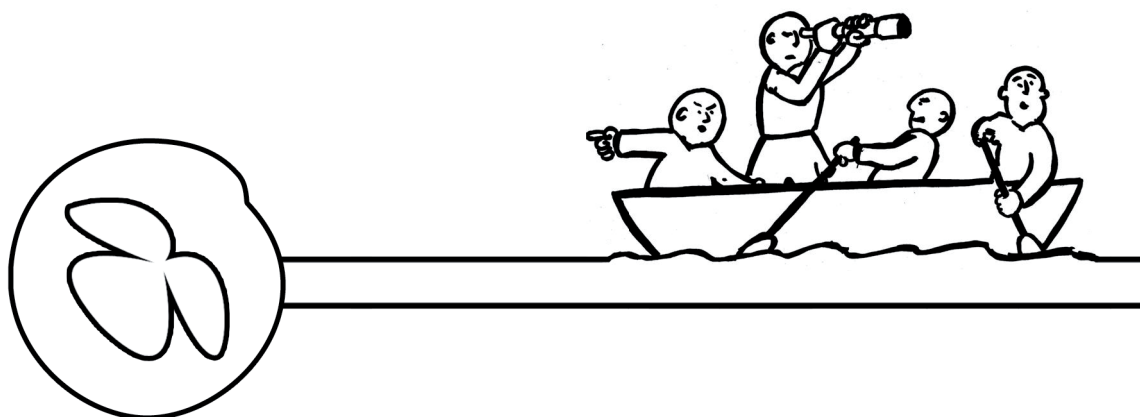


The Key to Partnership for Successful EU Funds



CHARLES STEWART
MOTT FOUNDATION



**Magyar
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Szövetsége**

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Introduction

Structural and Cohesion Funds are public finances allocated to individual countries with the aim of development. These funds are to mitigate the differences between developed and developing regions in the respective countries. Considering their size and purpose, EU funds are both opportunity and risk. If used appropriately, they can become the key impetus for a significant development of a country and an increase in the quality of life. Abusing them, however, may deepen the existing problems. Undoubtedly, the public must be interested in an efficient and purposeful use of public resources.

Partnership principle is one of the main principles of cohesion policy. It has been part of EU's legislation since 1988. Priorities for the use of funds should be discussed not only on the ground of the European Union or the governments. Programming and monitoring as well as other stages should not be solely governed by state authorities, but regions, municipalities and civil society organizations should also be invited into the decision-making process. Civil society organizations can contribute to a more efficient utilization of funds in various ways. Individual organizations are experienced in a wide range of fields such as regional development, environmental protection or social exclusion. In addition, their presence guarantees public control and increases transparency and efficiency.

So far, the EC regulation 1083/2006 has not defined the rule for partnership specifically enough; it is vague and ambiguous. Member states can specify how partnership principle is to be applied in their country. We think that more specific rules are needed for the application of partnership principle, and they should be stipulated in the EU legislation. However, even irrespective of the regulation, the way they implement the partnership and the extent they make use of partnerships is up to the member states. Therefore, SFteam has developed a checklist of measures necessary for the sensible application of partnership principle in every stage of the use of EU funds.

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1. NGOs' country-specific experiences of partnership during the programming period 2007 - 2013 with an outlook to programming for 2014 - 2020

Bulgaria

There is a formal partnership between the Bulgarian government and NGOs for the programming period of EU Funds 2007 - 2013. Usually, there are two meetings between the government and the representatives from NGOs during the planning process: one at the beginning and one at the end. During the first meeting, the government informs the NGOs that the planning process is being initiated, and at the second meeting the programming period results are presented.

In the current programming period, there have already been two meetings organized with the participation of the Civil Society Coalition for Sustainable Use of the Funds of the European Union (EU). Three main opportunities of EU financial support were introduced for Bulgaria: 1) "Bulgaria 2020" Strategy, in which NGOs will be invited only as observers, 2) the EU operational programmes, where NGOs will participate through working groups, 3) partnership agreement between Bulgaria and the EU, where NGOs will participate also through working groups, but the process is still not specified.

Unfortunately, NGOs have not been provided with further information about their participation in the programming process. The format and schedule of NGOs' participation are not available at the moment either. What is clear is that all the documents should be ready by the end of 2013.

Czech Republic

Civil society organizations expect a lot from the new programming period. However, the implementation of partnership principles is quite poor and the principles have so far been implemented only formally. In addition, the topic is not being discussed either by experts or by the public.

