

DIRECTORATE-GENERAL FOR INTERNAL POLICIES

POLICY DEPARTMENT
STRUCTURAL AND COHESION POLICIES **B**



Agriculture and Rural Development



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**EU MEMBER STATES'
PREPAREDNESS FOR
COHESION POLICY
2014-2020**

NOTE





DIRECTORATE-GENERAL FOR INTERNAL POLICIES
POLICY DEPARTMENT B: STRUCTURAL AND COHESION POLICIES

REGIONAL DEVELOPMENT

EU MEMBER STATES' PREPAREDNESS FOR COHESION POLICY 2014-2020

NOTE

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EU MEMBER STATES' PREPAREDNESS FOR COHESION POLICY 2014-2020

NOTE

Abstract

Currently, all EU Member States are preparing their Partnership Agreement and the Operational Programmes for the new programming period 2014-2020. The preparation process is far behind schedule in almost all Member States, which is mainly due to delays of the financial and regulative framework at EU level. Nevertheless, most Member States do have draft Partnership Agreements, programme strategies and contents. The missing chapters of the Operational Programmes relate to ex-ante conditionalities, the management system and the financial allocation between priority axes.

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LIST OF ABBREVIATIONS

bn	Billions
CBC	Cross-Border Cooperation
CF	Cohesion Fund
CLLD	Community led local development
CO ₂	carbon dioxide
CP	Cohesion Policy
CPR	Common Provisions Regulation
CSF	Common Strategic Framework
CSR	Corporate Social Responsibility
DG	Directorate General
e.g.	for example
EAFRD	European Agricultural Fund for Rural Development
EC	European Commission
EMFF	European Maritime Fisheries Fund
EP	European Parliament
ERDF	European Regional Development Fund
ESF	European Social Fund
ESI - Funds	European Structural and Investment Funds
ETC	European Territorial Cooperation
EU	European Union
EU12	Member States that joined the EU in 2004 and in 2007
EU15	Member States before the 2004 enlargement
GDP	Gross Domestic Product
ITI	Integrated Territorial Investments
LAG	Local Action Groups
MA	Managing Authority
MFF	Multiannual Financial Framework

mn	Million
MS	Member State
NRP	National Reform Programme
NSRF	National Strategic Reference Framework
OP	Operational Programme
PA	Partnership Agreement
R&D	Research and Development
SF	Structural Funds
SME	Small and medium-sized enterprises
TO	Thematic Objective
UK	United Kingdom

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EXECUTIVE SUMMARY

Currently all EU Member States are preparing the new programming period 2014-2020. With the Lisbon Treaty the European Parliament has become a full co-legislator with the Council. The currently ongoing negotiations between the Council, the European Commission and European Parliament (trilogues) aim at reaching a common agreement on the Community support framework and the regulations.

The preparation of the legal framework for the European Structural and Investment Funds has taken nearly two years from the launch of the first draft regulations up to now – with several versions of these documents distributed to the Member States. These versions include the Common Provisions Regulation (CSR) which sets out common rules for the Cohesion Fund (CF), European Regional Development Fund (ERDF), European Social Fund (ESF), European Agricultural Fund for Rural Development (EAFRD) and the European Maritime and Fisheries Fund (EMFF) and the individual regulations for the funds.

The CSR implies some novelties which affect programme preparation and management. The following key issues are crucial to the programme preparation:

According to the CSR the Partnership Agreement (PA) represents the contract between the Member States and the European Commission. The PA is currently under preparation in all Member States. It summarizes the essential parts of the programme management of all five Funds mentioned above according to the principles and ex-ante conditionalities provided by the CSR. Although the process has been complex due to its multi-governance character, it has been appreciated by many stakeholders for its informative and participative character. Comparing the process in different Member States, it appears that EU12 are far more prepared for the programming process and the operational programmes than some of the EU15 (e.g. UK, Spain).

Some Member States are confronted with significant reductions of their financial allocations (Germany, Spain, Greece). The debate on the distribution of budgets within Member States to regions and sectors has not been concluded yet (e.g. Germany, Austria).

Some Member States are planning significant changes in the scope and content of the operational programmes. The change towards multi-funded programmes including both, ERDF and ESF (e.g. France, Poland, Portugal, Hungary, Bulgaria, Czech Republic, Finland, Slovenia) and the reduction of the number of OPs at regional level (e.g. UK, Austria, Czech Republic, Finland, Slovenia) have to be considered important changes. In terms of instruments, the Community led local development (CLLD) has been more widely implemented than the newly proposed Integrated Territorial Investments (ITI). This is partly because CLLD benefit from previous experience from Local Actions Groups applied in rural development.

The concentration of thematic objectives seemed to have worked well in most of the Member States and leads to a significant shift towards innovation and research. The investment priorities together with the country specific recommendations of the European Commission helped to reduce demands from different stakeholders and strengthened the Managing Authorities' position.

The requirements to base the programmes on a clear intervention logic induced several Member States to seek external support from the Commission and ex-ante evaluation

experts. Still, this approach has been appreciated in some Member States. Nevertheless the definition of result indicators still poses significant problems. Member States worry about a potential link to payments and face major difficulties in providing sufficient statistical data. Currently result indicators are still in discussion in many Member States. The time intensive preparation of the intervention logic keeps some Member States from preparing administrative structures and implementation procedures.

In general administrative structures have been conceived to be functional and there are no major plans on changing them, except for those cases, where operational programmes are merged or centralised. Most of the Managing Authorities (MA) perceive the new regulations as even more bureaucratic and complex than the previous ones. Simplifications in terms of application procedures are currently under preparation in almost all Member States, since this is considered as one of the major issues in improving absorption rates.

Member States have ambivalent opinions about thematic ex-ante conditionalities. On the one hand, they are conceived as valuable framework for regional and national development. On the other hand, they are considered to intrude in internal national affairs. However, Member States have not yet finished preparing all the ex-ante conditionalities.

In general, the timeframe for final approval of operational programmes is estimated to take until mid-2014, if not later.

Based on the findings of this note the following general recommendations can be derived:

European Level

1. The legal framework should be finalised and approved as soon as possible. Further changes should, in any case, be avoided by EU legislators.
2. Member States and the European Commission should seek to strengthen Managing Authorities, in their national and regional position, in programming and managing the ESI-Funds.
3. European Commission desk officers should be able to provide a uniform and consistent position related to the regulations and intervention logic of ESI-Funds.
4. Regular support of Member States by the European Commission and external consultants proved to be sufficient for accelerating the process. This support should be continued throughout the whole programme period. Some EU15 Member States face significant delays (e.g. Spain and Italy). It may be assumed that those Member States should also be provided with additional support by the European Commission.
5. Central bodies responsible for control functions should utilise and rely upon external experts accompanying the implementation process in regions with low performance in implementing regional operational programmes.

Member State Level

6. The multi-level governance approach should be continued throughout the programme period in a standardised and regular way. Multi-level governance is however often used as pretence to push specific political agendas into the programming process. Multi-level governance must not be an end in itself and should be applied with prudence. The roles and tasks of the actors involved in the programming should be clearly specified in view of promoting efficient procedures.

7. A constant and already established dialog between different governmental levels should be assured and financially supported by the technical assistance measures. For that purpose the Monitoring Committee should be strengthened. In many cases it is seen as a compulsory chore rather than a platform for joint discussion and understanding. Joint Committee meetings between ESF and ERDF are essential in the regional operational programme.
8. It can be expected that the change in accounting will cause some difficulties for Managing Authorities. Especially those Member States with a large number of programmes and with difficulties in the previous period 2007-2013 will face additional or at least the same difficulties in the future. In these cases support rather than control could assist in bringing Member States on track. The involvement of accounting specialists should help to introduce the annual accounting system.
9. Member States face the challenge to establish systems compliant with the EU regulations operating at the lowest possible level of bureaucracy. Control mechanisms should not be a playground for individual institutions that go beyond the actual needs for compliance with the regulation, thus hindering effective implementation.
10. As a result, administrative changes and the implementation of new and more effective structures have to be accompanied and evaluated closely in order to assess potential gains (or losses) in efficiency and effectiveness.

Operational Programme Level

11. Financial allocation should truly be based on the need assessment. Adjustment of allocations in any operational programme should be comprehensible. Ex-ante evaluation is the one instrument to assure the rationality of financial allocation at least at operational programme level.
12. Member States should focus on these objectives with good chances to generate good quality project proposals where co-financing is assured. Member States should concentrate their funding on a few objectives which have the most significant impact. Objectives which are not (or less) relevant regarding the needs of the Member State should be excluded from operational programmes.
13. Result indicators should not be linked to payments by the European Commission. Especially in the EU15, some Member States have very small budgets which would not have any significant impact on any proposed result indicator.
14. Member States should only choose result indicators which are easily achievable and where data is available.

