and sectoral incentives for the beneficiary institution, and greater visibility.

Policy recommendations

- Re-conceptualise Twinning as a flexible toolkit, rather than a rigid instrument, by allowing for more flexibility in adjusting and updating project objectives during both the planning and implementation stages.
- Cut down on the Twinning project preparation time by reducing the number of actors involved in the process of project approval and by speeding up the overall procedure.
- Step up financial support for Twinning beneficiaries, which should involve domestic travel grants for local experts and cash bonuses for civil servants in accordance with the time and effort invested in the project.
- Adopt a customised approach to each policy sector based on a rigorous analysis of the policy background and the reform priorities of the current leadership. The European Commission might consider issuing grants for more local experts to perform an in-depth gap analysis of existing legislation and sectoral policy needs.
- Include more project visibility measures effectively communicating the objectives, benefits and the results of Twinning projects to a broader swathe of Twinning stakeholders. Twinning contracts and performance reports should also be made more accessible to the broader public, e.g. the research community and civil society.

Dmytro Panchuk is Associated Researcher at the Centre for EU Studies at Ghent University and Lecturer at the Brussels School of International Studies. Fabienne Bossuyt is Assistant Professor at the Centre for EU Studies at Ghent University.

CEPS Policy Briefs present concise, policy-oriented analyses of topical issues in European affairs. As an institution, CEPS takes no position on questions of European policy. Unless otherwise indicated, the views expressed are attributable only to the authors in a personal capacity and not to any institution with which they are associated.

Available for free downloading from the CEPS website (www.ceps.eu)

© CEPS 2018

- Align the policy agenda of Twinning projects with the EU–Ukraine Association Agreement, especially in traditionally low-key sectors (e.g. education and social care) and in sectors where the EU enjoys greater bargaining power (e.g. trade and industry). A clear and credible EU membership perspective will also likely improve the track record of future Twinning projects in Ukraine and other EaP countries.
- Perform a more thorough analysis of Twinning projects in countries that were recipients of Twinning in the past so as to draw lessons and make subsequent projects in Ukraine and the EaP more effective.
- Provide more avenues for coordination between Twinning projects and other initiatives by the EU and other international actors present in a particular policy sector. This coordination should also include domestic civil society organisations pushing for EU-backed reforms in respective sectors.
- Make the process of selection of short-term experts for Twinning more rigorous and competitive, for example, through creating an EU-wide expert database, as has been done in TAIEX.

The European Commission, in its recently updated Twinning manual, made an attempt to address some of these issues (see the concluding remarks for a brief overview). However, it will take further evaluation of the Twinning projects that kicked off after July 2017 in order to understand more comprehensively the impact of those changes on Twinning implementation in the future.

Twinning overview

Twinning is an EU institution-building instrument that links civil servants from EU member states and non-EU countries, who work together on a specific reform agenda in line with existing bilateral agreements.¹ Twinning participants commit themselves to a set of policy objectives, or mandatory results, which reflect the priorities of EU cooperation with third countries. Compared with other EU institution-building tools, such as TAIEX² or SIGMA,³ Twinning emphasises the comprehensiveness and long-term character of such cooperation. A typical Twinning project lasts up to three years from the moment of signing the contract until the last expert departs. Every project involves the secondment of a permanent expert, a resident twinning adviser, and dozens of short-term experts on the EU side and the beneficiary country's officials on the recipient side. This personal, two-way character of Twinning cooperation makes it distinct from similar EU instruments, such as the Comprehensive Institution Building programme, which strengthens institutions in the beneficiary countries through targeted budget support yet creates few opportunities for the exchange of administrative experience face-to-face.

Twinning boasts an extensive reach in different policy sectors, a comprehensive design and a unique cross-cultural experience for participating civil servants. Each project has a budget of approximately €1 million, entailing generous support for short- and long-term experts from EU member states who are available and willing to share their professional expertise with their counterparts from abroad. Originally introduced in 1998 to support the accession process of EU candidate countries, Twinning was extended in 2004 to offer institution-building support to the countries covered by the European Neighbourhood Policy (ENP), including the Eastern Partnership (EaP) region. The objectives of Twinning projects in the EaP countries draw on the bilateral Partnership and Cooperation Agreements, Action Plans and more recently Association Agreements (AAs), including the Deep and Comprehensive Free Trade Areas (DCFTAs). In applying for Twinning projects, the beneficiary countries also often rely on priorities from the National Indicative Programmes, Country Strategy Papers and other domestic initiatives relevant for approximation with EU law and regulatory standards.

¹ Other terms commonly used for Twinning in the literature are capacity-building or transgovernmental cooperation instruments.

² TAIEX is the Technical Assistance and Information Exchange instrument of the European Commission.