The first programming period of 2004-2007 in the Czech Republic was marked by a lack of specific information about the plans and objectives of the EU, therefore, the discussion on the EU funds was rather broad and idealistic. There were many problems and mistakes, but in order to fulfil the partnership principles in the programming the Ministry of Regional Development CZ realized several projects. It established an expert group consisting of NGO and civil society representatives, provided for an information campaign and some other activities. The next period started in a similar spirit. However, after the National Development Plan of the Czech Republic had been approved any further activities were stopped due to a governmental crisis and political fight between regions and various government departments for the responsibility of the implementation of EU funds. As a result, the EU funds implementation system in the Czech Republic was very complicated and fragmented.

In 2011, the Czech Republic started the programming process for the 2014-2020 time interval. Discussions about the new programming period are done by quite a small group of clerks and officials. Formally, the partnership principle was fulfilled by the establishment of four working

groups of the National Strategic Reference Framework 2007-2013 committees. In three of them representatives of Governmental Board for NGOs are included, although this board is the consultancy authority for the Czech government and does not represent civil society organizations. Associations of regional governments in the Czech Republic are very interested in regional operation programmes. This association established its own working group, whose task is to formulate positions of regions for the new programming period. It has also invited one representative of the Association of NGOs in the Czech Republic. The Association of regional governments is a strong politic partner for the Czech government and is negotiating for future regional operational programmes.

Uniquely, Hungary experienced two rounds of programming for the 2007-2013 EU budgetary period. The first one, including the elaboration of the National Strategic Reference Framework and the operational programmes, was conducted with the fluctuating involvement of civic and social partners, with increasing publicity as a result of the civil society's pressure and the varied inclusion of partners' inputs and comments into the programming documents in 2005-2007. This was followed by the elaboration of biannual implementation documents and calls for proposals; all these were coupled with internet-based partnership processes that allowed the submission of public comments on the draft documents.

A second round of programming was launched with the change of government in 2010; the New Széchenyi Plan, a political communication tool, transferred some measures from the OPs to its programmes along the new government's political agenda, while the rest of the measures are still implemented within the frame of the original OPs (as the OPs, of course, could officially not be changed substantially). This created an unprecedented mess among governmental websites of EU-funded programmes, financing opportunities and partnership processes.

Monitoring committees used to have a balanced representation of government and non-central-government actors, but committee work has become more formal than it used to be. Also, the calls for priority projects have been taken out from the scope of public consultation.

All in all, a meaningful, transparent and open partnership is not a strong feature of the government's proclaimed "national cooperation" agenda.

It is not yet visible how the government organises programming and related partnership concerning the 2014 – 2020 cohesion policy.

The first programming period for Latvia was a learning process for state institutions as well as for social partners and NGOs. There were improvements in public participation throughout the planning process and implementation.

In Latvia there was strong cooperation between NGOs working on environmental, education, gender and social issues. This approach of coordinating demands prevented NGOs from different sectors to come up with contradicting proposals, but instead they reinforced each other's demands. The success of NGO involvement was partly due to the opportunities provided by the structures of participation and information tools such as public consultation process on draft documents and the strategic environmental impact assessment, special information website with time-line of the programming process and important deadlines, draft documents, meetings comments from line ministries, NGOs and the European Commission.

However there have also been problems linked to Structural Funds management:

Hungary

Latvia

Poland

- *In many cases the pressure for faster programming and project implementation conflicted with public participation.*
- *The institutions responsible for Structural Fund management were dominated by bureaucratic thinking (measure → strategy) over strategic thinking (strategy → measure).*
- *Relatively large sums of money must be spent in a short period of time.*

Partnership in programming, implementation and monitoring of EU funds in Poland have been improving over the last years, which in many cases is a result of long-term efforts of NGOs gathered in the National Federation of Polish NGOs (<http://ofop.eu>) and the Coalition of Environmental NGOs for EU funds (<http://ekoprojekty.pl>). These efforts involved:

- *dialogue with the Ministry of Regional Development concerning strategic documents;*
- *support for and enhancing the activity of NGOs in Monitoring Committees;*
- *creating new forums for cooperation between actors involved in EU funds, such as the National Thematic Network on Partnership.*

The culture of partnership in implementing EU funds is still developing and one can find both good and bad practices, although, the overall trend seems to be positive. Still, the first experiences regarding the next programming period of EU funds (2014-2020) are mixed. On the one hand, the Ministry of Regional Development has demonstrated willingness to involve social partners already in the preparation of official negotiating positions on the draft legislative package shaping of post-2013 EU funds proposed by the European Commission in October 2011. Unfortunately, the possibility for NGOs and other stakeholders to submit comments on these positions was given over a period of 14 calendar days, which included Christmas and New Year's holidays. This rush and timing could hardly be called a good practice in public consultations. The next months will show how serious the government is about partnership in programming billions of euros which Poland is hoping to receive between 2014-2020.

