

A Conceptual Puzzle and its Consequences: Institutional Twinning Equals Technical Assistance?

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Abstract

This contribution draws a distinction between ‘traditional’, or ‘conventional’, forms of technical assistance (TA), on the one hand and the instrument of institutional twinning as used in the context of EU enlargement and in the international twinning practice, on the other. The article analyzes the differences between the two and identifies a point in time when and why this distinction became relevant. It further confirms that the label ‘twinning’, as well as the blurred lines between institutional twinning and other similar tools for institutional development, have questionable effects on the instrument’s design and successful application. Due to the fact that it has been practiced by inherently different development agencies, twinning cannot be uniformly defined, which makes the conceptual puzzle ‘twinning equals technical assistance’ even more perplexing. There are specific aspects of this instrument accentuated by some actors, while, at the same time, neglected by their counterparts in the European and international developmental arena; in brevi, one universal meaning cannot be attached to twinning.

In contrast to its international and bilateral peers, the European Union declares that twinning is not equal to technical assistance, which has been formally acknowledged in several strategic documents. Hence, the paper is based on two main assumptions: (a) twinning in the EU context is not only different from technical assistance, but also, (b) it is different from its ‘variations on a theme’ in the international twinning practice. By drawing on the twinning experience in the process of EU enlargement, it seems that not everything is as simple and transparent as presented by EU officials and documents. The Union’s endeavors to bring twinning up to a whole new level have resulted in occasional success in its performance because the peculiar features of twinning can sometimes be diluted in practice. It appears that the distinction between these instruments is not that sharp and, consequently, there are cases where ‘twinning equals technical assistance’.

Key words: twinning, technical assistance, institutional development, PHARE, pre-accession instrument.

1 Introduction¹

The twinning instrument has been used by international development organizations over the past six decades. The variety of assistance providers as well as evolving trends in development cooperation have gradually

1 This article is an adjusted extract from the author's doctoral research project “EU Enlargement as a Method of Legal Transplantation: the Case of Institutional Twinning”. The project focuses on institutional twinning as a specific instrument of EU enlargement policy and analyzes the impact of twinning projects on transposition of EU law and on legal and administrative reform in accession countries.

transformed the initial model of town twinning² into an institution building tool (European Commission, 2012:10). Institutional twinning could be observed as a prevailing tendency in the late 1970s and early 1980s; a shift that is partly being explained by “dissatisfaction with the results delivered by the then conventional form of development cooperation known as technical assistance” (Jones and Blunt, 1999:384). Its development has been further influenced by a general trend of relabeling technical assistance (TA) into technical cooperation (TC), highlighting the idea of collaborative project design and aspects of partnership, project ownership and shared responsibilities. Due to harsh criticism of donor-driven TA (McMahon, 1997:4-5), a major shift in development cooperation has occurred when assistance providers have refocused their attention on strengthening recipients’ self-reliance, as mentioned in the UNDP (United Nations Development Programme) Administrator’s report³ on new dimensions in technical cooperation. The report states that the main purpose of technical cooperation is the promotion of self-reliance⁴ in developing countries “by building up their productive capability and their indigenous resources, and by increasing the availability of the managerial, technical, administrative and research capabilities required in the developmental process”.

Given these new circumstances and realities, a considerable attention has been paid to the twinning model as a promising “distinctive response to the deficiencies of the conventional technical assistance approach” (Jones and Blunt, 1999:384). At first, donor agencies used this instrument for international development in specific areas like agriculture and infrastructure. Later on, in the 1980s and 1990s, these organizations reoriented their aid programs to poverty, environment, governance and other complex issues of institutional development. Even though they continued employing conventional forms of

2 Twinning practice started in Europe in the 1950s in the form of town twinning and municipal twinning and continued spreading on other parts of the world, in particular, in the 1960s in the United States through organizations such as the Sister Cities International (Ouchi, 2004:2). Town twinning was created in the post-war ambiance in order to alleviate the war-devastating effects in Europe and elsewhere. Municipalities and cities operating through different organizations, of which the most prominent was the United Towns Organization (UTO), strengthened their bonds through different programs of cultural and educational exchange (e.g. twinning between universities and school-to-school twinning), friendship events and strong local businesses. As a result of the UTO’s lobbying, the United Nations enacted the 1971 Resolution 2861 (XXVI) “Town twinning as a means of international cooperation” which states that “town twinning is exceptionally valuable means of cooperation in that, between countries, it brings into contact not only local leaders but also whole populations”.

3 The report was adopted by the Governing Council of the United Nations Development Programme at its 487th meeting, on 25 June 1976.

4 According to Cassen (1994:165), the term self-reliance encompasses the following dimensions: to determine knowledge needs that cannot adequately be met domestically, identify where in other countries such needs may be met, know how to acquire this knowledge, and know how to adapt and use it at home; the ability to undertake domestic research, problem-solving and policy formation; and the ability to sustain these capacities, which involves the institutional capacities for training successive generations of scientist, technicians and managers.

technical assistance in areas where capacity building was not the main purpose of the project, they opted for twinning as a better way of delivering their assistance in institution building and public sector reforms (Ouchi, 2004:3).

Following from this, institutional twinning has its origin in the 'umbrella' concept of technical assistance. On the other hand, its nature and categorization seem to be ambiguous; it remains unclear whether twinning is a special form of technical assistance, or is it separated from other 'similar' tools for development cooperation. As formulated by Jones and Blunt (1999:381), is twinning simply a 'routine process' which provides essentially the same benefits as alternative methods? Or, does it have unique features and outcomes that overshadow other tools for institutional development? Under the assumption that twinning is just a subcategory of technical assistance, what would the consequence(s) be of incorrect or even artificially emphasized use of the instrument's controversial label? What is actually meant by 'twinning' (of institutions)? Does the label indicate a creation of long-term relationship based on equality between 'twins' (donors and recipients) where twinning partners exchange their knowledge, expertise and *know-how*? Or, can one say that this cooperation relationship is simply 'twinning without twins', as implied by O'Connor and Kowalski (2005:441)? If twinning projects do not generate very peculiar and at-first-sight-intangible outcomes (Jonic Kapnias, 2013:441-442), the question is whether we need such confusing twinning terminology at all. Finally, is twinning only a metaphor rather than a fixed method (Askvik, 1999:404), and, if so, is our endeavor to distinguish one instrument from another unrealistic, meaningless and condemned to failure?

In order to provide the reader with a fairly sophisticated understanding of these two instruments, the paper develops a conceptual puzzle 'institutional twinning equals technical assistance' and, with the purpose to crack the puzzle, it explores a distinction between 'traditional' or 'conventional' forms of technical assistance, on the one hand, and institutional twinning, on the other, as they are used in the context of EU enlargement and in international developmental practice. The paper seeks further to present the background to the problem of the erratic nature of the twinning instrument, connecting it to the diverse utilization of the instrument by transnational donors. In juxtaposing various (international, supranational and bilateral) practices, it further aims to simplify and demystify the disputable twinning label and the consequences of its use. Based on the collection of vibrant usage scenarios on the international development scene, the chapter concludes that: (a) twinning in the EU context is not only different from technical assistance, but also, (b) it is different from its 'variations on a theme' in the international twinning practice.

The literature on development cooperation is abundant with a variety of classifications of technical assistance. Nevertheless, it can be observed that only a small number of scholars and practitioners (Berg 1993; McMahan 1997; Jones and Blunt 1999; Askvik 1999; O'Connor and Kowalski 2005) recognize the difference between TA and twinning. A natural question arises; why should, after all, this distinction be regarded as significant? First, different instruments (are supposed to) generate different results and, therefore, it is crucial to wisely choose an appropriate mechanism for project delivery and for achievement of its goals and objectives. While twinning arrangements

(endeavor to) produce more benefits in institutional development and organizational learning, technical assistance primarily aims at technical and professional upgrading. As pinpointed by Newton (2008:52), in relation to the forms of legal technical assistance, it is “in reality more like technological [!] assistance and has very little to do with institutional support as such”.

