

Position of the MOT on the Commission Staff Working Document: Elements for a Common Strategic Framework 2014 to 2020

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I. INTRODUCTION

On 6 October 2011, the European Commission published the proposals for the 2014-2020 regulations on Cohesion policy:

- ≡ A Common Provisions Regulation ;
- ≡ Three specific regulations for the ERDF, the ESF and the Cohesion Fund ;
- ≡ Two regulations dealing with the European Territorial Cooperation (ETC) goal and the European Grouping of Territorial Cooperation (EGTC) ;
- ≡ Two regulations on the European Globalisation Fund (EGF) and the Programme for Social Change and Innovation ;
- ≡ A communication on the European Union Solidarity Fund (EUSF).

On 14 March 2012, the Commission published a working document that is an overview of the Common Strategic Framework (CSF), which aims to assist Member States in the preparation of the future Cohesion Policy programming period and, especially, the Partnership Contracts and the programmes.

The CSF will be adopted in its final form within three months of the adoption of the legislative package on the 2014 – 2020 Cohesion Policy Funds.

The Transfrontier Operational Mission (Mission Opérationnelle Transfrontalière – MOT) publishes the present position paper on the Working Document of the Commission in order to express its views on the aspects concerning cross-border cooperation in the CSF.

Presentation of the Transfrontier Operational Mission (MOT):

The Transfrontier Operational Mission, created in 1997, is both an association and a French inter-ministerial structure, which has the main objective of facilitating cross-border projects. Its missions are operational assistance to leaders of cross-border projects (project development, legal structures, studies, etc.), networking, assistance in the definition of overall strategies in cross-border cooperation, and implementation of European projects. The MOT brings together within its network sub-national authorities and their groupings, associations, cross-border structures, large corporations, states, etc. involved in cross-border cooperation and situated on both sides of the border. It has 59 members, from 12 European countries.

To date, the MOT has concentrated its work on cross-border proximity cooperation and the assistance to the definition of policies regarding with cross-border territories.

Website: www.espaces-transfrontaliers.eu

II. POSITION

The MOT would like to express its reactions and suggestions on the six proposed chapters of the CSF detailed in the working document of the Commission, as well as on its two annexes.

The proposed structure and content of the CSF are satisfactory. However, the MOT believes that there should be more integration between the two goals of the 2014-2020 Cohesion Policy: “Investment for Growth and Jobs” and “European Territorial Cooperation” as detailed below.

The MOT would like to express its regrets that the working document presented by the Commission, no longer foresees to include in the CSF, as written in the draft regulation: the key territorial challenges for urban, coastal and fisheries areas, as well as areas with particular territorial features (art 174 and 349 of the TEU), that include cross-border and outermost regions. In addition, the working document allocates a lower ranking in the summary of the CSF to the priority areas for cooperation activities that are thus disconnected from the key actions to be supported by the CSF Funds.

1. Thematic objectives, investment priorities, and key actions

In the view of the MOT, **the investment priorities for the ETC goal should be defined in the first part of the CSF that sets out the key actions**, thus emphasising the complementarity between the two main goals of the Cohesion Policy. In our view, to separate the priorities for cooperation (last chapter of the CSF) from the thematic objectives and key actions (first chapter) is in contradiction to two of the flagship concepts of this new programming period, which are the coordination and integration of CSF Funds and a more strategic approach to the Funds.

Therefore, the MOT proposes that the first and sixth chapters of the CSF be merged together and that the key actions of the two goals of the Cohesion Policy be treated in parallel. In practical terms, in the annex of the CSF, for each on the eleven thematic objectives, the entry on **the key actions for the ERDF should contain two main paragraphs, one for the “Investment for Growth and Jobs” goal and one for the “European Territorial Cooperation” goal**. The latter should contain three entries, one for each strand: cross-border, transnational, and interregional. The MOT considers paramount that **the cross-border and transnational strands be clearly distinguished** in order to ensure a clear and straightforward implementation of the programmes as well as a better complementarity between strands. Cross-border and transnational cooperation require distinct types of projects, scales of implementation, and partnership composition; it is therefore important to identify at the earliest stage the different types of actions that can be eligible to these two strands of ETC, in order to avoid overlaps, contradictions between national frameworks or confusion for the project leaders.

The MOT agrees with the need to **concentrate resources on the objectives of Europe 2020** through the set of eleven thematic objectives proposed by the Commission in the draft regulations published in October 2011 and detailed in the working document on the CSF published in March 2012. However, the MOT would like to point out **the need to make sure that all aspects necessary to the harmonious development and integration of border regions are included in Europe 2020**, so as to guarantee that all important projects are eligible to funding. The MOT considers that the thematic concentration as it was conceived by the draft regulations (four out of eleven objectives) does not fully apply to the specificities of CBC and should be interpreted with great caution so as not to undermine the objectives of the newly strengthened territorial cohesion and local integrated development. A too strong specialisation of CBC programmes is not entirely desirable as the integration of cross-border territories calls for interventions in a greater number of sectors, cross-cutting actions (e.g.: on the mutual understanding of populations and border territories), the establishment of a governance and an appropriate territorial engineering. Thematic concentration should not lead to the disappearance of micro-projects, of people-to-people actions, or actions in the field of culture, tourism or social policies.