Romania

As Romania joined the EU only in 2007 it didn't have the training period between 2005 and 2007, and the programming period of 2007-2013 was started without any experience. The programming documents for this period have been elaborated in a rush without any significant consultation. During the implementation several institutional forms of discussion were created such as monitoring committees and steering committees. The effectiveness of these committees' work was seriously harmed by several governmental crises and the changing of discussion partners at the government level. Probably the most effective scene for the discussion was the regional-level steering committee. Although, in these committees the discussion was not very active, and the meetings were more informative than consultative, if one NGO requested for information, an answer was presented at the next meeting. Another problem was the weakness of the NGO movement; probably a stronger NGO movement could have obtained more results in the discussion. In the current period working groups at the level of the counties and regions were created, and they are working on the programming documents for the next programming period. At the moment it is difficult to predict how these working groups will work, but so far the involvement of NGOs in these working groups is insignificant.

The inclusion of partners in the programming process of the EU funds in Slovakia for the 2007 - 2013 period was done on a formal basis and the whole programming was marked by obstructions preventing the effective participation of NGOs. In reaction the NGOs boycotted the process, which drew the attention of the EC, but failed to yield any actual change. Despite some improvements in information provision related to the new law on publishing state contracts, there is still information missing or hardly accessible in the area of both monitoring and project evaluation and about approved projects (e.g. detailed budget or project description). Monitoring committees are dominated by state administration and nominations coming from the NGO sector are often not accepted with state-related NGOs selected. The work of monitoring committees is hampered by bad access to relevant information and short deadlines for document commenting.

Even though the whole process has improved, the improvement was of minor character. Still a lot needs to be done so that the process can be regarded as participative.

2. Sixteen Principles for Successful Partnership in EU Funds

2.1 Programming

Discussions about the appearance of the EU's Structural Funds and Multiannual Financial Framework for the new programming period 2014 – 2020 have already begun. According to EU legislation, every member state is obliged to include such partners as municipalities, trade unions, civil society organizations and scientific institutions in the programming and management of EU funds. In the previous programming period, civil society organizations (CSOs) put an effort in participating in programming processes. Nevertheless, their efforts yielded minimal results and the application of the partnership principle was very formal. This resulted in missed opportunities regarding the absorption of EU funds, whereas, on the other hand, some measures promoted or supported by civil society proved to be very popular and successful. This underpins the argument that it is worth for governments recognizing that they can only benefit from the wide-scale public participation, which improves the quality of the programming documents, eases the implementation and the efficiency of use of funds. As we do not wish to repeat the same scenario, we demand from our governments to accept basic rules which would guarantee the proper application of the partnership principle throughout all stages of the programming processes. The below paper provides a list of measures that are worth implementing in order to make sure that the potential benefits of partnership turn into reality for the member states.

1. Basic programming documents, particularly the Partnership Contract, result from and are the outcome of an open and democratic process and do not serve political priorities without democratic discussion with partners.

Justification: The content and institutional framework for the use of Structural Funds are defined by programming documents. These must be the result of democratic and open process. In this process, representatives of public administration cooperate with social partners and other civil society representatives following a set of pre-defined rules and a time frame. Together, they work on mid-term vision, goals, priorities and measures, which define the content for the use of EU Structural Funds in member states in the succeeding programming period.

This aim is reached by the following measures:

- *The whole process of creating the individual national OPs, which will define the content for the use of EU Structural Funds is open from the start and connects partners from all sectors.*
- *Priorities and goals defined in the programming documents are agreed upon discussions, consultations with partners and the public, through the means outlined below.*

2. Strategic analytical governmental and departmental materials important in the preparation process of a strategic part of the Partnership Contract as well as all programming documents are discussed with municipalities, social partners and civil society organisations. Participation of partners in working groups and other responsible authorities is based on clearly defined rules, transparent decision-making process and rules for dealing with comments and requirements submitted by all partners.