Second, as it will be presented in the last part of this paper, it is not possible to comprehend twinning in the EU enlargement context without its clear-cut separation from other types of technical assistance. The ‘EU Twinning’ is one of the cornerstones of the pre-accession strategy and, as such, it is vitally important for *pro tempore* candidate countries and potential candidates. While twinning helps beneficiaries to strengthen their institutions necessary to implement the *acquis*, TA projects are used for more specific, technical and focused assignments which are not (necessarily) *acquis*-related (European Commission, 2012a). It follows that EU twinning and TA generate different project results and, therefore, a beneficiary country (BC) has to be aware of their separateness. This has been emphasized in the reports of the Court of Auditors (2003; 2006) and independent evaluators (Cooper and Johansen, 2003; ECORYS Nederland BV, 2011) which clearly distinguish twinning from ‘other’ alternative methods, and which, even more, criticize the Commission for its insistence on twinning as ‘the only game in town’. The reports additionally note that project success and, in the long-run, results of legal and institutional reforms in beneficiary countries, depend on proper selection of instruments.

This paper relies on a desktop study of secondary literature and available reports and documents about technical assistance projects and twinning projects published by the World Bank, SIDA and NORAD, the European Commission, the Court of Auditors, Member States and independent evaluators. It is further based on the initial findings of interviews with high-ranking officials at the Institution Building Unit (IBU) of the DG Enlargement, European Commission, performed in Brussels in March 2013. Since it investigates the meaning and utilization of the two instruments in different aid organizations, the comparative method seems the most suitable approach to this discussion.

The paper is divided in two parts: the first part presents the use of TA and twinning projects by the abovementioned international and bilateral donors, while the second part focuses on TA in the Central and East European countries in the 1990s, the PHARE programme and its extensive reforms, and primarily on the (re)-birth of institutional twinning in the EU. The last section revisits the theoretical arguments presented at the outset.

2 Key Concepts and Dilemmas in International Twinning Practice

2.1 *The World Bank, SIDA and NORAD: Different and not so Different Visions...*

The following section provides a brief overview on international twinning practice, in particular, the use of the twinning instrument by the World Bank, the Swedish International Development Cooperation Agency (SIDA) and the Norwegian Agency for Development Cooperation (NORAD). For the sake of comparison, bearing especially on the conceptual aspects of this topic, it is inevitable to present both comparables - technical assistance (and technical cooperation) on one side, and institutional twinning on the other side.

The World Bank defines technical assistance as “the transfer or adaptation of ideas, knowledge, practices, technologies, or skills to foster economic development” (McMahon, 1997:3). Unlike other developmental agencies, the Bank provides an all-encompassing definition and classifies the purposes of this form of developmental cooperation into four categories: a) policy development, b) institutional development, c) capacity building and d) project and programme support. Many other suppliers differentiate between “activities whose main contribution is to design or implement a given project or programme and those which are primarily trying to increase the level of knowledge, skills, technological comprehension, or productive aptitudes of residents of a developing country” (McMahon 1997); thus, they only consider the last category ‘project and programme support’, mentioned under point d) above, as technical assistance.⁵ In the paper on application of economic analysis to technical assistance projects prepared for the Bank’s Policy Research Department, McMahon (1997:7) narrows the ‘umbrella’ concept and divides technical assistance into (a) substitution or gap-filling projects “used to fill gaps for specific knowledge in development projects [and to] assist in policy reform”, and, (b) other type of TAs projects focused on developing “local capacity to undertake tasks by themselves [recipients] either through institutional development or capacity building”, thus, technical assistance addressing reforms in the institutional and governance context.

In a pioneering study ambiguously called “The Twinning of Institutions: Its Use as a Technical Assistance Delivery System”, Lauren Cooper further narrows down the idea. By referring to the World Bank’s Operational Manual (1994), she outlines the instrument’s purpose and designates its ‘type’: twinning is the technical assistance (!) delivery system which proved to be “an effective means of transferring *know-how*, training staff, and building up management capabilities” (Cooper, 1984:2). Apparently, this definition does not make a difference between TA and twinning, since it actually describes the latter as a subcategory of TA. But on closer examination, the conceptual simplicity of Cooper’s definition fails for the following reasons: she recognizes the value of twinning as better suited for ‘institutional assistance’, such as

5 Other activities are considered as Technical Cooperation.

policy and institutional studies, managerial and operational support and training, rather than for engineering TA assignments. She further acknowledges that the strength of the twinning arrangement is less in the transfer of a specific technology and more in the exchange of experience and skills in applying techniques. It follows that even though twinning has been classified as a type of TA, it has a distinctive purpose in comparison with the traditional TA projects. Cooper finds a solution for this conceptual complexity in designating the instrument as a 'blend between TA and training', which can be offered as a regular training program or can be tailored to respond to the client's needs.

When discussing the instrument's design, Cooper (1984:2) refers to the Bank's Handbook on Technical Assistance which describes twinning as a "professional relationship between an operating entity in a developing country and a similar but more mature organization in another part of the world". An element of partnership established between two actors, an organization in developing country and its counterpart in industrial country, and a possibility of long term⁶ institution-to-institution relationship makes this arrangement a highly desirable choice because the client can "turn to a tangible 'twin' entity and see concrete examples and practical applications of the principles which it is interested in putting into effect in its own operation" (Cooper, 1984:4). It appears that the client observes this working relationship more favorably than other forms of TA because it gives an impression of a two-way exchange, which is undoubtedly an additional psychological and/or political advantage. As stated by the Swedish International Development Cooperation Agency, "the notion of the implicit 'psychological contract' is relevant here" (SIDA, 1998:24). Nevertheless, most suppliers underline that "their own way of doing things is just one example among several alternatives available to the client" and, for that purpose, they arrange clients' visit to similar institutions in different countries in order to buffer the omnipresent risk of excessive client's dependency on the primary supplier (Cooper, 1984:14). Suppliers do not promote their own solutions as being appropriate everywhere, but instead they call for increased consideration of local resources and conditions in any given suggestions (Cooper, 1984).

In the evaluation report prepared for the World Bank Institute, Fumika Ouchi (2004) further presents various interpretations of this instrument. Beside the aforementioned World Bank's definition, the author analyzes the Swedish and Norwegian perspective on twinning. Similar to its international peer, SIDA defines twinning as "cooperation between two sister organizations - an organization in developing country and its sister organization in Sweden - which share similar mandates and societal responsibilities" (Ouchi, 2004:9). The essence of the twinning arrangement seems to be more or less the same in the eyes of bilateral and international twinning suppliers, though with a small,

6 By drawing on experience from developing countries, the Bank's analysts suggest that successful institution building cannot be achieved within the short term and, therefore, they recommend a twinning cooperation of 10 to 20 years, where the exact timeframe depends on sectors and entities involved.

but remarkable illuminating distinction; SIDA strongly highlights the element of resemblance between the involved parties, the so-called ‘sisters’, who share corresponding public responsibilities.

Before the official shift in SIDA’s policy, it appears that the assistance providers were not selected on the basis of comparability with their clients, and projects were launched without taking into account ‘organizational’ common denominator between donors and recipients. It is very likely that this significant novelty brought up by the largest Swedish donor changed the approach towards twinning and very soon it became obvious that the instrument can no longer be observed as a typical TA. Most importantly, with reference to the previously mentioned observations of Jones and Blunt (1999:384), SIDA’s interest in twinning has been triggered by its disappointment in the conventional technical assistance. At the beginning of the 1980s, thus, the Swedish donor recognized the necessity and momentum for change. Under the influence of the literature on organizational learning, SIDA decided to refocus their attention on development of organizations and institutions and not so much on individual development as accomplished by the TA⁷. In the same vein, the 1997 SIDA’s document “*Study on a Model of Twinning as a Method of Capacity Building*” informs that “twinning arrangements will normally contain both learning in technical areas related to the output of concrete products, and learning related to management and institutional issues” (SIDA, 1997b:2). But, as inquired by Jones and Blunt (1999:384), does twinning mean (only) learning, and what is meant by ‘learning’ in the twinning environment? Is ‘learning’ a new element that differentiates twinning from other instruments? If we look back at the World Bank’s definition on technical assistance (McMahon, 1997:3), we can notice that the element of learning is not explicitly mentioned and that the Bank primarily focuses on ‘transfer or adaptation’ of ideas, knowledge, practices, technologies and skills.