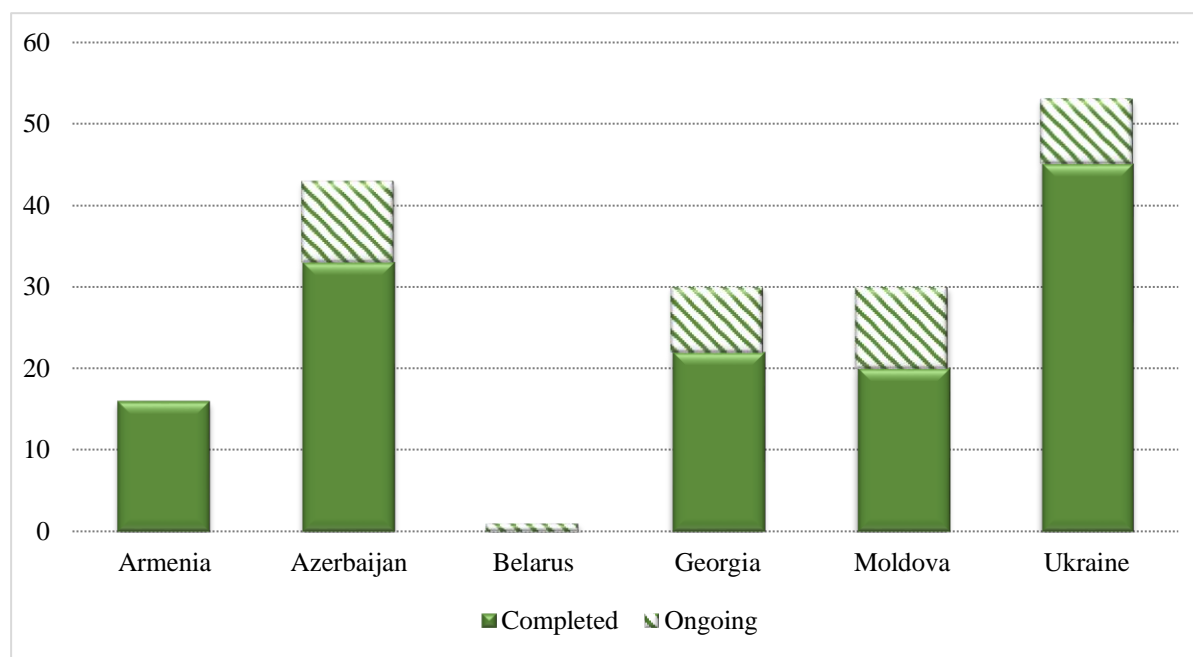
³ SIGMA stands for Support for Improvement in Governance and Management. It is a joint initiative of the European Commission and the OECD.

Twinning in Ukraine

Since the advent of the ENP, Ukraine has completed 45 Twinning projects, placing the country at the top in the EaP region (Figure 1).⁴ The sectoral distribution of Twinning projects in Ukraine has been rather wide, spanning sectors such as transport, finance, justice and home affairs, energy, agriculture and others (Figure 2).

Our earlier analysis demonstrated that about half of the 32 Twinning projects analysed in Ukraine between 2007 and 2016 paved the way for a lasting change in the respective beneficiary organisations in line with EU norms.⁵ Among those Twinning projects that were effective, 63% resulted in legal convergence (the adoption of a law or amendment), 75% led to institutional convergence (successful implementation of a new law or a new administrative practice in the beneficiary institution) and 44% accomplished both.⁶ Thus, a significant number of Twinning projects have succeeded in encouraging the Ukrainian authorities to adopt and implement reforms in line with the EU *acquis*, along with associated secondary legislation and ‘best practices’ from the public administration of EU member states. However, the other half of Twinning projects have for various reasons failed to trigger any legal or institutional convergence in Ukraine’s public sector.

Figure 1. Twinning projects in the Eastern Partnership region, as of April 2018



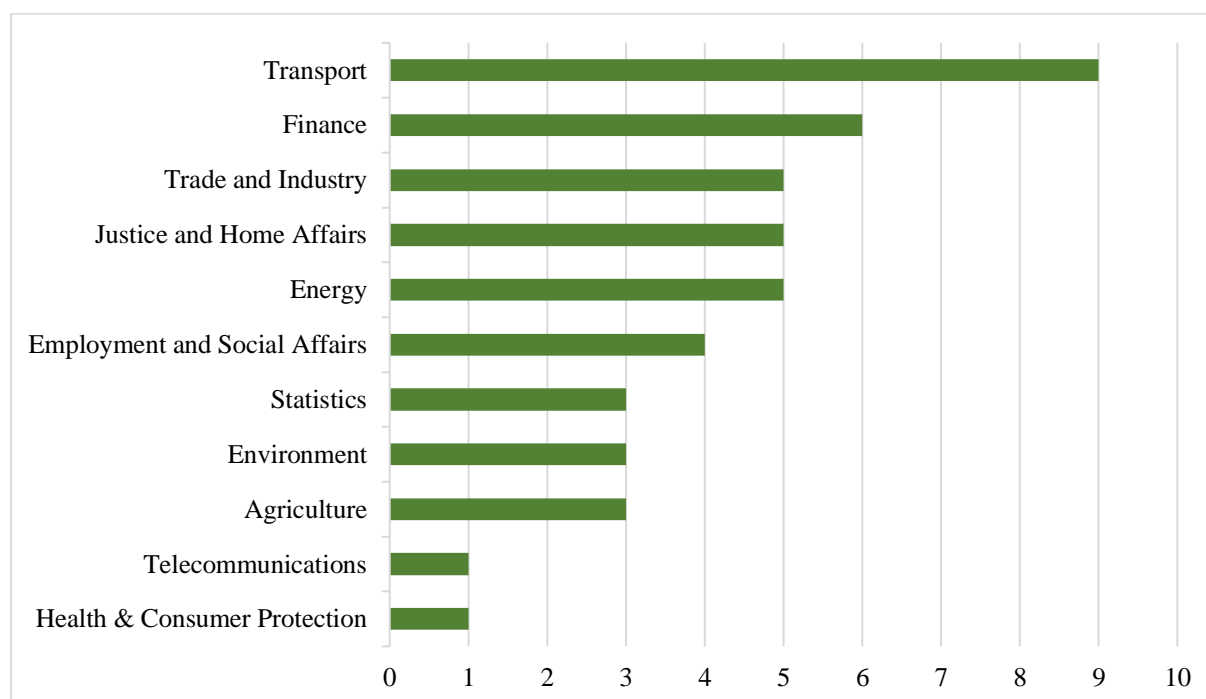
Source: Authors’ estimates based on data from Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR), European Commission.