1. INTRODUCTION TO THE LEGISLATIVE AND STRATEGIC FRAMEWORK FOR COHESION POLICY 2014-2020

KEY FINDINGS

- Currently all EU Member States are preparing the new programming period 2014-2020 which is based on the Common Strategic Framework.
- The Common Provisions Regulation (CPR) sets out common rules for the Cohesion Fund (CF), European Regional Development Fund (ERDF), European Social Fund (ESF), European Agricultural Fund for Rural Development (EAFRD) and the European Maritime and Fisheries Fund (EMFF).
- The CPR implies some novelties which affect all levels of programme preparation and management.
- One novelty is the Partnership Agreement to be prepared by the MS which supersedes the National Strategic Reference Frameworks of the previous programming period.

1.1 Towards a more strategic orientation

In November 2010 the Conclusions of the fifth report on economic, social and territorial cohesion on the future of Cohesion policy were adopted.¹ This strategic policy document is the result of several years of discussion on the re-shaping of Cohesion policy in order to enhance its European added value and to strengthen its result-orientation and strategy-base. Consequently, with an allocation of € 325.1 bn for the period 2014-2020² - amounting to over a third of the total EU-budget - Cohesion Policy, with all its funding programmes, serves as the main pillar for the implementation of Europe's lead strategy for this decade. This strategy aims at smart, sustainable and inclusive growth, in the following referred to as Europe 2020 Strategy.³

For the programming period 2014-2020 five funds are covered by one overarching regulation (the Common Provisions Regulation) setting out the common rules. The European Agricultural Fund for Rural Development (EAFRD) and the European Maritime and Fisheries Fund (EMFF) are combined with the 'traditionally' Cohesion-Policy-related European Regional Development Fund (ERDF), the European Social Fund (ESF) and the Cohesion Fund (CF). The Commission's intention is to enhance a closer coordination between these funds which 'pursue complimentary policy objectives'⁴ in supporting the Europe 2020 strategy. The task of the funds is clearly stipulated in Art. 4 of the general principles of the draft proposal for the Common Provisions Regulation (CPR): 'The CSF Funds shall provide support, through multi-annual programmes, which complements national, regional and local intervention, to deliver the Union strategy for smart, sustainable and inclusive growth, taking account of the Integrated Guidelines, the country-

¹ European Commission (2010). Conclusions of the fifth report on economic, social and territorial cohesion: the future of cohesion policy. SEC(2010) 1348 final. Brussels.

² European Commission (2013). Elements of the political agreement on the European Union's future budget. Memo. Brussels. 27 June 2013.

³ European Commission (2010). Europe 2020: A strategy for smart, sustainable and inclusive growth. COM(2010) 2020. 3.3.2010.

⁴ European Commission (2012). Elements for a Common Strategic Framework, Brussels. Commission Staff Working Document. p. 3.

specific recommendations under Article 121(2) of the Treaty and the relevant Council recommendations adopted under 148(4) of the Treaty.

The draft CPR foresees the adoption of a Common Strategic Framework (CSF), which – in comparison to the strategic guidelines of the current programming period – ‘ provides a single source of guidance for all five future funds⁵ and supports the Member States by providing a substantial basis and orientation for developing the so called Partnership Agreements superseding the National Strategic Reference Frameworks of the expiring period.

The Partnership Agreements, drawn up between the Members States and the European Commission, are to ensure a strong commitment towards achieving these strategic goals on national and regional level. In this document the Member State sets out its contribution to the Europe 2020 objectives by identifying its development needs and defining the investment priorities for the next funding period. The 5 key targets of EU 2020⁶ serve as key reference and are referring to the following areas: ‘employment’, ‘education’, ‘research and innovation’, ‘social inclusion and poverty reduction’ and ‘climate/energy’. Likewise the Partnership Agreement has to take account of the National Reform Programmes (and the Commission’s country specific recommendations). These annual economic plans by the EU Member States are part of the European Semester, a yearly cycle of economic policy coordination set up by the European Commission first launched in 2011. In April of each year the National Reform Programmes are released, presenting the reforms and measures at national level to achieve progress towards the objectives of smart, sustainable and inclusive growth.

The following figure provides a simplified overview on the strategic framework for Cohesion policy.

Figure 1: The overall structure of strategic programming⁷



Source: Consultation on Draft Legal Package INTERACT 26 October 2011 presentation: K. Seier

⁵ European Commission (2012). Press release IP/12/236, Brussels downloaded from http://europa.eu/rapid/press-release_IP-12-236_en.htm?locale=fr

⁶ European Commission (2010). EUROPE 2020 A strategy for smart, sustainable and inclusive growth. Communication from the Commission COM(2010) 2020 final. Brussels 3.3.2010. p.5.

⁷ Seier K. (2011). The Draft General Regulation and what is relevant for ETC. presentation by the DG Regional Policy. Published at the INTERACT website. 26.10.2011.

1.2 The negotiations on the legal package: state of play

The new architecture for Cohesion policy foresees two goals, the investment in jobs and growth and the European Territorial Cooperation goal (as opposed to the 3 objectives of the period 2007-2013). Funds are directed to less developed regions, transition regions and more developed regions. Support for the newly introduced category of transition regions (GDP per capita between 75% and 90% per capita) is harmonized (no more convergence ' phasing-out ', and Competitiveness and Employment Regions ' phasing-in ').

The legislative package for EU Cohesion policy

As indicated above, the legal package for the next programme generation comprises an overarching regulation for the ERDF, the ESF, the CF, the EAFRD and the EMFF.

The thematic objectives connected to the Europe 2020 strategy, the provisions on the Common Strategic Contract, and the Partnership Agreement as well as the principles of management and control are outlined in the first part of the CPR, establishing common elements for all five funds referring to strategic planning and programming. The second part contains specific regulations dealing with the ERDF, ESF and the CF. Further two separate regulations are covering the European Cooperation Goal (ETC)⁸ and the European Grouping of Territorial Cooperation (EGTC).

The youth employment initiative has also been integrated into the package subsequent to the agreement at the European Council in February 2013.

Further proposals concern the

- European Globalisation Adjustment Fund;
- European Union Programme for Social Change and Innovation;
- European Union Solidarity Funds.

Table 1: Financial allocation for Cohesion policy 2014-2020⁹

Budget 2014-2020 EUR billion	EUR 325,1 billion
Less developed regions (GDP below 75% of the Union average)	164,3 bn
Transition regions (GDP between 75 and 90% of EU average)	31,7 bn
More developed regions (GDP above 90% of the average)	49,5 bn
Territorial cooperation	8,9 bn
Cohesion fund	66,3 bn
Extra allocation for outermost and sparsely populated regions	1,4 bn
Youth employment initiative (top-up)	3 bn

Source: European Commission 26.07.2013.

⁸ A separate ETC regulation was a long-time claim of the ETC programme bodies, to take account of the specificities of cooperation programmes and differences to convergence/ competitiveness and employment programmes. See e.g. INTERACT position paper of 2010: http://www.interact-eu.net/downloads/2152/INTERACT_Position_Paper_ETC_beyond_2013_07_2010.pdf

⁹ European Commission (2013), Q&A on the legislative package for EU Cohesion Policy 2014-2020, MEMO -13-678, Published on: 26/07/2013. table is adopted.

Open issues and timeframe for adoption

The European Commission published its proposals for the legal framework on 6 October 2011. The package and its subsequent amendments have been discussed in the Trilogues – the trilateral negotiation rounds between the European Commission, the Council and the European Parliament. Agreement on major parts of the legal package has been reached by now. This concerns most texts of the fund specific rules and many chapters concerning rules for monitoring and evaluation, administration and control issues.

Progress towards an agreement has been made regarding the issues of ex-ante conditionalities and financial instruments.

Important currently still open issues relate to the macro-economic conditionality and the arrangements for the implementation of the performance reserve. Member States and European Parliament diverge on both issues¹⁰.

- **Macroeconomic conditionality:** In order to tighten the link between European Economic governance and the ESI-Funds, it can be reprogrammed and used to address economic problems, deficit, macroeconomic imbalances, etc. However, when the economic situation becomes so serious, that these instruments fail (are without effect) and no corrective action has been taken in the economic governance process, the Commission has the right to suspend all or parts of the payments and commitments. The European Council supports, in principle, the provision whereas the European Parliament has remained opposed.
- **Performance reserve:** Those programmes which have achieved the milestones set for 2018 can benefit from the performance reserve after a performance review undertaken in 2019.¹¹

The final adoption of the legislative packages for Cohesion policy is expected for autumn 2013. This is the last substantial step at European level to pave the way for the new programming period (ratification of regulations through Member States). Following this, implementing and delegated acts can be adopted. After the conclusion of the respective negotiations with the European Commission, the Partnership Agreements can enter into force – not before 1 January 2014 however. This is also the prerequisite for the start of the operational programmes.

Table 2: Calendar legislative framework 2014-2020

Legislative decisions and guidance for 2014-20		Timeline
Inter-institutional legislation	Adoption of EU 2014-20 Legislative Package	By autumn 2013 - expected
	Adoption of Delegated and Implementing Acts	By 6 months after adoption of the Regulations
Operational decisions	Adoption of Partnership Agreements and operational programmes	By early 2014 OPs: by 3 months after adoption of PA
Guidance	Guidance notes for the 2014-20 period	By Early 2013

Source: Bachtler 2013a (table modified).