The preparation of source materials and of all key parts of the Partnership Contract respect the partnership principle and the following criteria are met:

- *The efficiency of the partnership principle in the current programming period is evaluated and these results are taken into consideration when shaping the following programming period. Representatives of CSOs are also invited for the evaluations.*
- *The time frame for the programming process is clearly set. The public as well as partners are informed about the time frame.*
- *Clear, binding and enforceable rules are defined ensuring the participation of social partners and CSOs in the preparation of key programming documents, of the strategic part of the Partnership Contract (i.e. formulation of national vision, definition of priorities, amount of investments and financial sources, and a strategy for the implementation of priorities), in the approval process of concepts, analyses, strategies, operational programmes, programme supplements, evaluations (such as SEA), in the group of experts, in monitoring committees and evaluation committees.*
- *For the composition and operation of the committees and working groups involved in programming, the same principles apply as for monitoring committees (see chapter "Monitoring, 1-5.").*
- *All partnerships formed during the programming process include CSO representatives, which are selected to stand for a larger scope of civic organizations and do not represent a different sector (such as business).*

- A responsible authority and a person responsible for maintaining the partnership principle during the programming process and during 2014 – 2020 programming period is appointed.
- Regional structures and institutions are strengthened so that these are able to manage programming and implementation on regional level and so that regional programmes reflect the real needs of the region.

Justification: The involvement of a wide range of stakeholders enhances the relevance of the programmes by bringing to the fore a variety of geographical, social, environmental etc. considerations.

3. Strategic Environmental Assessment is carried out for all programming documents on a partnership-basis.

Strategic Environmental Assessment is carried out for every programming document with the efficient and active participation of CSOs and social partners and with the incorporation of their comments and inputs into prepared documents prior to their finalization.

Justification: This would improve the quality of the documents' content from environmental point of view.

4. The public has access to detailed and up-to-date information about the programming process.

Justification: Information on the programming process should be accessible not only to „insiders“, but also to the general public. Therefore, a well-arranged, up-to-date and user friendly web page must be created with focus on the programming process. Published information must be easily accessible and understandable. The web page should cover maximum information on the issue on one place without the necessity to search for further information elsewhere.

The website serving the above purpose contains the following information:

- description of the programming process, its importance, the types and roles of key documents related to it;
- time frame for individual stages of the programming process;
- all documents related to programming (including their proposals, current and older versions);
- statutes, minutes, decisions of working groups and a list of their members as well as members of all committees participating in the programming;
- information on events and consultations including the outputs.

5. The government initiates a public consultation for each programming document

The government initiates and promotes public discussions on the programming documents.

Justification: Public consultations improve transparency and openness. The elaboration of programming documents and plans with the profound and meaningful implementation of partnership enhances the public endorsement of the respective documents and thus ensures smoother and more successful implementation.

The drafts of the Partnership Contract and operational programmes published for public consultation include or are coupled with a non-technical (citizens') summary easily understandable for the general public.

6. Consultation process and comments to individual materials as well as preparation for meetings are not performed under time stress. The comments received are recorded and responded to.

Justification: Reading and commenting programming documents requires quality and thorough preparation. If performed under time stress, the quality of the documents would be low and would disable the efficient participation of the partners in the process.

This can be avoided by the following measures:

- *Deadlines for commenting documents and materials are set to give sufficient time for studying the documents without too much time stress. There is a mechanism in place, which guarantees that the commenting procedures of strategic documents influencing a big amount of public finances are not performed in a rush.*
- *Information about commenting procedures is published on a web page, in addition distributed through e-mail lists and in the media.*
- *Deadlines for commenting are set to enable the real participation of the public. Therefore, such dates as Christmas holidays, Easter are avoided.*
- *Members of the working groups and committees as well as public consultations participants are given sufficient time for preparation. Materials for meetings and materials to be commented are sent well ahead to guarantee that time for analysis and commenting reflects the real extent of the materials.*

Comments are recorded and available to the public. In addition, if comments are not accepted, reasons are given (e.g. in a table published on the website referred to in point 3).

Justification: Unless the public is given feedback on the comments it submitted, they lose track of and trust in the programming process and they lose motivation to participate again when requested by the government.

2.2 Implementation

The implementation of EU funds, starting with their preparation, through calls, up to the stage in which particular projects are assessed and controlled, must be open to public control and to the participation of all the partners in the decision-making process. The inclusion of partners into the implementation of programmes not only strengthens transparency but in some areas, dialogue with potential beneficiaries can also help significantly improve the quality of calls, their accessibility to applicants and in return improve the ability to draw the funds.