In relation to the main protagonists, SIDA, like the World Bank, accentuates that twinning should inspire their partners to find individual solutions and “not to copy Swedish solutions to problems” because the parties involved in projects are fundamentally different in terms of political and social system, geographical features, experience, organizational culture and technological skills (Ouchi, 2004:9, 23). If the involved parties are, on the one hand, so ‘fundamentally different’ and, on the other hand, they do share ‘similar mandates and societal responsibilities’, the question is whether twinning partners or, as sometimes called in the literature on development cooperation, ‘twinners’, are predetermined to become ‘twins’ and, if so, in which sense

7 Before shifting the emphasis from individuals to organizations, the SIDA’s common practice was transfer of new knowledge and skills from donor to recipient via technical assistance, which occurred primarily at the individual level “in hope that this would lead *somehow* to enhanced performance at the [both] individual *and* organizational level”. However, there is not much evidence that this has actually happened (Jones and Blunt, 1999:384).

would that be. A response lies in the perception of twinning as a long-term⁸ partnership.

The suggested long-term character of the twinning relationship has, however, provoked the following criticism. By drawing upon SIDA's experience, particularly in a Namibian project described in their article, Jones and Blunt (1999:390) remind that "unduly prolonged partnership might encourage dependency, and work towards the termination of the twinning element of cooperation". Even though twinning provides the stimulus of positive working atmosphere and leaves an impression of partnership between equals, several authors (Jones and Blunt 1999; Askvik 1999; O'Connor and Kowalski 2005) have noticed an inherent danger in the 'twinning' label. The notion of cooperation, equality and partnership, being translated into reality, might result in hidden expectations of the "developed twin" to acquire the "position of superiority in the relationship and [to] expect a passive dependent partner [from the developing country]" (Jones and Blunt, 1999:390). Hence, in their endeavor to become twins, is there a risk of power imbalance between twinning partners, and, if so, why then donor agencies use such 'inappropriate' twinning terminology?

Steinar Askvik's (1999) study on the Norwegian Agency for Development Cooperation (NORAD) leads to a further conceptual confusion. It is surprising that NORAD, unlike other similar organizations, does not provide the instrument's definition. This, however, does not mean that the Norwegian donor is less active in the field of institutional development and capacity building than its international and bilateral equivalents. In the 1980s and the beginning of the 1990s, NORAD recognized the need for a different approach in assisting developing countries and, consequently, the Norwegian organizations (such as public agencies, universities, private companies, consulting firms and NGOs) started a new method of cooperation with the South, acknowledged as the 'institutional collaboration component' in NORAD's assistance (Askvik, 1999:404). The 1998 NORAD's evaluation report "*Twinning for Development: Institutional Cooperation between Public Institutions in Norway and the South*" states that "the most important new developments following the policy shift are the increased emphasis on institutional development as an objective in its own right, and the equally strong emphasis on the responsibility of the Southern and Norwegian institutions for the planning, implementation and reporting of institutional development projects". This official recognition of the importance of equality and corresponding responsibilities between donor and recipient represents a great leap forward in the designation of twinning. Although SIDA draws attention to the 'sisterhood' between involved organizations (Ouchi, 2004:9), their equivalence is seen to lie foremost in the comparable institutional template, and not, as accentuated by NORAD, in equal responsibilities for the project design and its final outcomes. In this sense, NORAD has made a major breakthrough in the 'diagnosis' of this eristic instrument and has contributed more to our understanding of twinning than other assistance providers who

8 SIDA anticipates 7 to 10 years for a twinning cooperation (Ouchi, 2004:20).

seem to offer precise definitions. It follows that twinning engages partners with the same or similar mandates, but also (and, perhaps, more importantly) partners who actively cooperate in the creation of the project (design, goals, long and short-term objectives) and who equally divide tasks between themselves.

The report further elaborates the meaning of institutional development (NORAD, 1998:4). The latter is seen to imply transfer and use of knowledge on the individual level (human resource development), changes in formal structures, management, administrative routines and technology in individual organizations (organizational development) and changes in the relation between individual organizations and networks, sectors and overall context (systemic development). In comparison with the World Bank's vague 'transfer and adaptation' and SIDA's unclear 'learning' terminology, the NORAD's description offers better insight into what can be transferred, adapted, changed or learned. On the other hand, a challenge behind this extensive definition lies in the fact that it is not directly linked to twinning, which again can be explained by the instrument's disputable name. In this respect, it cannot remain unnoticed that the NORAD's approach towards twinning is rather exceptional because it either does not put emphasis on any kind of labeling, or it hesitates in categorizing these projects because of the many models of institutional collaboration in practice. As put by Askvik, "it seems difficult to determine whether one model is twinning while another is not" (Askvik, 1999:404). NORAD, therefore, has formalized⁹ a form of assistance which is more institution-based, flexible and withdrawn compared to traditional forms of technical assistance (NORAD, 1990:6), but without naming this particular assistance modus. As a matter of fact, it just confirmed a specific "type of relation that has been there for a long period of time" (Askvik, 1999:404).

The 1998 evaluation report adds that "institutional cooperation between institutions in Norway and the South ("Twinning")¹⁰ is one of several [!] alternative strategies to promote institutional development in international aid programs" (NORAD, 1998:4). At the same time, the report suggests that relations of this type have advantages over other forms of institutional support, particularly "in addressing the systemic and sustainability dimensions of development assistance" (NORAD, 1998:9), due to a comparable institutional mandate and 'corporate identity' between the Norwegian donor and Southern developing partners.

Finally, NORAD's reserved attitudes toward labeling can be explained in Askvik's words: "twinning is a metaphor rather than a fixed method". The instrument is associated with the notion of similarity between twinning

9 This type of institutional collaboration has been formalized in several important documents, in particular, "Strategy for the 1990s", White Paper No.51 (1991-92) and White Paper No. 19 (1995-1996).

10 The report further describes the use of the term "twinning" as follows: "[it] will be used as synonymous with "institutional cooperation" in this study. We are aware that "twinning" is not an entirely appropriate term. Twinning projects will normally involve institutions in Norway and the South that are not "equals", but a partnership where the Norwegian institution will have superior professional competence" (NORAD, 1998:9).

partners, and not with different ways in which they organize their cooperation: “when twinning is taken as a metaphor rather than a specific method, it becomes less relevant to ask whether cooperation between similar organizations *per se* is beneficial or not, and it becomes more interesting to speculate about what kind of partners, cooperation strategies and arrangements are more successful within a twinning relationship” (Askvik, 1999:405). The lack of twinning definition/label in strategic NORAD’s documents indicates the confusion among stakeholders who put emphasis on different aspects of institutional development projects depending on their needs, skills and capacities. This, in combination with unclear practical distribution of roles and responsibilities, confirms that the twinning instrument is highly political in nature, which might be one of the main reasons for its confusing lingo.

2.2 In a Nutshell: More Definitions, More Contradictions

Following from the above presented international twinning practice, the common features of twinning arrangements in all three organizations can be summed up as:

- a) Institutional cooperation
- b) between two actors, respectively developing and mature organization
- c) with similar tasks and responsibilities (‘sisters’ or ‘twins’)
- d) who learn from each other through sharing of experience (‘two-way exchange’)
- e) (relatively) long-term partnership.

Despite these commonalities, there are some noteworthy differences. While the World Bank defines twinning as a technical assistance delivery system, SIDA introduces elements of ‘sisterhood’ and ‘learning’ and indirectly separates twinning from other similar instruments. NORAD timidly classifies twinning as one of the possible strategies among instruments for institutional development, but again without rigid delimitation.

Bearing in mind all questions raised in this section, it seems that the presentation of twinning practice in international organizations does not largely contribute to conceptual illumination. On the contrary, one gets the impression that attempts to determine twinning in the light of its diverse application on the global level can only give rise to more contradictions. Due to the fact that it has been practiced by inherently different development agencies and in different contexts, twinning cannot be uniformly defined, which makes the conceptual puzzle ‘twinning equals technical assistance’ even more perplexing. As presented above, there are specific aspects of this instrument accentuated by some actors, while, at the same time, neglected by their counterparts on the European and international developmental arena; *in brevi*, one universal meaning cannot be attached to twinning. As a consequence, it seems to be almost impossible to differentiate it from other instruments such as the ‘conventional’ technical assistance.