¹⁰ European Commission (2013). Q&A on the legislative package for EU Cohesion Policy 2014-2020, MEMO -13-678, Published on: 26/07/2013. p.3 f.

¹¹ European Commission (2013). Q&A on the legislative package for EU Cohesion Policy 2014-2020, MEMO -13-678, Published on: 26/07/2013. p.4.

2. KEY ISSUES OF PREPAREDNESS OF EU MEMBER STATES FOR THE PROGRAMMING PERIOD 2014-2020

KEY FINDINGS

- All Member States are in the process of preparing the Partnership Agreement. The multi-governance character has been appreciated by many stakeholders.
- Financial allocation between funds and regions is still ongoing and politically influenced.
- Some Member States underwent major changes in the operational programme structures towards centralised and/or multi-funded programmes.
- Financial instruments will be used in the next programming period, but no details have been settled so far.
- Result indicators present the most difficult issue in preparing the intervention logic of the programmes.
- Administrative changes have yet not been implemented. In general, MS perceive the CPR as increasingly complex. According to most of the Managing Authorities, there is however no need for administrative changes.
- Simplifications at the application level are introduced in the majority of the MS mainly in the fields of 'e-cohesion', 'application forms and timing' and 'improved contracting systems'. Some MS are not yet ready for e-governmental systems.
- The attitude towards ex-ante conditionalities is considerably ambivalent and occasionally seen as an intrusion in national affairs.

The Commission's proposals to improve the impact of Cohesion Policy instruments aim at restructuring the content, management and the architecture of the programmes. These requirements (and opportunities) have an influence on different levels and in many ways: budget - themes, administration, allocation of (human) resources, the governance structures of Member States and - last but not least - the speed of programme preparation.

Given the above set of changes in the new programming period, each Member State is about to prepare itself. The preparation process includes several key issues which could be seen as a checklist for preparation:

- Partnership process,
- Financial allocation,
- Programme structure (thematic objectives, multi-funded programmes and financial instruments),
- Intervention logic,
- Administrative structure and simplification procedures,
- Ex-ante conditionalities.

2.1 Partnership process

As per Article 14 of the draft CPR and Template and Guidelines on the Content of the Partnership Agreement (PA)¹², the Partnership Agreements have to be constituted of the following parts: An Analysis of the development needs; A Summary of the ex-ante evaluations of the programmes or their key findings; The Thematic Objectives chosen by the Member State and a summary of main expected results for each of the CSF funds; A list of all CSF programmes with the respective allocation by fund and year; A description of arrangements to ensure effective implementation of the CSF funds as well as an assessment of the administrative capacities of the authorities in charge; A summary of actions to achieve a reduction of administrative burden for beneficiaries; Arrangements for the Partnership principle (as per CPR Art.5); A description of the integrated approach to territorial development and arrangements to ensure efficient implementation of the Partnership Agreement and programmes. For the preparation of the Partnership Agreement the Member State has to respect the principles of multi-level governance.

The first quarter of 2013 was intensively used for preparation of the PAs in all Member States. Some Member States have organised and elaborated the PA in a very comprehensive and multi-level governance process with a strong central leadership (Czech Republic, Estonia), defining thematic orientation and choice of investment priorities in a centrally conducted discussion process including all relevant stakeholders. Other Member States have chosen a more bottom up approach collecting different operational programmes and summarizing the content of the operational programme in their PAs (Germany, UK). The procedure very much depends on the character of the ESI-Funds. Funds, more centrally organised, are accompanied by a centrally organised PA-process, whereas ESI-Funds, more regionally organised, consequently led to more bottom up processes.

By the end of the second quarter 2013 some draft versions of PAs have been available. Most of the Member States have submitted their draft PAs informally for the first review during the summer 2013. Delays in the PA process as well as in the programming process are in many cases related to the absence of a legally binding EU budget and an unapproved regulatory package¹³. The consequence of the missing EU legislation is that many Member States still do not have a formal decision on the financial allocation. Member States claim that some of the most problematic issues are the change of regulations, ambiguity of Commission's interpretation of the regulations and changing guidelines during the programming process.

Despite the regulatory uncertainty the multi-level stakeholder process of the PA development has been regarded as an instrument for an improved and more strategically aligned process, which has been triggered by the publication of the position papers of the European Commission¹⁴. Whether more centrally or regionally organised, all Member States assured a very coordinative and cooperative PA-process approach. Although this process seemed of high complexity, many stakeholders appreciated the involvement and information flow. The most mentioned advantage has been the better understanding of the Structural Fund system through the information flow¹⁵.

¹² European Commission (2013). Draft Template and Guidelines on the Content of the Partnership Agreement. Version 2 – 26.02.2013. Brussels.

¹³ Bachtler J. Mendez C. Kah S. (2013). Preparing for 2014-20: Programming, concentration and performance. Executive Summary. IQ-Net Thematic Paper 32(2) EPRC. 8 July 2013. p. 3.

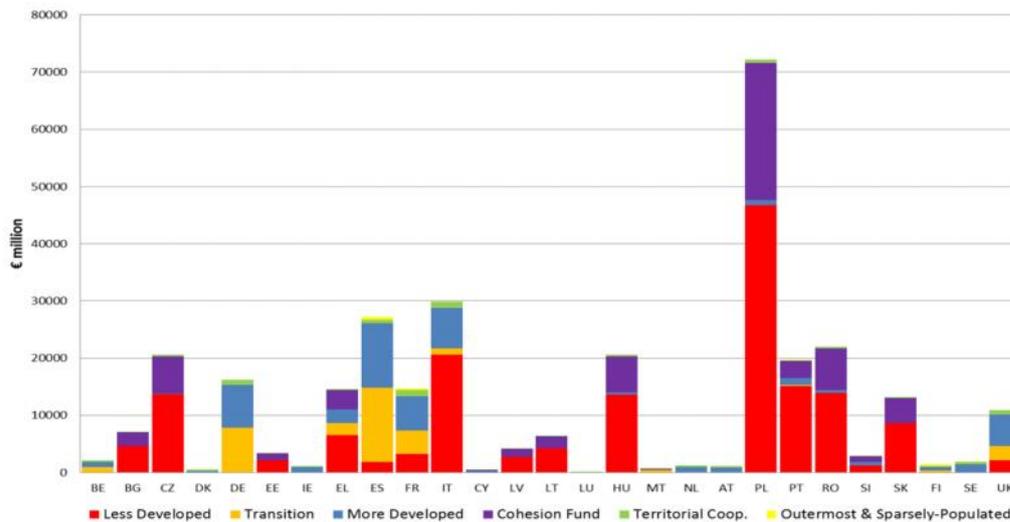
¹⁴ Bachtler J. Mendez C. Kah S. (2013). p. 3.

¹⁵ Metis observation during the ex-ante evaluation process in Germany and Austria 2013.

2.2 Financial allocation

In terms of Member State distribution of MFF, the single largest beneficiary of the future programming period remains Poland. But in general fewer countries are referred to as Member States with less developed regions. Entirely less developed states are Bulgaria and the Baltic states. Due to their change in status some Member States face significant reductions in financial allocations (e.g. Germany, Spain and Greece), Whereas, again, other Member States benefit from the transition status which has been newly introduced (Belgium, France and the United Kingdom)¹⁶ (see Figure 2).

Figure 2: Cohesion policy allocation 2014-2020 (estimation)



Source: EPRC (2013). Policy Briefing Cohesion policy 2014-20.

The negotiation between the funds in the Member States is still ongoing. Waiting for the agreement on the MFF and Cohesion policy regulations give Member States the excuse to still shuffle around budgets between regions and funds. Particularly difficult are the budget negotiations in those Member States with strong decentralised systems (Germany, Austria, Italy). In Germany the debate about budget division is still ongoing, since some of the former less developed regions are now dealing with substantial budget reductions (e.g. Brandenburg). The European Commission installed a safety net for transition ensuring 2/3 of the previous allocation for regions moving 'upwards' into this category. However, this is only valid for Member States. Regions within those Member States still have to fight for their budget share.

2.3 Programme structure

2.3.1 Concentration on thematic objectives

As per draft CPR Article 9, 'each CSF fund shall support 11 thematic objectives in accordance with its mission in order to contribute to the Union strategy for smart, sustainable and inclusive growth [by]': (1) strengthening research, technological development and innovation; (2) enhancing access to, and use and quality of, information and communication technologies; (3) enhancing the competitiveness of small and medium-sized enterprises, the agricultural sector (for the EAFRD) and the fisheries and aquaculture

¹⁶ EPRC (2013). Policy Briefing Cohesion Policy 2014-20: National Allocations Who Are The Winners And Losers From The 7-8 February European Council. 25 February 2013.

sector (for the EMFF); (4) supporting the shift towards a low-carbon economy in all sectors; (5) promoting climate change adaptation, risk prevention and management; (6) protecting the environment and promoting resource efficiency; (7) promoting sustainable transport and removing bottlenecks in key network infrastructures; (8) promoting employment and supporting labour mobility; (9) promoting social inclusion and combating poverty; (10) investing in education, skills and lifelong learning; (11) enhancing institutional capacity and an efficient public administration.