1. Citizens have access to detailed information about the implementation of funds and how these were used.

Justification: In order to make public control efficient, it is necessary to improve the access to detailed and updated information about the implementation of funds.

For this reason, the web page (see Programming, point 3) includes all information relevant to the use of both the Structural and Cohesion Funds, above all:

- detailed information about the work of monitoring committees, list of members, statute and full minutes from the meetings;
- detailed information about the evaluation and selection of projects (after the process of the selection has been finished): evaluation sheets and
- names of evaluators, list of selection committee members and full minutes from the meeting;
- information about the application of the rule on conflict of interest;
- information about approved projects including their goals, measurable indicators, activities and a budget.

The best would be to disclose some of the information from electronic databases to the public, namely those databases used for the implementation, monitoring, control and audits of programmes (such as Information Technology Monitoring System in Slovakia and similar databases in Hungary and Bulgaria).

2. All contracts related to the use of EU funds are published.

Contracts concluded between all beneficiaries of public finances (Structural Funds, Cohesion fund etc.) and the national/regional authority in charge of the respective funds are made available to the public on a special website (which may be the sub-site of the one referred to under “Programming”)

Justification: This measure improves the transparency of the EU funds' use significantly.

3. All calls for applications undergo public consultations.

Justification: In several EU member states, only representatives of ministerial departments and officials from other state institutions take part in the drafting process of the calls. Inaccessibility of the process decreases the efficiency of the EU funds use in two ways. Firstly, implementation of EU funds has often been complicated by unfavourable set-up of conditions and criteria, which lead to a decrease in the number of potential applicants. Secondly, the lack of publicly available information on the draft calls might give competitive advantage to some applicants by leaving space for clientelism and corruption.

The above problems can be avoided by the following measures:

- Calls for applications/proposals are published already while being prepared (i.e. drafts of calls).
- Open public consultations are arranged so that potential applicants could comment and consult on the conditions of the calls.

4. Finances are allocated for the application of the partnership principle and for developing the capacities of civil society organizations and potential applicants regarding their access to EU funds.

Justification: A large number of civil society organizations do not have any regular income from the state budget nor from any business activities. They have difficulties providing for sufficient capacities to participation in partnership processes with public administration from their own budget.

Financial instruments (for example from Technical Assistance) are created that enable financing costs related to the application of partnership

principle, such as meetings and trainings, travel expenses, expert fees, personal costs.

Justification: Potential applicants to EU funds (including CSOs) often find it difficult to identify which fund is relevant for them and how to apply and carry out projects successfully. This, indirectly, decreases the absorption capacity of stakeholders and the country as such.

The indicated problems are avoided by the following measures:
Financial instruments (e.g. from Technical Assistance) are dedicated to measures supporting:

- *trainings and capacity-building for potential applicants;*
- *free consultancy services to potential applicants etc.*

2.3 Monitoring

Quality EU funds monitoring, primarily good work in monitoring committees with adequate participation of partners is one of the basic conditions for the efficient use of EU funds. It is therefore necessary to provide for a balanced structure of monitoring committees, to create good conditions for the work of their members and to allow the public to control the results of their activities.

1. Representation of individual sectors in monitoring committees is balanced. Civil society organizations are represented adequately.

Justification: Monitoring committees evaluate the progress in the implementation of operational programmes, monitor the management of funds, the quality, and the efficient use of finances from the Structural Funds and from the Cohesion Fund. If the work of partners in the monitoring committees is to be efficient, then the representation of individual sectors must enable all partners to promote their demands and proposals in an efficient way.

Therefore, member states keep a balanced representation of sectors in the monitoring committees (1/3 representatives of state administration, 1/3 representatives of regions and municipalities, and 1/3 “partners”, i.e. civil society organizations and social partners). Representatives of state administration do not dominate the monitoring committees. Civil society organizations are adequately represented in every monitoring committee (at least 1/3 representation of the “partners”).

2. Representatives of civil society organizations are selected in a democratic way based on internal rules of each NGO sector. Nominees submitted by the platforms of civil society organizations are respected.

Justification: CSOs cannot be represented by nominees suggested and selected by state officials as that would infringe the independence of civil society.

Therefore, nominations from CSOs are suggested and approved within existing CSO platforms. Managing authorities respect the independence of civil society and accept its delegates accordingly.