The European Union, as one of the most influential donors on the international development scene, would certainly disagree with this conclusion.

3 The European Commission has a say: The (Re)birth of Twinning

Twinning in the EU (enlargement)¹¹ context can be observed as a mix of new and old (global) praxes, a hybrid created on the basis of international twinning usage, but born out of necessity during the 1990s PHARE¹² crisis and the reinforced pre-accession strategy. It has been launched in 1998 as one of the most innovative Commission's instruments with the purpose to strengthen the administrative capacity of future Member States (MSs). Its initiation, naturally, did not happen overnight; it was preceded by several important stages of development of EU financial and technical assistance, in particular, the G7 and the G24 framework, the Copenhagen, Essen and Madrid Summit, and the PHARE programme and its reforms.

Due to the page limitation, the paper briefly presents the most relevant facts related to the (re)-birth of the 'European twinning'.

3.1 *Technical Assistance in the Countries of East and Central Europe: a Creation of the most Famous 'Lighthouse'*

The collapse of the communist regime imposed challenging demands and responsibilities on the international community and on traditional donors in providing economic and technical assistance to the newly emerged countries in the Central and Eastern Europe (CEECs). Beside the African and South American developing partners, the clients suddenly became a European country and, for some donors, a neighbor, with inadequate political and economic system, institutional legacies of communism, non-existent or weak protection of human rights, and big dreams for its 'return to Europe'. Donors focused not only on the CEECs 'standard' development objectives, but, also, they had to give attention to assistance in laying the foundation for their successful transformation into market economies and new democracies, which was certainly a new drive in international aid.

The Western reaction to provide assistance for urgent reforms in those countries was rapid. In the light of development of East-West relations, particularly with Hungary and Poland, in the G7 Summit in Paris in July 1989,

11 Twinning is also introduced as an institution-building cooperation instrument for the ENPI (the European Neighborhood and Partnership Instrument) countries to implement the ENP (European Neighborhood Policy) Association Agreements/Partnership and Cooperation Agreements.

12 PHARE is the acronym for Poland and Hungary Assistance to Economic Restructuring (*Pologne, Hongrie – Aide à la Reconstruction Économique*). In French it means a 'lighthouse' which additionally emphasises its significance.

the seven leaders agreed to organize a special meeting on assistance with all interested countries (Mayhew, 1998:14). This initiative resulted in the so-called G24 process¹³, but also in the request imposed on the European Community to provide an additional support. The EC was asked to initiate its own assistance¹⁴ within short time-span. Jacques Delors, at that time the Commission's President, requested the return from summer vacation of number of Eurocrats in order to create a new instrument and present it to the Council for approval; this is how the PHARE programme came into existence. Since the beginning of this programme, a major preoccupation for the Commission has been aid coordination with other international and bilateral donors (European Commission, 1993:16). The Commission's Coordination Unit, however, failed to synchronize donors' efforts into a single and coherent assistance programme primarily due to the rivalry and indifference of the involved actors pursuing their own agendas (Tatham 2009; Meyhew 1998). Two aid programmes, the G24 and the PHARE, both coordinated by the Commission¹⁵, were initially launched as indistinguishable, but very soon, for the reasons stated above, "they developed their own separate identities" (Tatham, 2009:275).

Despite the Community's efforts to achieve a certain level of coordination, it was more than obvious that the G24 framework will not function well for new actors in the European arena for several reasons¹⁶. One, if not the most significant, rationale was the unchanged approach towards assistance; the G24 was set in the traditional way. Consequently, by taking into account developments in Central Europe, it became clear that the CEECs countries

13 At the beginning of transition period, the G24 was the main donor that allocated resources to support reforms in the CEECs. The '24' were the EU-15, the United States, Canada, Australia, Turkey, New Zealand, Switzerland, Japan, Norway and Iceland, whereas the Secretariat was provided by the European Commission.

14 The 1989 Declaration on East-West relations prescribes: "To these ends, we ask the Commission of the European Communities to take the necessary initiatives in agreement with the other Member States of the Community, and to associate, besides the Summit participants, all interested countries".

15 This was "the highest foreign policy accolade the Commission has ever had bestowed on it"; for the first time, the Commission was in charge of aid coordination between its Member States and third countries (Niemann, 2006:67).

16 This global assistance effort was just a smoke-screen. The grant assistance was given in the context of debt reconstruction which means that out of 85 billion donated to the CEECs in the period between 1990 and 1995 only 29.4% were in the form of grants. The so-called emergency assistance (e.g. food aid or similar assistance provided to ex-Yugoslav countries) was further subtracted which means that the real grant percentage was even more reduced; "It would appear therefore that the real grant element of assistance has been around 15% of the G-24 assistance" (Mayhew, 1998:134-135). In addition, the major donors involved in the G-24 process chose different *modus operandi*. The United States provided the highest grant component, but with the large debt reconstructing. France and Germany followed the States with even higher rate of debt reconstructing. In contrast, the European Union was the largest pure grant donor, primarily through the PHARE programme. The Union donated approximately 46 billion or 53% of the total G24 assistance. This, however, was not surprising considering its 'neighbor status'.

could not achieve positive results if aid has been set in the ‘old-fashioned’ manner and applied equally to Africa, South America or the CEECs. Because of the lack of political will and the lack of coordination among the G24 members, such important ‘detail’ stayed unnoticed and, therefore, the process continued its reliance on traditional development cooperation and instruments like technical assistance. This global grant assistance has additionally been criticized because its major part has gone through purchasing technical assistance and consultants from donor countries (Mayhew, 1998:151). In such way, big portions of assistance ‘went back home’ to the donor countries, which boldly confirmed the political nature of the G24 process; donors provided assistance in order to buy strategic positions in the CEECs for donors’ companies or for similar interests. Finally, as put by Mayhew, the G24 was “more a politicians’ plaything than a national duty” (Mayhew, 1998:133).

All these, in combination with concrete problems caused by the changes that transformed the political map of Central and Eastern Europe, forced the Community to find its own creative solution(s) that could successfully tackle legal, institutional and economic reforms in the CEECs.

3.2 *The PHARE Programme and its Perpetual Reforms*

The EC, being left to its own devices, invested a great effort into innovative aid instruments different from international technical assistance provided by the G24 and other major donors, instruments which could respond to the changing needs of the CEECs and which could easily exhibit a high level of flexibility. One of these novelties was the above mentioned PHARE programme. It was launched in 1989 on the basis of the Council Regulation¹⁷ 3906/89 on economic aid to the Republic of Hungary and the Polish People’s Republic, which forms the legal foundation of the programme.

Apart from several Union strategic documents of newer date¹⁸ that provide a precise definition of technical cooperation¹⁹ and technical assistance²⁰, ‘older’ documents and, especially this very first PHARE document relied on a rather imprecise vocabulary. It is worth mentioning the Annual Report concerning the financial year 1990 (Part I) which states that the Court of Auditors divides the

17 Enacted by the Council on 18 December 1989; OJ 1989 L375/11, as amended by Regulation 2698/90 (OJ 1990 L257/01) in order to extend the aid to other CEECs.

18 For example, “Making Technical Cooperation More Effective”, a report published by the European Commission in March 2009, which serves as a guidelines in the implementation of the EC’s multi-faceted strategy to reform how it will work with Technical Cooperation in the future.

19 Technical Cooperation (TC) is defined as “the provision of know-how in the form of short and long-term personnel, training and research, twinning arrangements, peer support and associated costs (European Commission, 2009:17).

20 Interestingly, the same document brings Technical Assistance (TA) in connection with “the personnel involved (individuals as well as teams of consultants) in developing knowledge, skills, technical know-how or productive aptitudes” (European Commission, 2009:17).