There are fund-specific investment priorities as set out in the respective regulations, to fine-tune the content of the programme. It has to be noted though, that the Commission imposes some constraints on the programmes. For instance, in more developed regions, 80% of ERDF-funds have to be concentrated on the thematic objectives (TO) 1 to 4. In transition regions this allocation amounts to 60%, in less developed regions to 50% owing to stronger development needs of these regions. 20% have to be dedicated to TO 4 in more developed regions, 15% in transition regions and 12% in less developed regions. The ESF has to concentrate its funds on the level of investment priorities (overall 17 are linked to the TO 8, 9, 10 and 11). For the ETC programmes there is no such constraint on the content side, even though the programmes are advised to have a stronger focus than in the past. For ETC programmes in certain geographical areas, macro-regional strategies may be seen of a similar strategic relevance as the Europe 2020 strategy.

The thematic concentration has proven to be very effective in aligning the operational programmes. OPs in more developed regions and transition regions are similar in their design. In many cases, the concentration of funding only on a few of the thematic objectives does not cause any significant problems. Notwithstanding the latter, some Member States plan substantial shifts of funding towards research and innovation. Due to the fact that large companies are less favoured in the new programming period, TO 1 seems to be the field for supporting large companies. Furthermore, the new field of low carbon TO 4, which implies at least 20 % of the funding in more developed regions, offers new possibilities for Member States to target new types of beneficiaries¹⁷.

The European Commission proposed a 5% allocation of ERDF towards urban development. In more developed regions and transition regions the draft OPs propose the 5% included into the fourth priority axis or form even a separate axis. Some other Member States choose to include the 5% into the 3 main thematic objectives of their programmes.¹⁸

For ERDF-programmes, OPs in more developed regions have 4 priority axes. One for each of the TO 1,2 and 4 and one additional priority axis covering more than one thematic objective. The first three priority axes are relatively straightforward but the priority axis covering more than one TO relates to territorial development issues. In many cases this axis covers measures that have successfully been implemented in the previous programming period but do not fall under the first four Thematic Objectives. In order to justify the proposed measures they are put in a territorial context. With covering those aspects as territorial development, indicated by the European Commission, Member States and regions try to gather as much as possible in this small priority axis. Other Member States concentrate environmental issues solely on EAFRD-programmes and thus reduce overlapping possibilities between ESI-Funds.

¹⁷ Bachtler J. Mendez C. Kah S. (2013). p. 4.

¹⁸ Metis observation during the ex-ante evaluation process in Germany and Austria 2013.

The debate about reduction and shift of measures is delicate because of its political dimension. In some Member States, with a tradition of participative process with different stakeholders and departments in the programming phase, Managing Authorities are the buffer between interests and trapped in hierarchical systems. The thematic concentration however helped the Managing Authority to hold back many of the different demands from sectoral stakeholders¹⁹.

2.3.2 Programme structure and multi-funded programmes

Some Member States undergo fundamental changes which imply management and capacity reorientation. The most important changes causing administrative reorientations are centralisation accompanied by a reduction of the number of OPs, regionalisation and/or the introduction of Multi-Fund OPs (see Table 3).

Table 3: Examples of structural changes in operational programmes

		Rationalisation	
		Broadly unchanged number of OPs	Significant reduction in number of OPs
Integration	Maintaining Mono-Fund OPs	Belgium, Denmark, Germany, Spain	United Kingdom (England, Scotland), Austria
	Introducing Multi-Fund OPs	France, Poland, Portugal, Hungary, Bulgaria	Czech Republic, Finland, Slovenia

Source: IQ-Net 2013, adapted by Metis.

ESI-funds should focus on the appropriate territorial level. The integrated approach for territorial development, which has to be described in the Partnership Agreements by the Member States, reflects the increased status of territorial cohesion since its inclusion in the Lisbon Treaty alongside economic and social cohesion. For the next programming period new possibilities are foreseen for a more coherent planning for investments which allow for a more place-based and effective delivery of Cohesion policy. Firstly, Member States can implement either mono-fund or multi-fund programmes by combining ERDF, ESF and CF. Secondly, this approach can also be facilitated through new instruments provided by the ESI-Funds such as integrated territorial investments (ITI)²⁰ or Community Led Local Development (CLLD)²¹. These tools are to contribute to the development of specific sub-regional areas.

The implementation of multi-funded programmes and proposed instruments (CLLD, ITI) is still in discussion while some Member States are reluctant to get involved with new Multi-Funds (Germany, Austria²²), other regions are planning to implement all kind of decentralised instruments. For those being reluctant, the key argument lies in the increase of administrative burden expected and the fear of too much local influence in territorial development. In general, Member States with a significant amount of financial allocation

¹⁹ Metis observation during the ex-ante evaluation process in Germany and Austria 2013.

²⁰ European Commission (2013). COM(2013) 246 final 2011/0276 (COD). Brussels, 22.4.2013. Article 99.

²¹ European Commission (2013). COM(2013) 246 final 2011/0276 (COD). Brussels, 22.4.2013. Article 28.

²² ÖROK (2013). STRAT.AT 2020 Partnerschaftsvereinbarung Österreich 2014-2020. STRAT.AT 2020. Rohbericht vom 11. Juni 2013.

are comparably more involved in the design of multi-funded programmes (e.g. Hungary²³, Czech Republic, Portugal, France and Poland²⁴).

Currently ITI does not seem to be the most popular instrument while CLLD is perceived as the logical successor of LEADER-related actions in the programme period 2007-2013. So the barrier for the implementation of CLLD is less than with ITI (see Table 4).

Table 4: Overview of the country approach to delivery of CLLD (status 4.6.2013)

		Unknown	ERDF	ESF	EMFF	EAFRD
Undecided	Cyprus	X				
	Greece	X				
	Ireland	X				
	Malta	X				
	Netherlands	X				
	Portugal	X				
	Spain	X				
	Wales	X				
Wallonia	X					
Developing	Croatia		X	X		
	Lithuania		X	X		
	Slovenia		X	X		
	Bulgaria		X			
	Estonia		X		X	
	Poland		X		X	
	Czech Republic		X		X	X
	England		X		X	X
	Slovakia		X		X	X
	Italy		X	X	X	X
	Scotland		X	X	X	X
	Sweden		X	X	X	X
Decided single fund	Austria		X			
	Flanders		X			
	Luxembourg		X			
Decided multi fund	Denmark		X	X		
	Finland		X	X		
	Germany		X	X		
	Latvia		X	X		

Source: ENRD (2013)²⁵ Mapping Report.

2.3.3 Financial instruments

Some EU Member States which already gained experience in managing financial instruments with Structural Funds are about to build on the existing structures developed. However, the use of financial instruments within Operational Programmes has been

²³ Ministry for National Economy Hungary (2013). Hungarian Partnership Agreement, for the 2014-2020 programme period. Final draft. 2. July 2013.

²⁴ Ministry of Regional Development Poland (2013). Assumptions to the Partnership Agreement. programming 2014-2020. 25.9.2012.

²⁵ ENRD (2013). Mapping Report Member States Views on the future implementation of Community Led Local Development. Background Document prepared by ENRD in relation to the NRN Thematic Cluster on CLLD Draft (work in progress) – 4 June 2013.

criticised by the Courts of Auditors. The 2012²⁶ ECA report stated the 'effectiveness and efficiency of measures were hampered by important shortcomings, mainly due to the inappropriateness of the current regulatory framework of the Structural Funds' (European Court of Auditors, 2012).

Although the issues hampering efficiency of financial instruments are recognised in most of the Member States, it is not yet clear which actions will be taken to improve their implementation in the future programming period 2014-2020. The regulatory framework both in EU Member States and at EU level has not been changed towards better implementing financial instruments. Currently the EU Member States have not finalized the programming phase, and the implementation of financial instruments is not subject of detailed preparation; it will most probably start early next year.

2.4 Intervention logic

The elaboration of operational programmes should be based on the concept of a clearly defined intervention logic. The *raison d'être* of each programme is the intention to change a given situation in a region or for a certain population group through programme interventions. To that end, the assessment of specific needs and intended results is essential. During programming it is to be clarified which factors should be influenced through programme interventions.

The direct products of a programme are the outputs (achieved through funded projects and illustrated with so-called output indicators). These should contribute to the intended results (measured by result indicators which are connected to the specific objectives corresponding to each investment priority). The use of meaningful result and output indicators is a pre-requisite to allow for a concise measurement and monitoring of progress made through programme intervention. Setting-up a sound indicator system certainly belongs to one of the main challenges in the programming process. Each programme has to define a performance framework following the methodical guidelines in the CPR draft, Annex II. It is obliged to set certain milestones for the years 2016 and 2018 as well as targets for the year 2022. This requires a thorough reflection on what exactly should be achieved during the programming period and how it is captured.