On this aspect especially, the MOT believes that **the specific situations of the outermost regions should be taken into consideration and provisions should be adapted to meet their needs**: first, by ensuring that a wide range of thematic objectives are available to them, second, by making possible the financing of projects in non-EU Member States, and third, by ensuring the coordination of the CSF Funds with the European Development Fund.

2. Coherence and consistency with the EU economic governance

The MOT supports the idea that the **programming mechanisms of the CSF Funds need to be flexible enough to address new challenges that can emerge in future contexts**. The flexibility is especially important in border regions, which are particularly sensible to changes not only from their national states but also from the neighbouring states.

3. Reinforcing coordination and integration

≡ Coordination mechanisms between the CSF Funds

The MOT fully supports the Commission's position for a **better coordination between funds** in order to avoid overlaps and especially to maximise synergies between the programmes. This is particularly important in a cross-border context as, in order to fully meet the needs of the border territories and to maximise the impact of the Funds on these territories, the European Regional Development Fund (ERDF) allocated to the cooperation programmes should be better coordinated with the ERDF allocated to the regional programmes, as well as the European Social Fund (ESF),

the European Agricultural Fund for Rural Development (EAFRD), the European Maritime and Fisheries fund (EMFF) and Cohesion Fund (CF).

However, the CSF needs to go beyond the single principles of coordination and integration of Funds and it could **offer definitions of the types of coordination and integration between Funds**. In addition, based on the CSF, the Commission could draft a **method guide for the practical coordination of programmes and Funds**, since a general agreement on definitions and methods between Member States and at the European level is needed to ensure that there will be actual coordination between funds and programmes regarding ETC.

The MOT is highly positive to the emphasis given by the Commission to the partnership between ministries and managing authorities in the implementation of the CSF. The MOT particularly supports the **reinforcement of the place of sub-national authorities (especially regional authorities) in the elaboration, implementation, monitoring, and evaluation of the Partnership Contracts**. The MOT considers that sub-national authorities should be given a more important strategic role in defining and implementing the Partnership Contracts, being both the best scale to identify the needs of the territories and to implement CBC programmes and projects. The implication of sub-national partners in the elaboration of the Partnership Contracts has to be genuine and not a simple consultation or a request of approval of a strategy already built. In addition, sub-national authorities or their representatives should have a significant place within the national steering committees during the programming period.

The MOT fully supports the provisions to identify in the Partnership Contracts the areas of intervention where the CFS Funds could be used complementarily. It is important to insure that this measure will effectively apply to the ETC goal. Particularly in a cross-border context, this means that **the possibility of multi-fund intervention in CBC operations should be facilitated** taking into account the specificities of CBC.

In order to fully apply the principles of complementarity and integration for the ETC goal and especially the CBC, the MOT believes that neighbouring Member States should work at common objectives, priority objectives and instruments for CBC. Thus, **neighbouring Partnership Contracts should articulate their chapters on CBC and ensure that other aspects linked to strategy of implementation with an impact on CBC are coherent**. This is especially important if the thematic concentration is maintained, as well as to give programmes a more strategic dimension and to ensure a better coordination between these programmes.

The MOT supports the reinforcement of **mutual information and better coordination between different managing authorities**. In an ETC context, this is especially useful between adjoining CBC programmes or between a transnational programme and the CBC programmes included in its perimeter.

The MOT is very positive towards the initiative of simplification through a **more coherent planning and implementation arrangements** (for instance: the coordination and coherence of programme strategies, of calls for projects and project submission processes and requirements). In addition the MOT welcomes the initiative of **harmonisation of eligibility rules** to reduce burden on beneficiaries and facilitate the articulation on different programmes. This last point is paramount in a CBC context, first at the scale of a single programme, then between neighbouring programmes and finally between other ETC or regional programmes.

≡ **Coordination mechanisms for the CSF Funds with other EU policies and instruments**

The necessity to ensure **the articulation between the Cohesion Policy financing instruments and the other EU policies** is a position shared by the MOT. In a CBC context it is imperative that the Cohesion Policy be articulated with the internal market, competition, employment, maritime affairs, rural development, transports, environment, etc.

≡ **Integrated approaches to the delivery of the CSF Funds**

The MOT fully supports the instruments to implement integrated approaches to territorial development and believes that **the CSF should provide more details about the functioning of these instruments in order to make sure their implementation will be straightforward in a CBC context**. The contribution of the CSF is especially important on this point in order to avoid contradictions between national interpretations in the Partnership Contracts that would hinder their implementation in a CBC context.