Community financing programme into technical assistance and material investment; “technical assistance, financed mainly by operation PHARE, very often represents the main feature of the machinery of these projects and programmes” (Court of Auditors, 1991:232). The Court further recognizes transfer of knowledge as indispensable for mutual understanding and, thus, as an element that should accompany every programme. In its reply to the Court, the Commission agrees that “in the initial two to three years PHARE assistance should be concentrated on technical assistance... by the end of 1991 most countries will have a PHARE-financed programme of technical assistance covering the major reform areas for three to four years ahead... it will be necessary therefore to develop other forms of assistance (credit lines, risk-capital finance support, etc.) for 1993 and beyond” (Court of Auditors, 1991:406). But even though the PHARE has been primarily identified as technical assistance, one has to notice that there was no attempt to define the latter, which further suggests that, at the beginning of the 1990s, the Community’s comprehension of the main concept was embedded in the international development practice and, therefore, there was no special ‘European’ type of technical assistance. Since this internationally appraised TA could not fit into the European developmental scenarios, it appears that the Community did not have a choice, but to reinvent the umbrella concept of technical assistance. This has already been alleged in the 1991 PHARE Annual Report (European Commission, 1993:23), which states as follows:

“A gradual shift away from technical assistance is to be expected, as absorption capacity for this form of aid diminishes and needs develop for other forms of grant assistance to support the process of policy implementation and to promote investment in the private sector. Patterns of PHARE assistance may thus change, with growing emphasis - building on experience gained in 1990-91 - on the development of local training capacity on promotional schemes for innovation and local initiative, on targeted support for regional development and SMEs, on incentive schemes for energy saving and environmental investment...

Mechanisms for delivering PHARE assistance may also need to be adapted, to simplify and further decentralize administration and enhance management capacity in the recipient countries, whilst at the same time improving the Commission's role in monitoring and evaluation of assistance”.

The report, therefore, vaguely indicates that the ‘initial’ programme is about to change and it envisages a policy shift from technical assistance to another form of assistance with possible reorientation on training and capacity building. By looking back on the twinning definitions presented in the first part of this paper, one can make a parallel between twinning defined as an instrument for institutional development and capacity building, and the report’s description of the prospective PHARE. Nevertheless, it took the Commission seven more years to initiate twinning as a self-contained pre-accession instrument. In the meantime, the term twinning was mentioned on several occasions, but

primarily in the context of training in specific sectors²¹, and more as a method or a way of doing things than a specific instrument separated from the traditional forms of technical assistance.

What can be observed as a major novelty that distinguishes the Community's TA from, for example, the World Bank's TA is the demand-driven²² nature of the PHARE programme. This means that national governments in the CEECs could suggest a project directly to the Commission and therefore could obtain a much stronger control over the use of PHARE than was the case with other international and bilateral assistance. This helped to ensure that partner countries had a real stake in the programme, and that it remained flexible and responsive to the very different and rapidly evolving needs of the partner countries (European Commission, 1998:1). In contrast, according to scholars studying the World Bank's donor-driven TA the main problem with this type of TA (and this would also apply to many other donor agencies) was that there was "little recipient commitment" which was considered "essential in the case of institutional development". Briefly, recipients' ownership is a prerequisite for successful project implementation and, also, a formula for its long-lasting impact, even after the foreign experts leave (McMahon, 1997:4). One should, however, not idealize the PHARE in this respect, because despite its demand-driven nature, it has been criticized in a similar manner as the Bank's TA. Even though the development of the programme has to be seen in the light of its gradual evolution and growing maturity, some flaws were present from the early beginning. In particular, the PHARE programme was criticized for its fragmented and incoherent character and lack of focus, its slow and bulky procedures, dependence on consultants under contracts, lack of qualified experts and staff, bureaucratic struggles over competence within the Commission and overemphasized centralized nature, which according to the critics resulted in ineffectiveness and misuse due to non-existent or poor communication between Brussels on the one hand and the National Delegations and other parts of the Brussels' structure, on the other. In a similar vein, the Bank's projects have been subject to criticism because "objectives are often unclear, terms of reference for consultants are vague, feasibility is questionable, and follow-up under implementation is half-hearted at best" (McMahon, 1997:5).

If project implementation in both cases triggers more or less similar criticism, one has to ask whether the PHARE programme's demand-driven nature had just been a 'dead letter' and whether it could generate actual progress in the CEECs reforms. However, Meyhew draws our attention in another direction. He pinpoints that only by combining the PHARE with other 'strong' areas of the Union's leverage, primarily in the course of the accession preparations or in the granting of balance of payment assistance, the

21 PHARE Annual Report for 1994 specifically mentioned twinning in the energy sector (European Commission, 1995b:15-52)

22 Article 3 of the Council Regulation No 3906/89 prescribes as follows: "Account shall be taken, *inter alia*, of the preferences and wishes expressed by the recipient country concerned in the choice of measures to be financed pursuant to this Regulation."

programme itself could “influence the overall progress with macroeconomic reform in the countries of the region (Meyhew, 1998:144). Hence, not only borrower’s ownership, but also, and perhaps primarily, the establishment of specific conditionality was needed for the PHARE success. This has been recognized by the Commission, which in its Communication “*Towards a Closer Association with the Countries of Central and Eastern Europe*” issued in view of the meeting of the European Council in Copenhagen in May 1993, modifies²³ the PHARE in several aspects and attaches the conditionality component as “an important feature of the programme”. General conditions linked to economic, political and social development of the recipient country, such as the rule of law, respect for human rights, multiparty election system and introduction of policies for market economy became prerequisites to obtain assistance through PHARE. In this way, the Community created another difference between its programme and international technical assistance.

For the reasons described above, the ‘initial’ PHARE launched together with the G24 framework, could no longer stay the same. Its main objectives and fundamental rules defined in the 1989 Regulation changed over time and finally resulted in the gradually extended geographical coverage and budget increase; thus, the assistance initially reserved only for the two CEECs frontrunners, Hungary and Poland, was gradually extended to all associated countries and reforming economies including the ex-Yugoslav countries. The nature of PHARE has also evolved; a demand-driven tool has been transformed into accession-driven instrument and its objective of economic restructuring of the private sector has taken a completely different direction in line with the Conclusions of the Copenhagen, Essen and Madrid Summit.

3.3 *Preparatory Steps for Launching the ‘EU Twinning’*

One of the most important modifications has been formally articulated in the Conclusions of the Copenhagen Summit (European Council, 1993:11-12), when the European Council concurred on further reorientation of the PHARE assistance which caused an alteration of the programme’s objective towards the accession²⁴ of the associated countries in the Central and Eastern Europe; “the main role of EU financial assistance under the PHARE programme will be to help the associated countries to absorb the *acquis*” (European Council, 1993). For the first time in the history of development cooperation, a donor organisation adjusted its technical assistance programme to promote the approximation of laws and standards, in this case the laws of the recipient country with the Union’s *acquis*. What is even more important, it made the

23 Among other relevant issues concerning the accession, the document acknowledges the PHARE as the main vehicle for economic reform. It further reports about the programme’s evaluation conducted in the last quarter of the 1992, which resulted in the PHARE’s modifications specified in Annex II of the Communication. These modifications refer to Multi-annual programming, concentration and integration of PHARE resources; support for investment; conditionality and disbursement.

24 Annex IV of the Conclusions.

assistance obtained through the programme conditional and dependable on the recipient's annual progress. To achieve such complex goals, the PHARE had to change its image of a 'pure' technical assistance programme. The 1993 Communication informs that "the PHARE programme has been increasingly criticized in the countries of Central and Eastern Europe for providing too much expensive technical assistance, the effectiveness of which is doubted by most of these countries" (European Commission, 1992:21). It further clarifies that although TA will remain its important part, the 'modified' PHARE will provide also other types of assistance, in particular, "it can be used to support investment" (European Commission, 1992:21). From that moment, the programme was not only (expensive and ineffective) technical assistance, but also an instrument for supporting investment.

For the first time, it was permissible to use these resources for the co-financing of large-scale infrastructure projects in total amount of 15% of the PHARE funds, and this unique venture in the accession strategy became known as the 'Copenhagen facility'. It was certainly a confirmation of the changing needs of the CEECs, which at the beginning of the transition phase had been provided with 'pure' technical assistance and emergency support such as food aid, but with time to gravitate more towards investment including the building of infrastructure, and less towards the (unsuccessful) conventional TA projects. At the same time, this progressive change of the programme's goals and objectives reveals that in the early PHARE phase between 1989 and 1993 international and other Western donors obviously perceived the transition as being predominantly a technical problem solvable through a transfer of expertise and financial resources (Tatham, 2009). Even though it was more feasible to create an *ad hoc* approach depending on the state of affairs in those countries, the changing circumstances in the CEECs required a firm strategy on the Commission's side. Hence, after this teething phase, it became evident that the Community's impromptu policy responses asked for consolidation and for creation of a coherent pre-accession strategy. In this respect, the Essen Conclusions represents a pivotal point in the accession assistance.