The elaboration of the intervention logic forms one of the main workloads in preparing the operational programmes. Although the CSF provides a framework for all ESI-Funds, each of the ESI-Funds follows a different logic. One can distinguish between ESF/ERDF and EAFRD/EMFF. The latter follow a different, less complex logic. ESF, ERDF and the territorial cooperation programmes are structured along the given set of investment priorities (defined in the specific regulations) which are further defined by specific objectives, result indicators, actions and output indicators.

The whole intervention is based on an in-depth need analysis which is presented already in the Partnership Agreement. The strict requirements of the OP structure, set in fiche 1a of the European Commission²⁷, do not allow too much room for manoeuvre. Member States and regions certainly had their difficulties in elaborating the programmes along the given logic. However with support of the Commission and, not to forget, the consultation of ex-

²⁶ European Court of Auditors (2012). Financial Instruments for SMEs co-financed by the European Regional Development Fund. Special Report 2/2012. March 2012.

²⁷ European Commission (2013). Fiche 1A-Draft Model For The Operational programme Under The Investment For Growth And Jobs Goal, Based on the draft template and guidance on the content of the operational programme (version 3- 21 May 2013). Version 2 – 21 Mai 2013.

ante evaluators, Managing Authorities adopted the new logical structure. One significant complaint that arises in different Managing Authorities concerns the constantly changing guidelines/templates as well as the fact that even within the Commission, staff members provide different interpretations of the draft regulations.²⁸

Throughout Europe, operational programmes can be clustered along the three types of regions with high similarities amongst OPs of more developed and transition regions. In general, specific objectives are held as broad as possible.

Result indicators are the most difficult part in the intervention logic since their data set has to be realistic and measurable. It has been stated in different Member States that statistical data available is outdated and therefore presents no use for a baseline (e.g. Bulgaria). Furthermore, it is questionable if result indicators will really provide any realistic and useable data for future statistics. However, Member States, where ESI-Funds cover larger budget shares in the related investment fields, will most probably be able to measure significant impacts caused by the Funds (e.g. Baltic States, Poland, Romania, Bulgaria). Those Member States with only small budget shares will have problems to measure results related to the ESI-Funds (e.g. Austria, Germany, Netherlands). Particularly tricky are result indicators for priority axes related to territorial development. With more than one TO, they have very broad specific objectives where meaningful result indicators are difficult to find. Many MAs solve the problem with weak and soft indicators such as the satisfaction or acceptance of the population.

2.5 Administrative structure and simplification procedures

A couple of changes in the draft legal package concern the institutional structure of administrating the programmes, the division of roles between the Commission, the Member States and the programme bodies as well as the question of (financial) management and control.

Member States get the possibility to designate one authority merging Managing and Certifying Authority. The designation 'shall be based on a report and an opinion of an independent audit body...the independent audit body shall be the audit authority....or another public or private law body with the necessary audit capacity.' (CPR, Article 113 (2))²⁹. In terms of financial management, one of the most radical changes for ERDF, ESF and CF is – despite of the multi-annual programming – the introduction of an accounting year and the annual clearance of accounts. The annual clearance of accounts is to be decided by the Commission by 30 April of each year following the accounting period (n+1), which is from 1 June to 30 May of the following year.

With the yearly management declaration on the functioning of the management and control system, Managing Authorities will have to fulfil an additional task in this context³⁰. Hence the tasks of the Certifying Authority will also include the drawing up and certification of annual accounts³¹. The Audit Authorities shall draw up an audit opinion on annual accounts of the preceding accounting year and the functioning of the management and

²⁸ Metis observation during the ex-ante evaluation process in Germany and Austria 2013.

²⁹ European Commission (2013). COM(2013) 246 final 2011/0276 (COD). Brussels, 22.4.2013. Article 113 (2).

³⁰ European Commission (2013). COM(2013) 246 final 2011/0276 (COD). Brussels, 22.4.2013. Article 114 (2-10).

³¹ European Commission (2013). COM(2013) 246 final 2011/0276 (COD). Brussels, 22.4.2013. Article 115 (b).

control system³². Another new requirement is the performance review during the programming period planned in 2019.

The Commission's most important proposals for simplification and the reduction of administrative burden refer to the thematic complex of e-cohesion and the possibility for programmes to apply simplified cost options (flat rates, unit costs and lump sums). It is up to the Member States to decide which option suits best to the programme in question. Some of the flat rates, unit costs and lump sums are established at EU level in the regulations.

In general, Member States are not yet at the stage where administrative structures or even simplifications are sufficiently described in the OP drafts. Nevertheless some first discussions are going on. Member States do appreciate the need for simplification – especially in terms of simplifying application forms, better advantage of electronic government options, better information and support. Reduction of administrative burden is mainly targeting beneficiaries and to a lesser extent programme bodies. Efforts for a thorough implementation of e-cohesion could lead to a more efficient management in the mid-term and long run. Member States are to gradually implement systems that enable beneficiaries to submit all information and document electronically and only once to programme bodies. This requires the set-up of a fully fledged electronic application and monitoring system with access possibilities for different programme bodies including the First Level Control (or the development of interfaces and maximum use of already existing databases). However the introduction of e-Cohesion implies functional e-Government which is not yet guaranteed in some of the Member States with the highest need for administrative improvements (e.g. Bulgaria).

Another discussion, already launched in the previous years, has been focusing on the role of the Monitoring Committee as a more strategic platform performing multi-level governance. Member States had different suggestions about strengthening the Committee for more strategic input. The proposal of a joint Monitoring Committee for ESF and ERDF has also been discussed (e.g. Poland). Other MS are considering the reduction of the number of Monitoring Committees which goes in line with the reduction of operational programmes (e.g. Austria, Czech Republic) and a significant raise of quality in discussion and decision-making. Again, other Member States have a two-tier system - one on the political and one on the working level. This system seems to be too ambitious in terms of time and effort and is to be reduced.³³

Another innovation might be a change in the evaluation practice. Some of the more developed MS did not conduct any impact evaluation during the previous programming period 2007-2013. In general, this will be changed and requires additional workload data availability³⁴.

At the current stages, most of the Member States take the view that their management systems proved successful so far. Problems such as low absorption rates are for example related to capacity problems rather than structural problems (e.g. Bulgaria). Other Member States face fundamental changes caused by political reforms, not necessarily for the benefit of efficiency improvement (e.g. England). Those Member States with a significant reduction of operational programmes from a more regional to a centralised approach face new

³² European Commission (2013). COM(2013) 246 final 2011/0276 (COD). Brussels, 22.4.2013. Article 116.

³³ Bachtler J. Kah S. Mendez C. (2012). The promise and perils of the performance turn in EU Cohesion policy, IQ-Net Thematic Paper No. 31 (2). 33rd IQ-Net conference (Phase V). Austria November 2012. p. 40ff.

³⁴ Bachtler J. Kah S. Mendez C. (2012). IQ-Net Thematic Paper No. 31 (2). p. 50ff.

opportunities with replaced administrative structures, not necessarily increasing efficiency (e.g. Austria). Finally, those Member States introducing Multi-Fund OPs face new forms of joint management, not experienced yet.

2.6 Ex-ante conditionalities

In the course of the preparation of programmes and the Partnership Agreement, the Member States are to assess pre-defined thematic and general ex-ante conditionalities which have to be in place before ESI-Funds can be disbursed³⁵. When failing to meet the required conditionalities, a summary of actions to fulfil them has to be included in the Partnership Agreement. As per Art. 17.6 of the draft CPR, the ETC-programmes are exempt from the fulfilment of ex-ante conditionalities. The Commission released a draft Guidance on ex-ante conditionalities which has been revised in July based on the outcomes of the CPR Trilogues.³⁶

General ex-ante conditionalities are very much related to operational programming and are partly fulfilled in those MS where OPs are in progress. Thematic ex-ante conditionalities form a practical framework for regional and national development. Although there is an agreement on the principles of the conditionalities, some are considered as a certain intrusion in national affairs and thus MS are reluctant to follow the strict rules. For example, the smart specialisation strategy covers more than ESI-Fund-related issues and goes beyond Cohesion policy. Statistical systems, which are seen as national competences in some MS, are another example. Currently, the status quo of the fulfilment of thematic ex-ante conditionality is not substantially mapped. A final comprehensive assessment has just started³⁷.

Merely the DG Research has prepared a table on the status quo of the existence of national or regional research and innovation strategies for smart specialisation, forming the first thematic ex-ante conditionality. According to this overview from spring 2013, half of the Member States do not have any smart specialisation strategy. Although the mapping showed a significant lack of national strategies, many of the Member States do have regional strategies in place (e.g. Austria, Germany, Belgium)³⁸. DG Research has send experts in each of the EU12 in order to support the smart specialisation strategy process.

