



EUROPEAN COMMISSION
NEIGHBOURHOOD AND ENLARGEMENT NEGOTIATIONS

C - Neighbourhood East and Institution Building
The Director

Brussels
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**NOTE FOR THE ATTENTION OF EU DELEGATIONS AND CONTRACTING AUTHORITIES IN
IPA AND ENI COUNTRIES**

**Subject: Flexibility arrangements regarding Twinning contracts in the
context of the COVID-19 emergency situation**

In the context of the COVID-19 coronavirus emergency situation and related restrictions and in view of DG NEAR note ARES (2020) 1792308 of 27/03/2020 declaring a crisis situation, I authorise specific additional options deviating from the provisions of the Twinning Manual with the aim to facilitate the work of the Contracting Authorities and the implementation of the Twinning projects. All Twinning projects are confronted with different situations, therefore the Contracting Authorities remain the ones empowered to assess the situation on a case-by-case basis and take the best decision in line with this guidance and the particular situation in their Countries.

Eligibility of costs regarding short-term experts missions (Annex A7 subsection 3.3)

The use of the article 11.8 of the General Conditions (Force Majeure) would declare eligible all costs caused by the current crisis with the caveat that the Member State shall prove that they did their utmost to recover the funds whenever possible (e.g. in relation to the costs of plane tickets or other costs where some type of refund was allowed by the service provider). The considered eligible costs will be covered by the relevant budget lines.

Taking the above into account, the following costs may be reimbursed for cancelled missions (the list is not exhaustive and depends on the evaluation done by the Contracting Authority):

- If the cancellation took place before the expert started the mission:
 - Travel costs: when the travel ticket was already bought before the cancellation of the event and the costs could not be recovered from the airline company.
 - Accommodation: when the cancellation of the accommodation caused, as a consequence, any sort of penalty.
- If the cancellation took place after the expert started travelling:
 - Travel costs: fully eligible, including unforeseen costs for repatriation of the expert (those extra costs may be covered by the contingency reserve once the Contracting Authority gives its permission).

- Accommodation: the project will reimburse the accommodation. If extra days must be spent in the same accommodation as a result of decisions made by public authorities, the extra costs may be covered by the contingency reserve once the Contracting Authority gives its permission.
- Per diems: to be paid for all nights spent in the Beneficiary Country. If extra nights must be spent in the Beneficiary Country as a result of decisions made by the local public authorities, the extra costs may be covered by the contingency reserve, however, following the authorisation of the Contracting Authority.
- Experts days and generation of compensation for Twinning Management Costs: any expert day will generate the corresponding compensation for Twinning Management Costs. Only the days (or half days) worked will be compensated.
- Other costs related to activities (translation, interpretation, training materials, etc.) – Annex A7, subsection 3.7: these costs will be reimbursed against invoices and in line with the conditions of the service/supply contract (whether it was possible to cancel or not). Costs will be discussed and agreed between the Contracting Authority and the implementing partner(s).

Eligibility of costs of the Resident Twinning Adviser – RTA (sections 4, 6 and Annex A7, subsection 3)

The RTA may be allowed to carry out tasks from his/her home Country with videoconferencing technologies. This possibility can be enabled by the Contracting Authority following a thorough analysis of whether this work from home can still support the successful implementation of the project. All RTA related costs would be applicable during the period of work from home. The Institution of origin of the RTA should be compensated on the basis of the costs regarding the secondment of the RTA as defined in the Twinning project budget.

Eligibility of costs of the RTA Assistant/Language Assistant in the case of absence of the RTA

The RTA Assistant and Language Assistant are hired via service contract between the Member State and the Assistant, the specific provisions of the contract on the absence of the RTA and/or suspension shall apply. In case work from home is granted to the RTA, the Assistant could be authorised to continue with his/her assignment.

Delivery of activities with telework modalities by the Short Term Experts (Annex A7 subsection 3.3 and 3.10)

The Contracting Authority could authorise that Short Term Experts work from their home base if it finds it justified for the successful implementation of the Twinning project. The work from home would generate entitlement to the Twinning Projects Support Costs using the same mechanism (the 136% of the expert fee) that is used in the context of the work done in the Beneficiary Country, however no daily subsistence allowance is envisaged.

Selection and evaluation of Twinning projects (section 2.4 of the Twinning Manual) and Project Steering Committees (section 5.2.4 of the Twinning Manual)

Options to convene the Evaluation Committee meetings in a virtual meeting should be explored, and videoconference technologies to be used for the selection meetings of Twinning projects, if the Contracting Authority considers it appropriate and the evaluation can be performed with acceptable confidentiality and quality. In the same line, Project Steering Committee meetings can be held by videoconference.

The possible deviations to the Twinning Manual granted in this note are applicable for all ongoing Twinning projects, regardless of the version of the Twinning Manual governing their implementation.

(e-signed)

Lawrence MEREDITH

c.c.: Christian DANIELSSON (NEAR DG), Katarina MATHERNOVA (NEAR DDG), Maciej POPOWSKI (NEAR DDG), Mark JOHNSTON (NEAR R), Diana JABŁOŃSKA (NEAR C3), Maria FARRAR-HOCKLEY (NEAR R5), Sarah RINALDI (NEAR R4), Christos KOMNINOS (NEAR R2)