For the **community-led local development (CLLD)**, coherence at the European level must be particularly ensured between the main objectives and priorities, the type of territories, the role of the local action groups (LAG), as well as the role of each Fund, elements that will be detailed in the Partnership Contracts. The MOT believes that for the implementation of truly integrated development strategies it is necessary to include in the LAGs regional and national public and private actors, alongside local ones. Multilevel coordination should accompany horizontal coordination as the local partnership may not detain all competencies necessary and may require expertise, additional funding, but also as to ensure the coherence between local initiatives and regional and national policies. The MOT also believes that the participation of non-public sector partners in the LAGs is very important but deems that establishing their participation at 50% may be a hinder to the creation of LAGs, especially in a cross-border context. In addition, it would be useful to know whether an EGTC could participate to a LAG and in what practical way.

The framework of the **integrated territorial investments (ITI)** should be clarified in the CSF and Partnership Contracts in order to ensure that an ITI can be funded by several programmes (one CBC and one or more regional programmes from one or more member states). The MOT believes that this highly useful tool should not be limited to an urban context, but made available also to mixed areas or integrated rural areas (natural parks, for instance). In a cross-border context it is essential that EGTC can manage an ITI even if its territory is not only urban.

Regarding the **joint action plans (JAP)**, the CSF should also provide clarifications, especially on the composition of the steering committee in the case of an EGTC-led JAP since, as the draft regulation states, the members of the EGTC cannot form the majority within the committee.

4. Horizontal principles and policy objectives

The MOT supports the **horizontal principles and policy objectives** of the implementation of the CSF Funds mentioned by the working document: the promotion of equality between man and women and non-discrimination, and sustainable development.

5. Meeting the territorial challenges of smart, sustainable and inclusive growth

The MOT agrees with the five points **that the Partnership Contracts** should take into account and believes that these points **should be developed with an broad approach, taking into consideration not only national context, but also the European context and especially that of neighbouring countries.**

First, **the analysis of the development potential and capacity of the Member States and regions should take into consideration cross-border aspects and the situation on the other side of the border**, especially in the analysis of the local characteristics.

Second, **the assessment of the major challenges to be addressed by Member States and regions in the Partnership Contracts should take into consideration the situation of neighbouring Member States and regions (and non-EU Member States)**, as well as cross-border connections with them.

Third, the MOT agrees with **the importance to assess coordination challenges of cross-sectoral, cross-jurisdictional, or cross-border nature**. This exercise should be done, when necessary, on all diagnosis points of the CSF and Partnership Contracts.

Fourth, the MOT is positive to the idea that **the Partnership Contracts should support the coordination across different territorial levels and sources of funding.**

Fifth, the MOT also supports the provision to elaborate **specific result indicators to evaluate the objectives fixed by each programme**. For the MOT, it is important that indicators are relevant to the realities and objectives of CBC programmes. Therefore, qualitative indicators should also be retained and it should be taken into consideration that the timeframes for evaluating CBC projects are longer. Whilst supporting the Commission's increased focus on the performance and output of programmes, it will be important to ensure that the indicators used are limited, meaningful and qualitative as well as quantitative. The effort put into measurement should be proportionate to the value of the projects and the capacities of the project leaders and the management authorities.

The MOT believes that the CSF could mention the need for **the creation of a new generation INTERACT programme at EU level, aiming to assist in the implementation of the cooperation programmes**, to facilitate the sharing of information, experience, results and good practices. This initiative should not only deal with managing aspects, as was the case in the current programming period, but also be more oriented towards the strategic dimension of the programmes (strategies; territorial diagnosis; development, selection, monitoring and evaluation of projects) and towards projects, allowing to capitalise on thematic aspects (specificity of cooperation context for the investment priorities resulting from the menu of thematic objectives of the regulations) and territorial aspects (specificities of ITI, local development, etc. in the cooperation context).

The new INTERACT may develop these new orientations in synergy with the other network programmes: Interreg C, ESPON, URBACT. It should have national contact points in every Member State in order to be more in contact with the sub-national public authorities that are partners in the monitoring committees, not only to Managing Authorities or Joint Technical Secretariats (JTS); moreover, these national contact points should act as a network (as it is the case for the ESPON national contact points).

6. Priorities for cooperation activities

This point was treated inside the first chapter “Thematic objectives and key actions” (see above).

ANNEX II. Priorities for cooperation

As written in the first point on the thematic objectives and key actions, the annex of the CSF should contain, for each on the eleven thematic objectives, **the key actions for the ERDF for the “Investment for Growth and Jobs” goal and for the “European Territorial Cooperation” goal** (making sure to clearly distinguish the three strands: cross-border, transnational, and interregional).

The MOT deems **the current version of the priorities for cooperation unsatisfactory**, particularly because it treats the cross-border and transnational cooperation in the same chapter insufficiently underlining the differences between the strands. In addition, the key actions are presented in a random order that does not respect the order of the eleven thematic objectives, uses at times different wording for the actions than the one used in annex I, and mixes several actions from different objectives in the same paragraph. This creates confusion and does not facilitate the elaboration of the Partnership Contracts and cooperation programmes.

With respect to the ESF, the MOT would like to point out that the contribution of this Fund to the ETC goal should not be limited to the transnational aspect and to mutual learning. **In a cross-border context, the ESF could be a useful complement to ERDF funding or CBC programmes**, in actions for instance in specific cross-border labour markets, education (bilingualism) and training.