⁴ Armenia, Azerbaijan, Georgia, Moldova and Ukraine are formally part of the Eastern Partnership, while Belarus (belonging to the same geographical region) is included in Figure 1 for comparison purposes only.

⁵ Dmytro Panchuk, “Effectiveness of EU Transgovernmental Cooperation in the Neighbourhood: Qualitative Comparative Analysis of Twinning Projects in Ukraine”, *Europe–Asia Studies*, forthcoming (2018).

⁶ Ibid.

Figure 2. Twinning projects in Ukraine by policy sector, as of April 2018



Source: Authors' estimates based on data from DG NEAR, European Commission.

Undertaking a SWOT analysis

The following sections of this policy brief offer a SWOT analysis (strengths, weaknesses, opportunities, threats) of EU Twinning projects in Ukraine (Table 1).⁷ The *strengths* reflect those aspects of Twinning projects that are largely viewed as successful by Twinning stakeholders and which make these projects effective. Effectiveness is understood here as the degree of legal or institutional convergence (or both) of the beneficiary with relevant EU norms as a direct or indirect result of its participation in a Twinning project. The *weaknesses* refer to the perceived problems of Twinning projects, which hinder their effectiveness.

While the strengths and weaknesses mostly reflect the structural characteristics of the Twinning project, threats and opportunities capture its external dimension through the various characteristics of the sending and the receiving sides, as well as the political environment. *Threats* refer to the political and institutional dynamics within the beneficiary country and the

⁷ This policy brief is part of a PhD project on EU transgovernmental cooperation through Twinning in the Eastern neighbourhood, which was finalised and defended at the Centre for EU Studies, Ghent University, in 2017. The policy brief draws on 50 interviews conducted between 2014 and 2017 with former participants of Twinning projects in Ukraine and other EaP countries, with the European Commission officials overseeing these projects, and with scholars working on the subject of Twinning. Interviewees came from various geographical locations (indicated in respective footnotes) and organisations (the European Commission, public agencies of EU member states and Ukraine, mandated bodies and universities). Interviews were often complemented by pilot surveys inquiring about various aspects of Twinning implementation. All of the interviewees agreed to be quoted as part of this research in exchange for being granted anonymity.

EU that endanger the effective implementation of Twinning projects. The *opportunities* are the opposite of threats and refer to the political and institutional dynamics that facilitate the implementation of Twinning projects. Based on the SWOT analysis of Twinning projects in Ukraine since 2007, we provide a series of recommendations for the EU to include in its ongoing review of the Twinning instrument in the neighbourhood.

Table 1. SWOT overview of Twinning projects in Ukraine

Strengths	Weaknesses	Opportunities	Threats
<ul style="list-style-type: none"> • Learning and socialisation forum showcasing EU norms and best practices in a variety of policy sectors • Establishment of long-lasting professional ties between the public administrations of EU member states and Ukraine • Enriching personal experiences for Twinning participants 	<ul style="list-style-type: none"> • Long preparation times • Little flexibility in embracing change • Low level of financial incentives for the beneficiary side • Lack of strong sectoral conditionality • No membership perspective • Lack of proper policy planning and political analysis • Low visibility 	<ul style="list-style-type: none"> • High level of public support for Ukraine's EU integration • Ukraine's search for alternative trade markets • Record of accomplishment in past Twinning projects • Country- and sector-based comparative advantages of the new and older EU member states • Coordination with other foreign actors and domestic civil society in the country and the policy sector 	<ul style="list-style-type: none"> • Turnover of public personnel at the senior and middle levels • 'Red tape' in the beneficiary institution • Frequent changes in the organisational structure of the beneficiary • Low morale among participating public servants • Russian aggression in the east of the country • Lack of qualifications or compatibility of experts • Cross-cultural communication barriers

Source: Authors' summary.

Strengths

The Twinning instrument offers a number of strengths that contribute to the legal and institutional convergence of the EaP countries and institutions to EU norms, enshrined in the *acquis communautaire* and best practices in public administration by EU member states. First of all, Twinning projects provide a long-term learning and socialisation platform, which enables participants to exchange professional experience in a specific policy sector over the course of two to three years. Simply transposing EU directives and regulations onto the recipient's legal landscape is often insufficient if not followed by practical training in implementation. The invaluable experience of participating EU member states makes Twinning a great tool for helping the beneficiary countries not only formally adopt EU norms but also effectively implement them. As a rule, Twinning projects attract EU experts with a substantial track record in civil service in their home countries. Hence, these projects offer excellent learning opportunities for Ukrainian officials, the majority of whom only have a remote idea of the EU's regulatory landscape.