3. Members of monitoring committees have access to information.

Justification: The efficiency of partners' work in monitoring committees is greatly influenced by their access to information.

Members of the monitoring committee therefore receive all materials necessary for meetings and for making their decisions sufficiently in advance, just like any other monitoring committee member does.

Justification: In order to enable non-governmental members of the monitoring committees to perform their tasks and make decisions in a responsible, well-grounded way, they need to gain insight into government processes and decision-preparation.

Managing authorities therefore take measures to bring monitoring committee members to a common level of understanding; this includes that, monitoring committee members, on request, are given access to further information or documents related to the subject of the monitoring committee even if these are not usually available to the public.

4. Minutes from meetings of monitoring committees are available to the public and take the comments of all monitoring committee members into account.

All minutes from meetings of the monitoring committees take all statements, comments and requirements from members of the committee into account. Members have the possibility to comment the draft minutes. Their notes and comments are incorporated into the final minutes. Minutes are published on the web.

5. The members' expenses related to their work in monitoring committees are covered.

Justification: If the participation of civic society organizations in the monitoring committees is to be efficient and of high-quality, then it is necessary to provide for reimbursement of the costs related to their work in the committees. In contrary to representatives of state administration, who take part in the monitoring committees as part of their working hours and their employer has financial sources available to cover for example their travel expenses, there are no sources available for such work of CSOs.

Member states therefore make sure that EU funds are available (for example from Technical Assistance) to cover the necessary costs civil society organizations and their members have as a result of their membership in monitoring committees, such as travel costs, expert analyses and fee for their work.

2.4 Evaluation

Evaluation is a tool to improve the quality of individual programmes, the efficiency of EU funds use. At the same time, it serves as a base for the programming in succeeding periods. Therefore, it cannot be performed by an enclosed group of state officials responsible for the implementation and by experts chosen by the same officials.

1. Partnership principle is also applied in the evaluation process.

Justification: Participation of partners in the evaluation of operational programmes can help significantly improve the efficiency of their management, the conditions for applicants and thus improve the absorption of the funds.

Therefore, members of the committees and other authorities, which provide for the evaluation of the programmes, cover various partners including civil society organizations. Representatives of civil society organizations are nominated and their costs reimbursed based on the same principles as in the case of other working groups or monitoring committees.

About SFteam

Structural Funds Team (SFteam) for Sustainable Future is a network of non-governmental organizations established in 2002 with the aim to promote meaningful partnership and public participation in decision-making and the purposeful use of Structural Funds for sustainable regional development.

SFteam consists of seven members – non-governmental organizations from Central and Eastern Europe (Bulgaria, the Czech Republic, Hungary, Latvia, Poland, Romania and Slovakia). All its members are public society organizations, which serve as communication points for other NGOs in the field of sustainable use of Structural Funds in respective countries.

Structural Funds are considered one of key tools determining regional development in CEE countries. SFteam supports the involvement of NGOs in regional development by promoting the partnership principle, transparency and sustainability of Structural Funds. It aims to create an efficient partnership between public authorities and various public society organizations.

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Partner organizations

Center for Community Organizing, Czech Republic

www.cpkp.cz; www.cpkp.cz/regiony

BlueLink Information Network, Bulgaria

www.bluelink.net

Public Environmental Centre for Sustainable Development, Bulgaria

www.ecovarna.info

Focus Eco Centre, Romania

www.focuseco.ro

Friends of the Earth-CEPA, Slovakia

www.priateliazeme.sk/cepa

Green Liberty, Latvia

www.zb-zeme.lv

National Society of Conservationists, Hungary

www.mtvsh.hu

Polish Green Network, Poland

www.zielonasiec.pl

Contact:

Secretariat of SFteam for Sustainable Future

International Co-ordinator: István Farkas

Magyar Természetvédők Szövetsége

(National Society of Conservationists)

H-1091 Budapest, Üllői út 91/b, Hungary

Tel/fax: +36 1 216 7297, Fax: +36 1 216 7295

Email: secretariat@sftteam.eu

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Edited by:

Teodóra DÖNSZ-KOVÁCS
Renáta TÍŽIKOVÁ NEMCOVÁ

Authors:

Janis BRIZGA
Teodóra DÖNSZ-KOVÁCS
Zoltán HAJDU
Iliyan ILIEV
Przemek KALINKA
Ondřej MAREK
Renáta TÍŽIKOVÁ NEMCOVÁ

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