³⁵ European Commission (2013). COM(2013) 246 final 2011/0276 (COD). Brussels. 22.4.2013. Annex V.

³⁶ European Commission (2013). Draft guidance on ex-ante conditionalities for the European Structural and Investment Funds (ESI). 24 July 2013.

³⁷ Bachtler J. Kah S. Mendez C. (2012). IQ-Net Thematic Paper No. 31 (2). p. 23.

³⁸ European Commission (2013). DG Research ex-ante conditionality and criteria for fulfilment. May 2013.

3. STAGE OF POLICY IMPLEMENTATION IN THE MEMBER STATES

KEY FINDINGS

- Austria is reducing the number of operational programmes in ERDF from nine to one. While major changes in the administration are not foreseen, it is considered as a step towards more efficiency.
- Bulgaria is moving towards multi-funded programmes and works on the optimal geographical coverage of ESI-Funds.
- Czech Republic is also reducing the number of its regional programmes to only one. The Managing Authority is currently working on the improvement of administrative capacities at the central level.
- Italy sets up a new agency which should support regions in better implementing ESI-Funds. The agency is centrally managed and financed within TO11.
- Estonia merged the former three operational programmes in ESF and ERDF to only one single multi-funded programme which should be focused on the development of human resources.
- The United Kingdom is also substantially reducing the number of operational programmes. Moreover, in the OP England Local Enterprise Partnerships have been introduced to develop local strategies.

For the purpose of illustrating the situation in Member States in preparing the next programming period 2014-2020, a set of specific mini case studies has been chosen. The selection of the case studies is based on three key parameters:

- Geographical location of the Member State;
- Administrative set-up: Centralised/Decentralised etc.
- Historical development of the Member State regarding its membership in the European Union: EU15/EU12
- Size of the budget of the ESI-Funds: Small ESI-Fund/Large ESI-Fund

Considering those three parameter the following Member States have been chosen:

Table 5: Selection of sample Member States³⁹

	Centralised	Decentralised	EU 15	EU 12	Small ESI - Fund	Large ESI - Fund
Austria		x	x		x	
Bulgaria	x			x		x
Czech Republic	x			x		x
United Kingdom		x	x		x	
Estonia	x			x	x	
Italy		x	x			x

Source: Metis 2013.

³⁹ The selection of Spain has been withdrawn since no significant progress in developing the PA and the OPs can be observed.

3.1 Austria

The Austrian process of preparing the new programming period has been characterised by a very extensive exchange between Managing Authorities at federal state level and ministries as well as social and economic partners. The process started mid 2012 and is still ongoing. One result of the process, the PA, has been submitted as a draft to the European Commission. The main advantage of the process has been the ameliorated adaptation between the ESI-Funds and additional EU-Funds. Some federal states (Länder) have elaborated their own EU-strategy, discussing with regional stakeholders the thematic distribution between ESI-Funds. Through the dialogue on regional and national level a better understanding of the mechanism of Cohesion policy instruments and avoidance of overlaps could be achieved.

Throughout the debate and meetings the idea of substantial reduction of the number of operational programmes was pondered. After a year of negotiation between the federal states and the national level it was decided to merge the previous 9 operational programmes in ERDF to one operational programme. Consequently, this decision leads to some negotiation processes between federal states. The EFRE OP 2014-2020 will have 4 priority axes: (1) Innovation and research, (2) SME development, (3) energy efficiency and (4) territorial development. While the former three seem to be straightforward in design and agreement, the last priority axis includes a variety of different agendas (e.g. urban development, regional development, cultural heritage, natural heritage, capacity building) and will need substantial time for joint agreement. Other operational programmes for ESF and EAFRD will, in principle, be similar to the ones of the previous period 2007-2013.

In terms of efficiency and effective administrative procedures, there are still improvements to achieve. Particular problems occur in the field of second level control. The discussion about this issue has not started yet and it is not clear whether there will be any improvement. Since the ERDF system has changed so dramatically, it can be assumed that centrally organised administration could be changed. However, the national programme will still have regional agendas which will then be organised regionally. It is not yet clear how the national programme will be efficiently implemented in the regions without creating more bureaucracy - rather than less bureaucracy.

In terms of multi-funded programmes Austria decided to avoid any. Nevertheless, CLLDs will be implemented as a follow up of Leader as well as in ETC programmes AT-IT, AT-SI.

3.2 Bulgaria

Bulgaria has submitted its PA and received already comments from the European Commission. Those comments are about to be implemented and the final preparation is on its way. The approximate total of the ESI-Funds is expected to be the same as for the previous period 2007-2013. The current stage of the programming phase concentrates on reaching the optimal geographical coverage of the ESI-Funds. In the previous period the different funds did not cover all regions in Bulgaria. Currently, the Managing Authorities for the regional development programme and the rural development programme are negotiating the optimal geographical distribution of the two programmes.

The proposed operational programmes indicate the initiation of multi-funded OPs in the development of human resources. Furthermore, there are currently discussions about introductions of ITIs in the OP for Regional Development. The previous technical assistance

OP and the OP for administrative capacity are now merged into one programme. This should enhance efficiency in capacity building and joint actions between ESF and ERDF (see Table 6). Bulgaria initiated a major shift of financial allocations towards science and innovation. Allocations are transferred, for one, to the OP for Innovation and Competitiveness. Additionally, a new OP has been established to fund Education and Smart Growth.

Table 6: Bulgaria: Proposed operational programmes for ESI -Funds in 2014-2020

Operational programmes 2007-2013	CF	ERDF	ESF	EAFRD	EMFF	Operational programmes 2014-2020
Transport	x	x				Transport
Environment	x					Environment
Competitiveness		x				Innovations and Competitiveness
Regional Development		x				Regions in Growth
			x			Science and Education for Smart Growth
Human Resource Development		x	x	x		Human Resource Development
Administrative Capacity		x				Good Governance
Technical Assistance			x			
Development of Fisheries Sector					x	Development of Fisheries Sector
Rural Development				x		Rural Development

Source: Draft Partnership Agreement of the republic of Bulgaria 2013⁴⁰.

The most delicate issue in the negotiation between the European Commission and the Bulgarian Managing Authorities is the definition of cities for integrated urban development. Originally, Bulgaria has defined 67 cities which have developed so called integrated plans for urban regeneration. The European Commission has criticized the large number of cities and asks for a reduction to less than 10 urban territories⁴¹.

Bulgarian Managing Authorities do not plan any specific changes regarding the programme management. The key issue in Bulgaria is to enhance efficiency with improving application information and material (e.g. simplified application forms, better advantage of electronic government options, simplification of contracting and reimbursement). Since the Bulgarian IT-system is still very insufficient and weak, the most difficult issue will be the implementation of electronic government services. The original issue of high staff turnover has been solved with the ESI-Funds. Staff-members, dealing with programme management, receive additional salary, which is financed by the technical assistance budget.

⁴⁰ Republic of Bulgaria (2013). Draft Partnership Agreement of the republic of Bulgaria. Outlining the support from the European Structural and Investment Funds for the 2014-2020 period. version 3.0. August 21st, 2013.

⁴¹ Interview with Eugeny Ivanov, General Manager, Euroconsultants Bulgaria SA AD, 18.09.2013.

3.3 Czech Republic

The Czech Republic has recently submitted its Partnership Agreement to the European Commission. Compared to the previous funding period, the major changes are, first, the significant reduction of the number of operational programmes at the regional level. As shown in Table 7, the Czech Republic proposes only one future regional programme for Prague which combines the former ERDF and ESF programmes and introduces a multi-fund programme. The second merger at national level comprises the former research and development programme (ERDF) and the education programme (ESF). Those two programmes will be merged and proposed as one multi-fund programme.

Table 7: Czech Republic: Change in operational programmes for 2014-2020

Operational programmes 2007-2013	CF	ERDF	ESF	EAFRD	EMFF	Operational programmes 2014-2020
National Programmes						
Transport	x	x				Transport
Environment	x	x				Environment ERDF, Cohesion Fund
Integrated Operational programme		x				Integrated Regional Operational programme
Enterprises and Innovations		x				Enterprise and Innovation for Competitiveness ERDF
Research and Development for Innovations		x				Research, Development and Education
Education for Competitiveness			x			
Human Resources and Employment			x			Employment ESF
Technical Assistance		x				Technical Assistance
Regional Programmes						
Prague		x				Prague – Growth Pole ERDF, ESF
Prague Adaptability			x			
Moravia Silesia		x				
North-East		x				
North-West		x				
South-East		x				
Central Moravia		x				
Central Bohemia		x				
South-West		x				
Rural Development				x		Rural Development
Fisheries					x	Fisheries

Source: Draft Partnership Agreement for the 2014-2020 programming period Czech Republic June 2013⁴².

⁴² Ministry of regional development Czech Republic (2013). Draft Partnership Agreement for the 2014-2020 programming period. Czech Republic. June 2013.