Whilst the Copenhagen Summit, by enumerating the membership requirements (Hillion, 2004), cautiously indicated the use of PHARE for the accession purpose, the Essen Council was a real turning point for the programme. In the course of the new pre-accession strategy²⁵, it linked PHARE explicitly to the accession process and acknowledged that its main objective would be two-fold. Besides the initial objectives specified in the Regulation 3906/89, the PHARE got the second, equally significant, but more challenging objective - the integration objective. The Presidency Conclusions of the Essen European Council specifies that the essential element of the new strategy is the CEECs progressive preparation for integration into the internal market of the Union, through the phased adoption of the Union's internal

25 The strategy has been elaborated in the following documents: "The Europe Agreements and Beyond: A Strategy to Prepare the Countries of Central and Eastern Europe for Accession" (European Commission, 1994a), and the "Follow Up" Communication (European Commission, 1994b).

market *acquis*. It further confirms that the integration process shall be supported by the Union's PHARE programme.

Another important strand of the Essen Strategy has to be elaborated due to its contextual link with institutional twinning. Pursuant to the Council request, the Commission issued the White Paper on "*Preparation of the Associated Countries and Eastern Europe for Integration into the Internal Market of the Union*" (European Commission, 1995a). The most relevant for this discussion is Chapter 5 on specialized technical assistance²⁶, which provides guidelines for the content and organization of technical assistance. It informs that the Union should cover the programming and drafting of legislation and its implementation and enforcement, and further specifies measures²⁷ necessary for that purpose. One of the most important novelties was the establishment of a special agency, the Technical Assistance Information Exchange Office (TAIEX), supported through a "new multi-country PHARE programme" and initially under the auspices of DG1A (later DG ELARG) and DGXV (later DG MARKT). The TAIEX was primarily conceived as a 'one-stop-shop', or clearing house, to which requests for assistance with the recruitment of specialist advisors could be addressed. The core priorities of the Office's activities were Community legislation, its transposition into national legislation, legal terminology, translation, training and exchanges, including short-term placements in the Commission's services and relevant bodies in the Member States.

In addition to what has been said, one could make a comparison between TAIEX and twinning. As in the case of TAIEX, the fundamental idea behind the twinning instrument is transfer of knowledge, expertise and best practices performed on a daily basis between professionals in the same sector. This can be done, as stated in the Twinning Manual, through the assistance provided to candidate countries "to strengthen their administrative and judicial capacity to implement EU legislation as future Member States of the European Union" (European Commission, 2012a:11). However, the alleged similarities between TAIEX and twinning require further examination, which in relation to the latter reveals some lesser-known aspects that have to be put under the spotlight. While long-term partnership and the concept of administrative capacity are synonyms for institutional twinning, TAIEX can be regarded as a more general programme primarily focused on the exchange of information and insurance of

26 It comprises five chapters plus comprehensive 300 pages Annex on internal market legislation.

27 These measures are: assistance with appraising the costs and benefits of different sequences of approximation; direct and rapid access to complete and up-to-date EU legislative texts and jurisprudence, as well as translation services; a "one stop shop" on the Union side to which requests for help with specific problems relating to legislation and its application can be addressed; advice from legal and technical experts, on the Union's legal system and, sector by sector, about the interpretation of Community texts and the drafting of national laws; information concerning implementation and enforcement mechanisms in the Member States and first-hand experience of their functioning through participation in exchange programmes; access to administrative, language and specialized technical training; information about the functioning of the internal market for economic operators in particular sectors and for the public at large (European Commission, 1995a:34).

adequate delivery of services to the associated countries. By taking into account that both twinning and TAIEX prioritize training and exchange (of information, knowledge, *know-how*, hands-on experience), one suggestion is that TAIEX was an experimental step between the ‘initial’ and ‘revamped’ PHARE designed in the course of the reinforced pre-accession strategy. The TAIEX creation, thus, can be viewed as an overture into the clear-cut and target-oriented twinning instrument.

Finally, the Conclusions of the 1993 Copenhagen Summit established an obligation for candidate countries to develop administrative and judicial institutions able to transpose, implement and enforce the *acquis*. This obligation was complemented with a key element at the 1995 Madrid Summit, namely that of administrative/institutional capacity²⁸, considered as the fourth accession criteria. It was, however, paradoxical that the Union requested from future Member States to reform their national administrations “without offering the comprehensive institutional template needed to shape institutions into EU mould” (Grabbe, 2001). The Union generally does not have competence in the area of administrative structures and procedures leaving considerable autonomy to the MSs. Thus, it was too politically sensitive to explicitly prescribe a single European model (Grabbe, 2001). The lack of ‘institutional’ *acquis* and, at the same time, the existence of a mosaic of administrative traditions and practices across existing MSs, triggered a change of paradigm in the European external cooperation policy (Jonic Kapnias, 2013:434-435). The Commission was urged to find a solution that could bridge the obligation of the accession countries to effectively transpose the *acquis* with the diverse national institutional models for its implementation.

3.4 *The (Re)-birth of Institutional Twinning*

The PHARE finally went through a major reform²⁹ in 1997/98. In order to support better implementation of the programme, the Commission issued general *Guidelines for PHARE Programme Implementation in Candidate Countries, 1998-1999*, which identified two overriding priorities to which the assistance should be directed - the investment³⁰ projects and ‘Institution

28 For the first time the concept of administrative capacity was articulated by the 1995 Madrid European Council which emphasized the importance of strengthening the administrative structures of the candidate countries in the pre-accession context, as set below:

“The European Council also confirms the need to make sound preparation for enlargement on the basis of the criteria established in Copenhagen and in the context of the pre-accession strategy defined in Essen for the CCEE; that strategy will have to be intensified in order to create the conditions for the gradual, harmonious integration of those States, particularly through the development of the market economy, the adjustment of their administrative structures [!] and the creation of a stable economic and monetary environment”.

29 The reform was designed and decided in 1997 and implemented in 1998. See in particular, *Phare ex post evaluation of country support implemented from 1997-1998 to 2000-2001, Consolidated Summary Report* (European Commission, 2003)

30 Investment projects include EU norms, structural actions and large-scale infrastructure.

Building', and allocated the budget in proportion³¹ 70% to 30% (European Commission, 1998). As the most important, twinning has been specifically mentioned as one of the mechanisms for support to institution building. Priority ministries, institutions, professional organizations, agencies, European and regional bodies and local authorities are designated as twinning partners, but with the following emphasis: "expertise will be drawn from administrations and organizations in Member States in order to assist the comparable[!] administrations and organizations in the candidate countries" (European Commission, 1998:6-7). The Union, therefore, polished SIDA's previously established element of 'sister organizations with comparable institutional template' which has to exist from the beginning of the project. The Guidelines describe twinning arrangements as "the secondment of Officials from the Member States and the candidate countries, complemented with support from the private sector with relevant sectoral experience where necessary" (European Commission, 1998). Hence, the Union adjusted the instrument's design in accordance with the political realities in Europe and brought 'sisterhood', as elaborated by SIDA, on a completely new level. Consultants were replaced by long-term officials in the MSs who were seconded from the original organizations in their home country so that they could help their less-experienced colleagues in a candidate country. Twinning can further be described as an administrative 'trinity' based on horizontal cooperation between national administrations in MS and CC and vertical cooperation between the Commission and national administrations, which creates an imaginary institutional triangle that endeavors to be equilateral (Jonic Kapnias, 2013:436). This is certainly an element that is missing in the international twinning practice and, therefore, strongly differentiates EU institutional twinning from other similar modes of assistance.