The Twinning instrument is also about interpersonal communication and professional ties fostered at the transgovernmental level between civil servants from the EU and Ukraine. In the long run, these ties may bring about more opportunities for future cooperation, such as grants, study visits and follow-up exchanges. It is also common for successful Twinning projects to lead to new projects involving the same team and complementary objectives several years after the original project. Member state civil servants who participated in earlier Twinning projects in Ukraine are sometimes invited by the Ukrainian side at a later stage to contribute to ongoing reform efforts in the country, as happened in the case of the project supporting civil service development.⁸ In addition, the existing informal networks between the member state civil servants and their Ukrainian counterparts have contributed to the widening spectrum of bilateral cooperation in other policy areas and institutions. Research has also shown that the socialisation networks associated with the Twinning instrument may encourage democratic governance in the beneficiary institution through fostering greater transparency, accountability and participation.⁹

Finally, involvement in a Twinning project has been a very fulfilling personal experience for many participating civil servants we interviewed. It allowed them to spend several years in a different country, learn about its people and culture, and embrace new perspectives towards their home country. Friendships forged during Twinning cooperation have often been lasting and productive, extending in time well after the completion of the project.

Weaknesses

Along with their strengths, Twinning projects have also manifested several systemic weaknesses, related to the process of their preparation and implementation. Based on our assessment, we distinguish seven such weaknesses. First, the average preparation time for a typical Twinning project is rather long. The preparation time can take up to two years, starting with the formulation of the terms of reference and drafting of the project *fiche* until the day the project is launched. Such an extended period may be explained by the significant number of actors (up to 20) involved in the process of project preparation.¹⁰ Nevertheless, this lag between the formulation of Twinning objectives and their implementation often makes them irrelevant for the beneficiary institution and the EU itself.¹¹ Under such circumstances, the

⁸ Interview with a Polish civil servant, Warsaw, 2 April 2015.

⁹ Tina Freyburg, “Transgovernmental Networks as Catalysts for Democratic Change? EU Functional Cooperation with Arab Authoritarian Regimes and Socialization of Involved State Officials into Democratic Governance”, in Sandra Lavenex and Frank Schimmelfennig (eds), *Democracy Promotion in the EU’s Neighbourhood: From Leverage to Governance?* Vol. 18, Abingdon: Routledge (2013), 117–41; Dmytro Panchuk, Fabienne Bossuyt and Jan Orbie, “The Substance of EU Democratic Governance Promotion via Transgovernmental Cooperation with the Eastern Neighbourhood”, *Democratization* 24 (6): 1044–65.

¹⁰ Gérard Bouscharain and Jean-Bernard Moreau, “Evaluation of the Institutional Twinning Instrument in the Countries Covered by the European Neighbourhood Policy”, Final Report, European Commission and HTPSE (2012), 188.

¹¹ Interview with a French expert, Paris, 5 April 2016.

administrative and financial management of Twinning projects also becomes problematic, especially in terms of securing the continued commitment of the project's short-term experts several years down the line.

Second, the problem of the long preparation time is exacerbated by the rigidity of the instrument itself. Once the original objectives have been formulated, it becomes very problematic and time-consuming to change them after the project has begun.¹² The member state and the beneficiary may jointly request certain modifications during project implementation by means of side letters and addenda. Yet, these modifications mostly concern adjustments to the work plan, activities, deadlines or budgetary matters, and they may hardly contest the mandatory results agreed upon at the outset. Such inflexibility has often resulted in project participants being stuck with an outdated and irrelevant agenda, effectively hindering the project from reaching its goals.¹³

Third, beneficiaries in Ukraine sometimes complained about the insufficient level of financial incentives offered by the Twinning instrument. Almost an entire Twinning budget is expended on the salaries of member state civil servants and the organisation of project-related activities (workshops, seminars, conferences and language services).¹⁴ The beneficiary civil servants are expected to commit to the project activities in their overtime and on a voluntary basis, in addition to an already heavy workload.¹⁵ The problem of the low salaries in the Ukrainian public sector becomes particularly acute at the interpersonal level, whereby the resident twinning adviser and other member state civil servants earn more money per diem than a Ukrainian civil servant does per month! This disparity in earnings, as well as difficulties managing multiple job responsibilities, has often led to tensions, implicit and explicit, between the partners over the course of several projects.¹⁶

Furthermore, under the terms of Twinning, the beneficiary side is expected to designate office space, furnish it with the necessary equipment (computers, copy machines, phones, etc.) and pay for the domestic travel of local experts who participate in Twinning activities in Kyiv. The failure by some Ukrainian institutions to live up to those commitments has become a stumbling block for the respective projects and resulted in delays or the low turnout of Ukrainian experts for project activities. In some cases, the Twinning project could not start for several months because participants had no office space, internet or landline access. Since Twinning budgets

¹² Bouscharain and Moreau, "Evaluation of the Institutional Twinning Instrument", 37; Stefan Roch, "Between Arbitrary Outcomes and Impeded Process: The Performance of EU Twinning Projects in the EU's Eastern Neighbourhood", *East European Politics* 33 (1): 75.

¹³ Interview with a French civil servant, Moscow, 23 March 2016.

¹⁴ European Commission, "Institution Building in the Framework of European Union Policies: Common Twinning Manual", Brussels (2012).

¹⁵ Interview with a Ukrainian expert, Kyiv, 21 November 2014.