Also, in the Czech Republic the capacity issue is considered as the highest risk for malfunctioning programme implementation. The Managing Authorities plan to stabilise the administrative capacity through the following steps:

- The Act of Public Servants must enter into force;
- An adequate adjustment to administrative capacity;
- The amount of funds available for technical assistance operational programmes must be defined with respect to individual years and activities;
- Uniform rules for the remuneration of employees must be implemented across implementation structure;
- Uniform rules for the recruitment of employees must be implemented;
- Common rules for employee evaluations and establishing individualised development plans (including education);
- Staff training system; and the links between the individual calls for the OPs in relation to the implementation of projects within the context of integrated approaches. (Draft Partnership Agreement for the 2014-2020 programming period, Czech Republic, June 2013. P. 113)

In order to increase efficiency at programme and project level, the Managing Authorities will contract an analysis of the system which should propose mechanisms to simplify the administrative burden throughout four phases: (1) calls for submitting project applications; (2) submission of project applications; (3) project selection and assessment; (4) project implementation. It is planned to set definite deadlines for the realisation of simplifications and tools to evaluate success and failure of simplification implementation. As in Bulgaria, the major challenges will be in consistent-governance service.

The Czech Republic intends to introduce CLLDs on the basis of the LAGs formed in the previous Leader programme. The Ministry of Regional Development will coordinate and manage the administrative process in close cooperation with the Managing Authority for rural development. The MAs do not intend to designate a lead fund according to Article 28 of the general regulation⁴³. According to the draft Partnership Agreement, it is seen as a factor of increasing complexity and anticipated negative effects due to unclear details⁴⁴.

Proposed ITIs in the Czech Republic are based on the definition of metropolitan areas in the Regional Development Strategy of the Czech Republic for 2014-2020. Currently, six areas are defined: Prague, Brno, Ostrava, Pilsen, the Pardubice-Hradec-Králové agglomeration, and the Ústí nad Labem-Chomutov agglomeration. The defined agglomerations are invited to submit integrated strategies. The actual amount of ITIs in the next programming period depends on the final approval of the Czech government and the negotiation with the EC.

3.4 Italy

In Italy the preparation of the PA started only in April 2013 and is still ongoing. A first draft has been published in July 2013. The final draft is planned for the beginning of October 2013. The main issue in Italy is the relatively strong power of regions in relation to the

⁴³ European Commission (2013). COM(2013) 246 final 2011/0276 (COD). Brussels, 22.4.2013. Article 28.

⁴⁴ Ministry of regional development Czech Republic (2013). Draft Partnership Agreement for the 2014-2020 programming period. Czech Republic. June 2013. p. 118.

national government. Italy is one of the Member States with the highest number of ESF and ERDF operational programmes (21 regional programmes in ERDF, 21 regional programmes in ESF, 3 multi-regional programmes in ERDF, 3 multi-regional programmes in ESF and 3 national programmes in ERDF).

In ERDF as well as ESF each region has its own ESF as well as ERDF programme. In both Funds, regions have extensive competencies but partly performed weak in the previous programming period 2007-2013. Because of the weak performance stronger and more rigid controls have been established by the national government. The national government is planning to establish a central agency which is tasked to support each region in implementing the ESF and ERDF programmes. However, it is not yet clear how efficiently this agency will be able to operate. According to evaluation experts in Italy, even the centrally located managing and implementation system for Structural Funds lacks certain efficiency. This is partly caused by a lack of clear competencies of the current controlling mechanism. The agency will be financed in the thematic objective 11. All these ideas are currently in discussion and it is not clear whether the national government prevails over the power of the regions.

The development of the operational programmes is ongoing and currently lies in the hand of the regional governments. There is already a certain delay partly due to the delayed EU legislative process. According to local experts, the involved stakeholders are currently putting too much emphasis on programme design rather than preparing the project pipeline. In the last programming period one of the main reasons for substantial delay in implementing the ERDF and ESF programmes has been the lack of projects, which were ready to start. Another issue, which is essential for effective implementation, is the question of co-financing. It is not yet clear if the regions and even the national government have enough resources to co-finance the operational programme projects.

Regarding the amount and type of operational programmes, it is now in discussion to combine ESF and ERDF programmes in each region. However, it seems highly unlikely that this idea will be realised since the regions' position is 'keeping things as they are'. Along with the already existing ERDF and ESF programmes, Italy is planning to establish two additional programmes: one for urban development (ERDF) and one for social inclusions (ESF). Both programmes will be centrally managed. The national government fears that regions will be overburdened with additional tasks in the ESI-Funds. The establishment of a national ESF programme would be an innovation in so far as it is the first national ESF programme in Italy taking resources from regional programmes (see Table 8).⁴⁵

Table 8: Italy: ERDF and ESF operational programmes 2014-2020 under discussion

Operational programmes 2007-2013	ERDF	ESF	Operational programmes 2014-2020
National Programmes			
Networks and mobility	x		Networks and mobility
Learning environment	x		Learning environment
Governance and technical assistance	x		Governance and technical assistance
	x		Urban development
		x	Social inclusion

⁴⁵ Interview with Naldini Andrea ISMERI Europa, Expert Evaluation Network ERDF; 20.9.2013.

Operational programmes 2007-2013	ERDF	ESF	Operational programmes 2014-2020
Multi-regional Programmes			
Renewable Energy and Energy Efficiency (CONV)	x		?
Research and Competitiveness (CONV)	x		?
Security for development (CONV)	x		?
Governance and System Actions (CONV)		x	?
System Actions (RCE)		x	?
Skill development (CONV)		x	?
Regional Programmes			
21 ERDF Programmes	x		21 ERDF Programmes
21 ESF Programmes		x	21 ESF Programmes

Source: Interview with Naldini Andrea ISMERI Europa, Expert Evaluation Network ERDF; September 2013.

3.5 Estonia

In 2014-2020, Estonia is still categorised as a less-developed country and enjoys on-going benefits from the EU Structural Funds. While the very first Structural Funds period 2004-2006 was more about 'lessons learned', and the second one focused on 'hard investments', the third period concentrates on the development of human resources. The planning process is centrally administrated by the Ministry of Finance in cooperation with sectoral ministries and the Government Office. The process is accompanied by an external consultant. Starting in 2008, through an internal socio-economic analysis, the ministry has identified national priorities and measures for three Funds in one operational programme.

The planning process has been long, slow and complicated – many sectoral ministries criticised the Ministry of Finance holding the central coordination role and accused it of not involving them enough. The proper planning and communication of the process from the Ministry of Finance to the sectoral ministries has, indeed, been problematic. Since many officials in the Ministry of Finance have changed and did not have previous planning experience, the ministry intentionally took on a role of a strong central coordinator in order to focus the main priorities.

The draft Partnership Agreement has been submitted in summer 2013 to the European Commission and is currently being revised. All in all, the new programme covers the CF, ERDF, ESF with 13 plus 2 priority axes. Taking into account previous experience and criticism about insufficient focus on priorities, Estonia tries not to support too many items, but to focus instead on rather narrow fields of priorities. The major innovation in the new programme will be the territorial focus in one of the priority axes.

The most difficult issues in preparing the operational programme have been the indicators. Currently, the defined indicators are either unsuitable to measure results or are not yet properly defined. The main reason for the difficulties is primarily the low tradition of evaluation and statistical records in Estonia. What complicates the process is the definition of indicators for those measures which are newly introduced in the future programming period 2014-2020. In many cases, additional surveys for baseline values have to be conducted before the programme start.

The most significant change in administrative structure is the reduction of implementing agencies. The Ministry of Finance will be the Managing Authority of the programme. This will not indicate major changes since it already managed the three operational programmes of the previous programming period 2007-2013. Currently, there are 12 implementing agencies. They will be reduced to 4 agencies, in order to centralise evaluation and monitoring functions, increase administrative capacity and quality, as well as to simplify the application process. The simplification process will not reduce the amount of staff but will concentrate them on lesser contact points⁴⁶.