There are, however, also other important differences between EU twinning and international twinning modules. First of all, a legal foundation for EU twinning is the previously mentioned Twinning Manual³² which provides practical and extensive information for public sector experts involved in preparation and implementation of twinning projects. Other donor agencies do not have such legal document that meticulously regulates bits and pieces of the twinning process. It contains sections about the twinning principles and actors involved, project preparation including the selection of MS partners, project design, project budget, and implementation issues. It also prescribes a special procedure for 'Twinning Light', which is the Commission's innovation applied in cases where the financial ceiling for projects is not higher than 250 000 EUR with a time span between 6 and 8 months (European Commission, 2012a:109). The concept of the instrument's 'lighter' version is absolutely unknown to other donors probably because it makes sense only within the Union. It is used primarily to "tackle any self-contained institutional issues provided the subject addressed is of a more limited scope than for standard Twinning, i.e. the

31 This was achieved on average across the CCs. In 1998, in some countries (Czech Republic and Slovakia), the share of institution building was more than 70%.

32 It has been revised several times and the last revised version dates from 2012.

structures needed are not complex or the existing ones need little adjustment” (European Commission, 2012a). In comparison with the World Bank’s or SIDA’s interpretations of long-term relation between twinning partners which does not last less than one decade, these extremely short projects obviously have meaning only in the EU enlargement context where different kinds of ‘little institutional adjustments’ are needed on a daily basis.

Nevertheless, the main distinction between the EU and international twinning relates to the fundamental principles applicable to all twinning projects (European Commission, 2012a:15) which are presented in the following section.

3.5 *A Conceptual Puzzle Solved: ‘Twinning is NOT Equal to Technical Assistance’!*

In contrast to its international and bilateral counterparts, the Union declares that twinning is not equal to technical assistance. This has been formally acknowledged in several strategic documents. The Manual undoubtedly makes a distinction between these instruments as articulated in the following fundamental principles (European Commission, 2012a:15):

“A Twinning project is NOT designed to provide only advice or other types of classical Technical Assistance. It is a project of administrative co-operation in a specific field that must yield MANDATORY RESULTS.

A Twinning project is NOT one-way Technical Assistance from MS to BC. It is a close partnership in which the specific commitment of the beneficiary, who is also the driving force behind the changes targeted, is vital.

A Twinning project does NOT aim at replicating a particular MS administrative system but rather strives to help introduce EU wide best practices in connection with EU legislation”.

A report³³ prepared by the independent evaluator ECORYS Nederland BV (2011) not only explicitly establishes a difference between those instruments, but also, it provides recommendations for proper selection of twinning, TA or their combination. In particular, one of the commonly applied selection criteria states that twinning is “only suitable for *acquis* related assignments in *acquis* related beneficiary organizations that have sufficient capacity to absorb twinning” whereas “in all other assignments technical assistance may be more effective and efficient” (ECORYS Nederland BV, 2011:xvii). Practice has developed three main criteria for the appropriate selection; twinning, thus, shall be selected if the project is *acquis* related (nature of the assignment), if organization in beneficiary country is already established (maturity of the beneficiary organization), and, if that institution has the capacity to cooperate with twinning partners (capacity of the beneficiary organization). The last two requirements can be summed up in the words of one of the ECORYS

33 The report is called “Evaluation Twinning versus Technical Assistance” and it was the main inspiration for this paper and its title.

respondents as “institutionally stable and twinnable organizations” (ECORYS Nederland BV, 2011:5-6), which, at the same time, serves as an explanatory base for the ambiguous terms ‘twinnings’ and ‘twinners’.

Similar features for the ‘ideal’ twinning projects have been listed in the Manual. Thus, a project is suitable for twinning if “the goal is relatively clear” which means that “the BC has a good understanding of the relevant part of the *acquis* or the relevant area of co-operation, and has selected the type of system it intends to adopt” (European Commission, 2012a:12). In addition, both documents specify situations where it would be better to replace twinning with classical TA. Clarification is given on the example of different land registry models used in MSs; if a BC lacks any point of reference for its development and cannot yet decide the exact land registry system, in that case traditional TA shall be applied to help better define the options for land reform (European Commission, 2012a). The ECORYS report goes even further in the development of the selection criteria, and, by drawing on previous experience, it informs that twinning shall be rarely used, even in the *acquis* related assignments, if these are very specific, technical or focused services such as “design and/or supply of IT system, communication activities (events), production of a study, such as a feasibility study, design of a manual (if this is not done as a part of larger twinning or TA project)” (European Commission, 2012a:8).

On the basis of information obtained in the interview³⁴ with Mr. Paolo M Gozzi, Head of the Institution Building Unit³⁵ at DG Enlargement, it may be concluded that the selection of a proper instrument, but also of twinning partners in MSs, is the most challenging aspect of this instrument; “selection procedure is like a wedding”. In relation to different instruments available to beneficiaries, Gozzi makes a parallel between the two and explains³⁶ that “TAIEX is a short term technical assistance instrument” based on three main activities; expert missions, study visits for the officials from the beneficiary countries to a Member States’ administration, and workshops (European Commission, 2012b). On the other hand, twinning is a much more complex instrument which requires long-term planning and which has to be EU legislation related. The intangible benefit of twinning is seen to lie in the peer-to-peer learning method: “there is a direct link between practitioners - people who do the same work, who can understand one another’s problems and who can help in implementing activities that have a direct connection to the implementation of the so-called EU *acquis*” (European Commission, 2012b). As explained by one of the German experts working on the twinning project between Germany and Bulgaria, “we do not come here as senior school

34 Interview performed in Brussels, 22 March 2013.

35 DG Enlargement houses the Institution Building Unit that takes care of all candidates and potential candidates for accession to the EU. The Unit manages two different instruments: Twinning and TAIEX.

36 See Gozzi’s video “Capacity Development Aspects of the TAIEX and Twinning Institutional Building Instruments”, available at: “capacity4dev.ec.europa.eu/article/capacity-development-aspects-taix-and-twinning-institutional-building-instruments”.

teachers, it is a true cooperation and we also learn from our Bulgarian colleagues... it is our wish that others can profit from our experience".³⁷ This explains the element of learning in the twinning climate and identifies learning as a differentiating instrument's feature.

A component of project ownership has been further illuminated; "the element of ownership is perhaps even bigger, as the word Twinning implies" because "a twinning project requires the full involvement of both the receiving administration and the member state who mobilizes its own officials to work with that administration." (European Commission, 2012b). If put in comparison with the 1998 NORAD ground-breaking policy shift that emphasized equal responsibility of the Southern and Norwegian partners for the project design and its implementation, one can certainly notice similarities in the NORAD's and Union's perception of project ownership.

Gozzi concludes with the most peculiar feature of the twinning instrument related to the engagement of public servants. Twinning is exceptional because it can "mobilize what can otherwise not be mobilized - you cannot pay to buy the assistance of a civil servant, even by definition!" This last remark points in a similar direction as the previously introduced notion of an administrative triangle between the Commission, MS and CC/BC. It identifies probably the most important factor which distinguishes EU twinning from similar twinning modules applied by other international donor agencies.

The practice, however, shows that sometimes the assistance of MSs civil servants 'may be mobilized otherwise'. It may be obtained through TA projects because TA providers also "have access to public expertise sources" since they employ ex-civil servants to work as advisors and they organize study visits to public administration in MSs (ECORYS Nederland BV, 2011:12). At the same time, twinning partners in MSs have established a practice to send retired or close-to-retirement civil servants, which can naturally "reduce the potential for establishing long-term relations with twinning providers" (ECORYS Nederland BV, 2011). This long-term relationship with 'sister institutions' in MSs, together with equally important, but less visible element of change in organizational/work culture, are considered as the most important intangible benefits of twinning³⁸. As specified in the Manual, "the continued success of a Twinning project may greatly benefit from a number of intangible inputs... for example, connection to MS or other databases, integration into international organizations or networks, provision of specialist written materials or software etc." (European Commission, 2012a:68). An ideal twinning environment, thus, enables BCs to interact with, in Gozzi's words, "people who do the same job" in MSs public administration. Nevertheless, the twinning provider can

37 *Twinning: On the way to a new European Union Environmental Projects*, a short documentary produced for the German Federal Ministry for Environment, Nature Conservation and Nuclear Safety.