¹⁶ Interview with a Ukrainian expert, Kyiv, 27 November 2014; interview with a Ukrainian expert, Kyiv, 21 April 2016.

normally do not cover these items, Twinning participants have often had to look for workarounds; some have even had to pay out of their own pockets.¹⁷

Fourth, Twinning projects in virtually all policy sectors in Ukraine have suffered from a low level of political commitment to the project's objectives. While partly attributable to the volatility of the Ukrainian political system, widespread conflicts of interest and meagre financial support by the state, this lack of commitment can also be traced to insufficient or ineffective conditionality by the EU in some policy sectors covered by Twinning. Both in the Action Plan and, more recently, in the AA/DCFTA with Ukraine, some policy sectors have received less attention in terms of 'sticks and carrots' from the EU. For example, the EU–Ukraine commitments in policy sectors such as social affairs, education and healthcare have been less explicit than those in trade, industry, energy and finance.¹⁸ Consequently, Twinning projects in the latter sectors have tended to be more effective in fostering the legal (and less so the institutional) convergence of the Ukrainian public sector with EU norms.¹⁹

Fifth, the Twinning instrument in the ENP was modelled on accession conditionality, which drove the EU's 'big bang' enlargement of 2004 and 2007.²⁰ Because EU membership is not on the books for any of the ENP countries yet, they may be reluctant to embark on the often costly process of adopting EU norms in their domestic systems.²¹ This strategic shortcoming was also confirmed through our interviews with Twinning experts who worked in the ENP, Instrument for Pre-Accession (IPA) or the Eastern enlargement frameworks and noticed these disparities in the beneficiary's motivation.²²

Sixth, Twinning practitioners pointed to inadequate background research behind some Twinning projects.²³ In other words, some Twinning projects were planned and implemented without first ascertaining a solid commitment at the highest political level and gaining sufficient awareness of all the possible traps and pitfalls down the road. The limited expertise of some experts drafting project *fiches* has also resulted in difficulties accommodating the project objectives to the actual needs and capacities on the ground.²⁴ This problem has been

¹⁷ Interview with a Danish civil servant, Copenhagen, 21 March 2016.

¹⁸ Interview with a French expert, Paris, 5 April 2016; interview with a Danish civil servant, Kyiv, 5 May 2015.

¹⁹ Panchuk, "Effectiveness of EU Transgovernmental Cooperation in the Neighbourhood".

²⁰ Elsa Tulmets, "Institution-Building Instruments in the Eastern Partnership: Still Drawing on Enlargement?" *Eastern Partnership Review* 6 (2011) (http://www.eceap.eu/ul/Review_No6.pdf); Roch, "Between Arbitrary Outcomes and Impeded Process", 79.

²¹ See also Hrant Kostanyan (ed.), *Assessing European Neighbourhood Policy: Perspective from the Literature*, Brussels and London: CEPS and Roman & Littlefield International (2017), 17–20 (https://www.ceps.eu/system/files/ENP_LiteratureReviewWithCovers.pdf).

²² Interview with a Dutch expert, The Hague, 3 April 2015; interview with a Danish civil servant, Copenhagen, 23 March 2016.

²³ Interview with a Ukrainian expert, Kyiv, 27 November 2014; interview with a Ukrainian civil servant, Kyiv, 10 March 2016; interview with a Dutch civil servant, Amsterdam, 21 March 2016.

²⁴ Interview with a Ukrainian civil servant, Kyiv, 10 March 2016.

exacerbated by a lack of capacity to undertake a local needs analysis in a more precise and uniform manner across different policy sectors.

And seventh, our interviewees suggested that the level of visibility of some Twinning projects was rather poor, which manifested itself in the limited awareness by Ukrainian civil servants of the benefits and expectations of Twinning cooperation. While the situation is somewhat better in policy areas related to the private sector (e.g. trade and industry, transport or statistics), Twinning projects in policy sectors related exclusively to the public sector (e.g. justice and home affairs) are not very widely known or understood outside their hosting institutions.²⁵

Opportunities

We identify five major opportunities for the future exercise of the Twinning instrument in Ukraine. A first opportunity is the favourable stance of the country's current leadership and population towards EU integration. One of the main triggers behind the Euromaidan protests in 2013 was the refusal of the then Yanukovich leadership to sign an AA with the EU. After the Revolution of Dignity that followed, Ukraine has implemented a number of impressive reforms in the areas of energy, banking, decentralisation, deregulation, healthcare and others, many of which have clearly been inspired and supported by the EU. It has already become a cliché to assert that Ukraine has carried out more reforms in the past four years than it had since its independence in 1991.²⁶ Despite some recent warning signs of a slowdown in important anti-corruption initiatives, many of Ukraine's sectoral reforms – such as pension reform, healthcare reform, decentralisation and others – are firmly underway. By explicitly linking the policy agenda of Twinning projects with the sectoral priorities from the AA/DCFTA and duly rewarding progress made, the EU can speed up the convergence of the Ukrainian public sector with EU norms.

Additionally, due to the conflict with Russia and the resulting disruption of trade, Ukraine has been looking for alternative markets and inevitably embracing closer integration with the EU.²⁷ As a consequence, in policy sectors such as energy, veterinary and phytosanitary regulation, and transport, Ukraine has few other alternatives but headlong orientation on the European Single Market. Identifying and cooperating in the policy sectors where Ukraine is likely to gravitate towards the EU should be a priority for Twinning policymakers. That also applies to Twinning projects in other EaP countries that seek to reduce their trade dependence on Russia and diversify their energy and export markets.