3.6 United Kingdom

The United Kingdom's PA is still in preparation and has not yet been submitted to the European Commission. The current time table implies a final draft version of the PA for December 2013. The delay in the PA development implicates a delay in the OP development. The government of the UK acts on the assumption that the Partnership Agreement and the operational programmes will be approved by mid 2014. The UK is significantly reducing the amount of operational programmes in ERDF and ESF. In the previous programming period 2007-2013 the UK had 16 ERDF programmes and 6 ESF programmes. It will have four ERDF programmes, and merge them with the EAFRD and the ESF. The proposed future multi-funded programmes will be allocated to England, Wales, Scotland and Northern Ireland. All four territories prepare their OPs relatively independently. Difficulties in preparation are most evident in the England-programme. For political reasons, the previous 9 regional development agencies implementing the previous programmes 2007-2013 have been closed. Now, 39 local enterprise partnerships (LEP) are to start the new programming period implementation. The 39 LEPs are to develop local strategies which should form the basis of the operational programme in England. So far the LEPs are asked to deliver their first draft of the European Structural and Investment Funds Strategies by October 2013.⁴⁷

The LEP will be financed by three governance departments and the EIB. The English government plans to intensify the use of innovative financial investment instruments even if this move is not yet substantially developed. The British government has published a 'Supplementary Guidance' to explain Local Enterprise Partnerships how to prepare Structural Funds Strategies. The guidance strongly emphasis the implementation of financial instruments in several areas such as equity, loan and mixed investment to SMEs, Urban Development and Energy Efficiency, Social Housing, Local Impact Funds. The LEP are strongly advised to use existing models. For example the previous Operational Programmes London and North West England established JESSICA holding funds together with the EIB⁴⁸. The EIB is implementing and supporting the financial instruments such as the holding fund for urban regeneration in North West England since 2009⁴⁹. Another, more thematic, issue in the new programming period will be the consequent shift towards low carbon and energy efficiency. The UK does not have a substantial tradition in energy efficiency measures so far and the shift towards those measures requires not only administrative changes but also a certain change in mindsets.⁵⁰

⁴⁶ Interview with Katre Eljas-Taal – Technopolis Group. 23.9.2013.

⁴⁷ HM Government (2013). The Development and Delivery of European Structural and Investment Funds Strategies. Supplementary Guidance to Local Enterprises Partnerships. July 2013. p. 17.

⁴⁸ HM Government (2013). The Development and Delivery of European Structural and Investment Funds Strategies. Supplementary Guidance to Local Enterprises Partnerships. July 2013. p. 56ff..

⁴⁹ EIB (2009). JESSICA holding fund for urban regeneration in North West England, Reference: 2009-012-EN, Release date: 29 January 2009.

⁵⁰ Interview with Paul Jeffrey, GHK Consulting Limited. 18.9.2013.

4. CONCLUSIONS AND RECOMMENDATIONS

4.1 Recommendations at the EU level

The delay of definite legally binding regulations and the delay of the decision on the MFF have seriously hampered the programming process in the Member States. Especially in the first half of 2013 the continuous updates of the draft regulations and the launch of comprehensive and changing guidelines led either to a complete standstill or to inefficient working loops in the Member States.

1. The legal framework should be finalised and approved as soon as possible. Further changes should, in any case, be avoided by EU legislators.

Managing Authorities, in many cases, are the buffer between interests and trapped in hierarchical systems. The position and advices of the European Commission to the Managing Authorities are not explicit. Different Commission officials have different interpretations of the regulations. This is weakening the position of Managing Authorities in their countries.

2. Member States and the European Commission should seek to strengthen Managing Authorities, in their national and regional position, in programming and managing the ESI-Funds.
3. European Commission desk officers should be able to provide a uniform and consistent interpretation of the regulations and intervention logic of ESI-Funds.

Many EU12 Member States are far ahead in their PA process compared to some EU15 Member States. Intensive support by the European Commission has most probably helped them to succeed so far.

4. Regular support of Member States by the European Commission and external consultants proved to be sufficient for accelerating the process. This support should be continued throughout the whole programme period. Some EU15 Member States face significant delays (e.g. Spain and Italy). It may be assumed that those Member States should also be provided with additional support by the European Commission.
5. Central bodies responsible for control functions should utilise and rely upon external experts accompanying the implementation process in regions with low performance in implementing regional operational programmes.

4.2 Recommendations at the Member States' level

Experience gained in the PA process

The multi-level governance approach in the preparation of the PA has improved the knowledge and understanding about the whole concept of Cohesion policy. Although experienced as complex and time consuming, the process was generally appreciated.

6. The multi-level governance approach should be continued throughout the programme period in a standardised and regular way. However, multi-level governance is often used as pretence to push specific political agendas into the programming process. Multi-level governance must not be an end in itself and should be applied with prudence. The roles and tasks of the actors involved in the programming should be clearly specified in view of promoting efficient procedures.

The role of the Monitoring Committee

The current programming period and its complexity of rules and procedures lead to a shift towards more centralised programme management. In cases of inefficient systems with too many hierarchical levels, operational programmes have been merged and centralised. This may lead to improvement of efficiency. With the new centralised system, implementing bodies at regional and local governmental levels are less burdened with administrative management and may rather be in a position to support and supervise beneficiaries. The advantage regarding the reduction of OPs lies in the reduction of points of contact with the European Commission and the creation of one centralised unit keeping the overview of a certain ESI-budget.

7. A constant and already established dialog between different governmental levels should be assured and financially supported by the technical assistance measures. For that purpose the Monitoring Committee should be strengthened in its position. In many cases it is seen as a compulsory chore rather than a platform for joint discussion and understanding. Joint Committee meetings between ESF and ERDF are essential in the regional operational programme.

New instruments

Quite a number of MS did propose multi-funded operational programmes. However none of the operational programmes reviewed so far has set up detailed structures for putting multi-funded instruments into action. Generally it appears that CLLD, due to its relation to the previous LEADER instrument, has been adopted more often than ITI. The CLLD process seems to be more related to previous instruments than the ITI system. The establishment of links to previous systems could help to increase acceptance. However, in many cases, those instruments are mono-funded. Multi-funded instruments imply difficulties in Member States due to the fund management split over different sectorial ministries.

Use of assistance

The most significant change in administration of operational programmes will be the merge of Managing and Certifying Authority and the introduction of the annual accounting system. This requires additional knowledge and training.

8. It can be expected that the change in accounting will cause some difficulties in Managing Authorities. Especially MS with a large number of programmes and with difficulties in the previous period 2007-2013 will face additional or at least the same difficulties in the future. In these cases, support rather than control could assist in bringing Member States on track. The involvement of accounting specialists should help to introduce the annual accounting system.

Efficiency in control mechanisms

Member States, with significant problems in programme management so far, propose management changes in order to increase future efficiency. Controlling systems are currently one of the main issues for performance problems. Control mechanisms are sometimes independent from the implementation of the programme, without any binding instructions on their mode of operation. So, these control institutions might develop over-ambitious approaches in their work and hinder an efficient implementation. Another aggravating fact is, that these institutions fulfilling some implementing functions are not bound by instructions from the Managing Authority and may disregard control mechanisms.

9. Member States face the challenge to establish systems compliant with the EC regulations operating at the lowest possible level of bureaucracy. Control mechanisms should not be a playground for individual institutions that go beyond the actual needs for compliance with the regulation, thus hindering effective implementation.

10. As a result, these changes and the implementation of new and more effective structures have to be accompanied and evaluated closely in order to assess potential gains (or losses) in efficiency and effectiveness.

4.3 Recommendations at the OP level

Efficient financial allocation between funds and thematic objectives

Although the overall financial allocation between Member States is finally agreed, the financial allocation between ESI-Funds and operational programmes within Member States is still in discussion.

11. Financial allocation should truly be based on the need assessment. Adjustment of allocations in any operational programme should be comprehensible. Ex-ante evaluation is the method to assure the rationality of financial allocation at least at operational programme level.

Focus on implementation

According to some experiences in the previous programming period 2007-2013, Member States took almost 3 years to the operational programmes fully running. Only after two years of setting up the system, projects have been launched at a larger scale. Consequently, the absorption rate is poor in many MS. The current programming process is, again, too focused on the distribution of the budget and the establishment of the intervention logic rather than being oriented towards specific objectives, where projects are already in the pipeline or can easily be developed and implemented.

The thematic orientation did not cause any significant problems and leads to fairly similar programmes throughout Europe. The proposed allocation of 5% towards urban development is seen as the most problematic and least applicable obligation. More developed Member States are currently trying to include all kind of different thematic objectives in the urban development measures.

For the ESF, the thematic concentration is following another logic which leads to an even higher amount of specific objectives for each investment priority than in some ERDF programmes.

12. Member States should focus on objectives with good chances to generate good quality project proposals where co-financing is assured. Member States should concentrate their funding on a few objectives which have the most significant impact using EU-funding. Objectives which are not (or less) relevant for the needs of the Member State should be excluded from operational programmes.

Choose the right indicators

Thematic shifts have not been problematic for most of the Member States. However, developing appropriate and feasible indicators (most of all result indicators) have been a big issue in the programming phase. Many Member States stated that baseline data are simply not available. MS propose in some cases to conduct surveys at the beginning of the programming period in order to get these baselines. This is questionable if independent surveys in different MS will lead to comparable data-sets at European level. MS still fear the change in regulation regarding performance orientation along result indicators.

13. Result indicators should not be linked to payments by the European Commission. Especially in the EU15, some Member States have very small budgets which would not have any significant impact on any proposed result indicator.
14. Member States should only choose result indicators which are easily achievable and where data is available.

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Interviewees:

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- Katre Eljas-Taal – Technopolis Group, Estonia.
- Interview with Eugeny Ivanov, General Manager, Euroconsultants Bulgaria SA AD, Bulgaria.
- Interview with Paul Jeffrey, GHK Consulting Limited, United Kingdom.
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- Peter Schneidewind, Metis GmbH, Austria.

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