38 The results of the ECORYS survey show that two third of the respondents in BCs emphasize the first benefit as decisive for the selection process, while 21 beneficiaries out of 53 believe that twinning can change organizational culture and 'ways of doing things'.

sometimes be a private consulting firm, as in the case of mandated bodies³⁹ which are semi-public bodies and actually not part of the public administration, and this again jeopardizes a future relationship with MSs. The case of mandated bodies is even more perplexing because, as prescribed in the Manual, they are “not excluded from providing Technical Assistance [!] under commercially tendered contracts” (European Commission, 2012a:38), which means that they can be equally active in twinning projects and in the TA market “where they compete with other TA providers” (ECORYS Nederland BV, 2011:10). The reason for mandated bodies is further justified in the Manual; the know-how needed for a specific twinning project is sometimes located outside of the public administration due to the fact that some MSs have outsourced and/or privatized some parts of their administration. It appears that the most important specificity of twinning occasionally fades away which brings into question the ‘solved’ conceptual puzzle.

Apropos the element of ownership and the Commission’s glorification of the free choice of instruments and twinning partners, several reports reveal occasional pressure from the EU and its institutions on BCs. The results of the ECORYS survey shows that (only) 50% of the respondents (BCs) believe that they have full responsibility in choosing the instrument while *grosso modo* 40% think that other actors, in particular the EU Delegation, interfere in the selection process because “they try to sell [!] twinning to the beneficiaries” (ECORYS Nederland BV, 2011:9). This has further been confirmed in the Court of Auditors report from 2003 which states: “the Commission did not always respect the preferences of the CC, one of the fundamental requirements of the twinning rules (the principle of partnership): it heavily promoted twinning even in situations when the CC was convinced that twinning could not offer the best solution... it did not always make sufficient effort to counteract the political pressure by MSs, with the result that the choice of the twinning partner was not entirely left to the CC” (Court of Auditors, 2003)⁴⁰. A similar report (Cooper and Johansen, 2003) describes the Commission's insistence on twinning as 'the only game in town'. It follows that even though the principle of project ownership enables BCs to freely choose instruments and twinning partners in MSs, the notion of cooperation, equality and partnership on which twinning is strongly embedded, simply disappears because of the Commission’s over-emphasis of this instrument. As a result, an imaginary administrative triangle between the Commission, MS and CC transcends from equilateral to scalene⁴¹.

The main problem related to the choice of instruments lies in the fact that a large number of BCs are not even aware of the main division between twinning and TA and, consequently, very often select inappropriate instruments (ECORYS Nederland BV, 2011:9). Since they do not have sufficient knowledge about the twinning instrument, they cannot consider the above

39 See more about the five cumulative qualifying criteria for mandated bodies in the Twinning Manual, Section 3.3.

40 See Paragraph 26c.

41 In mathematics, it is a triangle that has three unequal sides.

mentioned intangible benefits of twinning. On the other hand, if BCs do have knowledge about these intangible inputs, it will almost always affect their decision in the selection, especially if they hope to establish a relationship with a 'sister institution' within the EU. Beside the lack of knowledge about the instrument's benefits, additional reason for inappropriate selection is that beneficiaries frequently have difficulties in defining their needs and therefore in making a proper selection (ECORYS Nederland BV, 2011:11). But while beneficiaries make 'wrong' choices, a majority of twinning providers interviewed for the ECORYS survey, more specifically 55% of respondents, are certain that "TA may have been more suitable in a number of cases" (ECORYS Nederland BV, 2011).

For these reasons, the Commission has been strongly criticized in the Annual Report on the implementation of the budget concerning the financial year 2006 (Court of Auditors, 2007)⁴². With reference to a special audit report concerning twinning (Court of Auditors, 2003), the new report acknowledges that the Commission has not considered the recommendation to use the twinning instrument in a selective manner and that the selection between the instruments in question "continues not to be based on any in-depth analysis" (Court of Auditors, 2007:209). Hence, the Court further recommends that the Commission should not only ensure well-founded choices between the two, but also, in relation to the lack of knowledge on the beneficiaries' side identified in the ECORYS report, the Commission should raise their awareness of the difference between twinning and TA.

4 Concluding Remarks

Based on the findings generated through the research, it follows that twinning in the EU context is not only different from technical assistance, but also from its 'variations on a theme' in the international twinning practice. The twinning experience in the context of EU enlargement reveals that not everything is as simple and transparent as presented by the EU officials and documents.

At first glance, the first hypothesis 'twinning is not equal to technical assistance' cannot be disputed due to the fact that, unlike vague definitions provided by the international donor agencies elaborated in the first part of this paper, the EU strategic documents explicitly differentiate between the two. On the other hand, beneficiary countries experience several problems that overshadow the painstakingly determined distinction. First, a large number of BCs are not even aware of the difference between twinning and TA and, second, they have difficulties in defining their needs which is the key to a successful twinning project. As a result, very often BCs select inappropriate instruments. As for the selection of twinning partners, the involvement of twinning providers who are not part of the public administration or those who do belong to the public administration, but who are very close to retirement (or already retired) challenges the 'strongest' component of twinning - the

42 See, in particular, Chapter 9 on the Pre-accession strategy.

assistance of MSs civil servants. The practice has shown that this assistance can be 'mobilized' in different ways. It seems, therefore, that the EU twinning cannot produce the expected effects unless all parties involved in the process make an effort in the selection procedure.

Another argument that can be mounted against the first hypothesis relates to the Commission's over-emphasis of twinning and the 'shaky' element of partnership between twinning partners. Complex power relations both in the international and European twinning practice (can) result in power imbalance. On the twinning arena one partner is always more developed or more experienced, as in the case of the South-North twinning partnership (in the World Bank, SIDA, NORAD), or one partner is already a member (of the Union). Such omnipresent inequalities usually put donor agency in the "position of superiority in the relationship" and transform recipient into "a passive dependent partner" (Jones and Blunt, 1999:390). Hence, it remains unsolved whether twinning can be established between unequal 'sister organizations', or in the words of O'Connor and Kowalski (2005:441), whether their cooperation relationship can function as 'twinning without twins'. Is it possible that "from inequality follows bondage" between twinners (Dann, 2013:28)? The situation is even more intricate in the case of EU twinning due to the peculiar tripartite partnership between the Commission, MS and CC. One has to ask whether the equilateral administrative triangle is achievable at all.

This brings us back to the question of the instrument's controversial label and, more generally, of the inappropriate twinning terminology. In the context of the EU twinning, if the assistance from civil servants can be obtained through TA, if equality between twinning partners can easily fade away due to power imbalance and if the label is open to many diverse interpretations, a natural question is whether we need twinning at all. In light of what has been said, perhaps the best solution has been suggested by Askvik (1999) who observes twinning as 'a metaphor more than a fixed method'. Despite all efforts within the Union to use twinning as a separate and well identified instrument, practitioners will always be confused with the blurred lines between the twinning and TA. All that because the specificities of twinning can sometimes be bypassed in practice. Hence, there are cases where the first research hypothesis fails.

In relation to the second research hypothesis, it can be suggested that EU twinning cannot be equated with the international twinning practice due to the specific climate of EU enlargement that naturally pushes an 'old' instrument into 'new' directions. Even though EU twinning represents the instrument's latest and most updated version, one can still find similarities with its older alternatives as practiced, for example, by SIDA and NORAD. To sum up, SIDA seems to be one of the first donors who stressed the importance of sisterhood and comparable institutional templates between the parties, while NORAD noticed the value of joined project design and equal responsibilities. It can be assumed that these remarks and adjustments in the instrument's design strongly influenced supranational institutions and, primarily, the Commission, who finely tuned twinning with political demands in Europe and special needs in the CEECs that could not be recognized or satisfied otherwise. As a result, it has been transformed from a simple instrument for institutional development to

pre-accession tool. For that reason, EU twinning cannot be seen as identical with other twinning alternatives.

Finally, the differences between twinning and TA are subtle and depend on the state of affairs in donor and recipient countries. The Union's endeavors to bring twinning up to a whole new level have resulted in occasional success in its performance because the peculiar features of twinning can sometimes be diluted in practice. It appears that the distinction between these instruments is not that sharp and, consequently, there are cases where 'twinning equals technical assistance'.

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