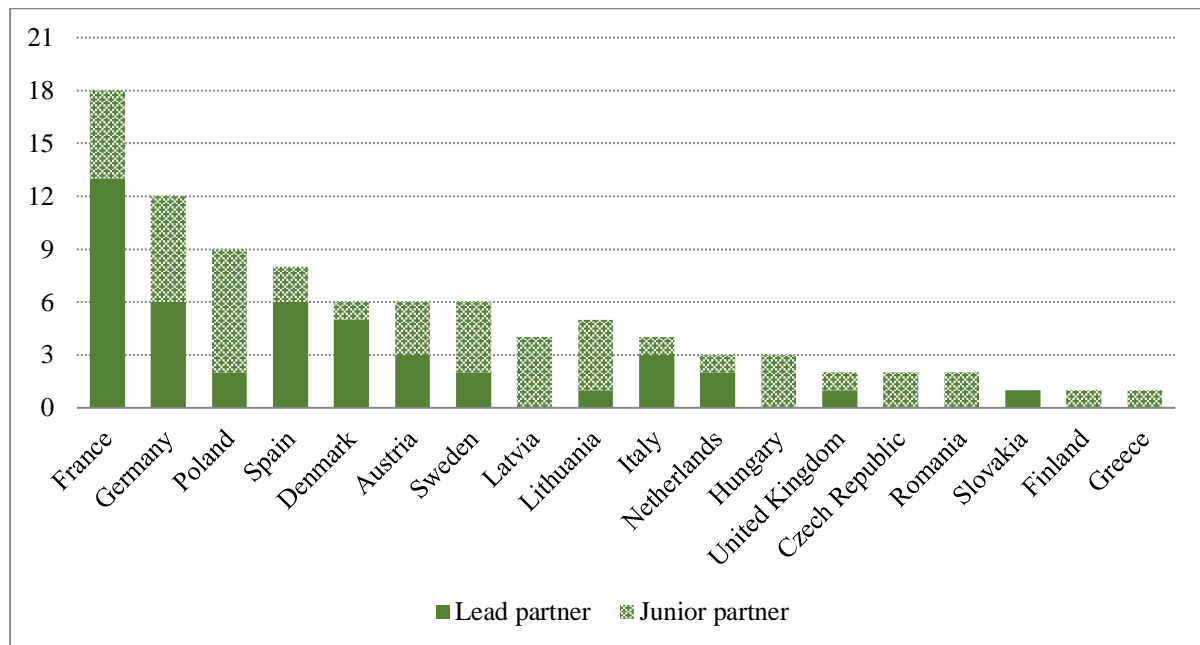
²⁵ Interview with a Ukrainian expert, Kyiv, 22 March 2016.

²⁶ European Parliament, "The State of Implementation of the Associations and Free Trade Agreements with Ukraine, Georgia and Moldova", DG for External Policies (16 November 2017), 10.

²⁷ Laure Delcour, *The EU and Russia in Their "Contested Neighbourhood": Multiple External Influences, Policy Transfer and Domestic Change*, Abingdon: Taylor & Francis (2016).

Also, the Twinning instrument has already recorded nearly two decades of implementation history: initially in the EU accession candidates from Central and Eastern European countries (CEECs) and then as part of the ENP. This track record presents Twinning policymakers with ample opportunities for an exchange of experience and further improvement of the instrument. Civil servants from EU member states with prior Twinning experience have already been in higher demand than those without the same, which is reflected in the preferences of the ENP beneficiaries concerning their future Twinning partners and during the formation of Twinning consortia among EU member states (see also Figure 3).²⁸ Amassing Twinning expertise and best practices from various countries and regions may improve Twinning programming in the future and help avoid past errors.

Figure 3. Participation of EU member states in Twinning projects in Ukraine since 2007



Note: Completed projects as of April 2018.

Source: DG NEAR, European Commission.

Furthermore, the new member states that have joined the EU over the past 15 years have recent transition experience and historical and socio-linguistic commonalities with the EaP neighbours. For that reason, the new EU member states offer specific added value to Twinning projects in Ukraine compared with the older member states.²⁹ The memories of reforms in their home countries are still fresh in the minds of civil servants from the CEECs, as they often participated personally in the transitioning of their countries to the EU’s standards of democracy and market economy (including being Twinning beneficiaries themselves). At the

²⁸ Fabienne Bossuyt and Dmytro Panchuk, “The Participation of CEECs in EU Twinning Projects: Offering Specific Added Value for EU Transgovernmental Cooperation in the Eastern Neighbourhood?” *East European Politics and Societies and Cultures* 31 (2): 334–59.

²⁹ Ibid.

same time, many older member states have at their disposal experience of running well-established and reputable administrative and economic systems. Therefore, by identifying the comparative advantages of CEECs and the older member states and their points of complementarity, the EU may further improve the effectiveness of Twinning projects in Ukraine and the broader region.

Finally, Twinning projects in Ukraine and other EaP countries may benefit from a more coordinated and consistent interaction with other initiatives by the EU, its member states or other international and domestic actors, such as the Bretton Woods institutions and the United States. The EU can boost this dialogue through coordinated Twinning programming in policy areas like banking and finance, justice and home affairs, and public administration, where such complementarities exist. Apart from the international actors, domestic civil society organisations promoting reforms have also been on the rise in Ukraine. In view of that, the EU could adopt a more inclusive approach by encouraging the input from different civil society networks active in policy areas of the Twinning instrument.

Threats

Our analysis has revealed a number of threats for the effective implementation of Twinning projects in Ukraine, on both the EU and the Ukrainian sides. Among the most common threats on the Ukrainian side are perpetual institutional instability, the limited autonomy of public servants, a low level of transparency of Ukraine's public sector and the unclear security situation due to the war in the east of the country. On the EU side, the varying qualifications of the participating civil servants and possible incompatibilities between the administrative systems of partners are the main threats.

Although Twinning projects are planned and implemented in relative autonomy from the incumbent leadership, the public institutions hosting such projects in Ukraine have often been vulnerable to changes in the political weather at the top. Most senior civil servants, heads of ministries, departments and agencies hosting Twinning projects are political appointees. With every change of government or president (and such changes have been frequent in Ukraine), the leadership of the institution is replaced, jeopardising the previous achievements of Twinning projects in that institution. New department heads are often disinterested or even dismissive of what their predecessors did. For example, a Twinning project on the agricultural land market in 2013–15 sought to prepare the legal and institutional ground for lifting a moratorium on agricultural land sales in Ukraine. While securing initial support from the authorities, the project endured a change of political leadership and the appointment of a new department head, whose political party was rallying strongly against lifting this moratorium.³⁰ As a result, the seemingly successful project fell short of its purpose and goals.

³⁰ Interview with a Dutch civil servant, Amsterdam, 21 March 2016.

Also, when the department head leaves, that individual's personal assistant, head of staff and other personnel may leave too, posing numerous complications for the remaining project team. In extreme cases, public personnel who participated in a Twinning project have been laid off. Given the deeply ingrained hierarchical system of public administration in Ukraine, it takes a lot of effort for the remaining staff to put the respective project back on track.³¹ Some Twinning participants also complained of the limited autonomy of middle-range civil servants in Ukraine, even when it comes to making routine decisions, without obtaining consent from higher-ranking officials. Such prior approvals are also problematic and time-consuming, which results in unnecessary delays over the course of the project.³² For many mid-level civil servants in Ukraine, showing extra initiative means risking one's job.

In addition, Twinning projects are threatened by unexpected and far-reaching organisational shifts in the beneficiary institution. With nearly any change of leadership in Ukraine, various public agencies are renamed, reorganised or liquidated. As a result, Twinning projects tailor-made for one institution become irrelevant after that institution ceases to exist or changes its scope of activities. Such unexpected shifts have wreaked havoc on many Twinning projects in this country, in both the preparation and implementation stages. Sometimes, the new beneficiary institution where the Twinning project is reassigned did not initially participate in the implementation and hence shows no interest in continuing with the project.³³ It also comes as no surprise that such institutions have at times been slow to provide office space or additional resources requested by the member state participants.

Another threat to Twinning operations in Ukraine is the generally low morale among civil servants (see also the section on 'weaknesses'), who have to spend their extra working time on Twinning commitments. The bonus of participating in study visits to partnering member states (and getting to keep the per diem money) may not be a sufficient and appropriate motivator for Ukrainian bureaucrats tasked with the daily implementation of the project. With the taxing range of their other commitments, Ukrainian civil servants do not appreciate the benefits of Twinning and work half-heartedly as a result.³⁴ To add insult to injury, under the circumstances of continuing institutional instability, many civil servants in Ukraine experience anxiety about losing their jobs.³⁵

The Euromaidan revolution and ongoing conflict in the east of the country have also taken their toll on Twinning cooperation in Ukraine. Several projects running during the tumultuous winter of 2013–14 were suspended for several months due to the security concerns of project

³¹ Ibid.; interview with a German civil servant, Berlin, 11 April 2016.

³² Interview with a Danish civil servant, Copenhagen, 21 March 2016; interview with an Austrian civil servant, 11 March 2016.

³³ Interview with a French expert, Paris, 5 April 2016.

³⁴ Interview with a Ukrainian expert, Kyiv, 21 November 2014.

³⁵ Interview with a Danish civil servant, Kyiv, 5 May 2015.

partners from the EU.³⁶ The change of political leadership in the aftermath of the Euromaidan revolution affected the institutional landscape in Ukraine and had a rather detrimental effect on some Twinning projects. One interviewee also reported that some of her Ukrainian colleagues were drafted into the army in the middle of the project – something that further dampened the morale of the project team.³⁷ While the political and security situation in the country has stabilised somewhat and the ongoing hostilities are geographically far from most Twinning hosts in Kyiv, it is unclear how the situation will unfold in the coming years and whether it will have further adverse impacts on Twinning projects in Ukraine.

Among the threats to Twinning on the EU side, some respondents referred to the lack of qualifications of some Twinning participants (mostly short-term experts) as weakening the effectiveness of Twinning projects.³⁸ There may be several reasons for such a conclusion. First, due to disparities between the Ukrainian system of public administration and that of some EU member states, the latter's experience may simply be irrelevant or incompatible with the Ukrainian realities. Second, some EU experts may not be motivated to learn about the beneficiary and often do just enough to get the next consultancy contract. Third, the process of selection of short-term experts is often driven by personal recommendations and acquaintances of the resident twinning adviser, project leader or the national contact point rather than by the experts' qualifications. Similar issues are also present in the setup of Twinning consortia. The lead member states of the Twinning project may abuse their status by imposing their own experts who do not necessarily offer superior expertise compared with experts from junior member states.³⁹

Among the less critical threats to Twinning projects are the linguistic and intercultural barriers occurring when people from different countries work together on a daily basis. Many Twinning projects in Ukraine have suffered from interpersonal communication difficulties. Some of these difficulties have been resolved or tolerated, while others have led to significant delays and, in extreme cases, the replacement of the resident twinning adviser or other staff.⁴⁰ Promoting a greater degree of cultural sensitivity in addition to better understanding of the goals and expectations of the Twinning instrument as such would be helpful in mitigating this problem.

Conclusions

Twinning is a sophisticated institution-building instrument, aiming not only to approximate the regulatory environment of the beneficiary countries with EU standards but also to build trans-governmental and personal ties between civil servants across the borders. Based on the analysis of 50 interviews with Twinning stakeholders in the EU, Ukraine and other EaP

³⁶ Interview with a Polish civil servant, Warsaw, 2 April 2015.

³⁷ Ibid.

³⁸ Interview with a Ukrainian civil servant, Kyiv, 20 April 2016; interview with a Ukrainian expert, 21 April 2016; interview with a Ukrainian expert, Kyiv, 27 November 2014.

³⁹ Interview with a Ukrainian expert, Kyiv, 21 April 2016.

⁴⁰ Interview with Ukrainian civil servants, Kyiv, 22 April 2016.

countries, we identify a number of strengths, weaknesses, opportunities and threats in connection with the implementation of Twinning projects in Ukraine. In order to confront the weaknesses and threats and to capitalise on the strengths and opportunities offered by the Twinning instrument, we put forward several policy recommendations, which could help the EU improve this instrument and boost its effectiveness in the short and long run. While being particularly relevant for Ukraine, these recommendations can also further improve Twinning projects in other partner countries of the EaP and the ENP more broadly. We now conclude this policy brief by looking at the recent Twinning reforms introduced by the European Commission and assessing the extent to which they affect our findings.

In July 2017, the European Commission rolled out a new Twinning manual, following a lengthy process of consultations with multiple Twinning stakeholders from within the EU and the beneficiary countries in the European Neighbourhood Instrument (ENI) and IPA regions.⁴¹ The updated regulations seek to make the Twinning instrument more flexible and efficient. They cover a number of aspects related to Twinning implementation, such as flexibility, simplification, speed, harmonisation of Twinning projects under the ENI and IPA schemes, and streamlining the financial management of the projects.

Four major changes have been introduced. First, the establishment of a six-month rolling work plan (in addition to the initial work plan) seeks to enhance the flexibility of the Twinning instrument by making it easier to take stock of the progress made and adapt project activities on the go. However, the initially agreed mandatory results seem to remain ‘a sacred cow’ and, just as previously, are not subject to change later in the project. Second, the new manual also cuts down on the time for preparation activities leading up to the launch of the project by setting more ambitious deadlines for the institutions involved. Third, the projects operating under the new guidelines will benefit from a more reflexive approach to specific sector reform developments and coordination with other donors and the expert community active in the sector. Last but not least, the European Commission puts a stronger emphasis on communication and the visibility of Twinning projects and their achievements in the beneficiary community and the EU.

On balance, it will take a more comprehensive investigation to explore the extent to which the recently proposed changes have embraced the strengths and opportunities and addressed the weaknesses and threats of the Twinning instrument. Clearly, these changes have been necessary and long overdue, yet they seem hardly sufficient to become a game changer in view of the issues Twinning has been facing in Ukraine and other ENP countries. The process of Twinning reform should continue in such areas as the flexibility of the work plans, incentives for the beneficiary, better targeting of the Twinning agenda to the needs and capacities on the ground, and improved visibility.

⁴¹ European Commission, “Twinning Manual (Revision 2017)”, Brussels (2017) (<https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/twinning-manual-revision-2017-final-updated-09-08.pdf>).



ABOUT CEPS

Founded in Brussels in 1983, CEPS is widely recognised as the most experienced and authoritative think tank operating in the European Union today. CEPS acts as a leading forum for debate on EU affairs, distinguished by its strong in-house research capacity and complemented by an extensive network of partner institutes throughout the world.

Goals

- Carry out state-of-the-art policy research leading to innovative solutions to the challenges facing Europe today
- Maintain the highest standards of academic excellence and unqualified independence
- Act as a forum for discussion among all stakeholders in the European policy process
- Provide a regular flow of authoritative publications offering policy analysis and recommendations

Assets

- Multidisciplinary, multinational & multicultural research team of knowledgeable analysts
- Participation in several research networks, comprising other highly reputable research institutes from throughout Europe, to complement and consolidate CEPS' research expertise and to extend its outreach
- An extensive membership base of some 132 Corporate Members and 118 Institutional Members, which provide expertise and practical experience and act as a sounding board for the feasibility of CEPS policy proposals

Programme Structure

In-house Research Programmes

Economic and Finance
Regulation
Rights
Europe in the World
Energy and Climate Change
Institutions

Independent Research Institutes managed by CEPS

European Capital Markets Institute (ECMI)
European Credit Research Institute (ECRI)
Energy Climate House (ECH)

Research Networks organised by CEPS

European Network of Economic Policy Research Institutes (ENEPRI)
European Policy Institutes Network (EPIN)