

11.05.12

Resolution
of the Bundesrat

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions concerning the European Union Strategy for the Baltic Sea Region

COM(2012) 128 final

At its 896th meeting on 11 May 2012, under the terms of Sections 3 and 5 of the Act on Cooperation between the Federation and the *Länder* in European Union Affairs (EUZBLG), the Bundesrat adopted the following opinion:

1. The Bundesrat essentially welcomes the Communication from the Commission concerning the European Union Strategy for the Baltic Sea Region. Its strategic focus on the three overall objectives 'Save the Sea', 'Connect the Region' and 'Increase Prosperity' helps in implementing the Strategy. The Bundesrat also considers that the alignment of the Baltic Sea Strategy with the Europe 2020 Strategy for smart, sustainable and inclusive growth basically makes sense. It is also to be welcomed that the Commission makes clear the need for political commitment to the Strategy at all levels. Knowledge gained through implementing the Strategy needs to be taken into account in policymaking. The Bundesrat also backs the Commission's ideas as regards the roles and responsibilities of the main stakeholders in implementing the Strategy. Effective governance of the Strategy is key to its success.
2. The Bundesrat welcomes the designation of policy indicators for improving the measurability and communicability of the specific implementation of the Baltic Sea Strategy. There is some doubt, however, whether it will be possible in every case to influence all the targets mentioned by the measures in the Action Plan and the Priority

Areas.

3. The Bundesrat considers that the indicators adopted under the strategic pillar 'Save the Sea' are basically well chosen and helpfully aligned to existing targets in other policy areas such as the HELCOM Baltic Sea Action Plan or the Integrated Maritime Policy. The Bundesrat agrees with the Commission that the Maritime Spatial Plan can also contribute decisively to achieving the objective. It therefore supports the Commission in its concern to contribute to a common transnational approach to the Member States' maritime spatial planning, also in order to take the transboundary impacts of national decisions into account. At the same time the Bundesrat underlines the Commission's comment that it is the Member States which are responsible for both terrestrial and maritime spatial planning. Against this background the Bundesrat takes a critical view of the mandatory preparation of transboundary Maritime Spatial Plans in the Baltic Sea Region by 2015 that is proposed as an indicator, in particular due to the time horizon, *inter alia* because not every country has national rules for maritime spatial planning. The Bundesrat points out, furthermore, that this also pre-empts the legislative proposal announced by the Commission.
4. The Bundesrat is pleased that, in connection with the 'Connect the Region' objective, the Commission proposes the completion of the seven main TEN-T land and sea priority projects, for example that of the Fehmarn Belt fixed link by 2020, as an indicator. To that extent a particular duty of implementation devolves upon the Commission, since with the 'Connecting Europe Facility' it has proposed a financial instrument that is centrally controlled from Brussels.
5. With regard to the 'Increase Prosperity' objective the Bundesrat urges that the Commission further flesh out the measures envisaged there in the framework of the areas of action already proposed in the Baltic Sea Strategy. For example; the Commission should make it clear what in its view a pan-Baltic Sea Region Innovation Union might look like. The Bundesrat further points out that implementation of the target of 'A 15% increase in intra-regional trade and cross-border services by 2020' lies only to a small extent within the competence of those responsible for implementing the EU's Baltic Sea Strategy. Finally, the Bundesrat basically welcomes the Commission's proposal to increase the number of people participating in programmes of cultural, educational, scientific exchange and cooperation. All the same, the Bundesrat considers the proposed target of a 20% increase by 2020 to be inappropriate and therefore proposes that the targets agreed in the framework of European education cooperation be applied in the Baltic Sea Strategy as well (e.g. increasing mobility in vocational education and training to 6%).

6. The Bundesrat agrees with the Commission that there must be sufficient funds available for measures which serve the EU's Baltic Sea Strategy. The Bundesrat shares the Commission's view that the funds available at national and European level therefore have to be used effectively. It does, however, think that a sharper distinction needs to be made between the different funding programmes. In the opinion of the Bundesrat, making a general reference to existing programmes, and also introducing prioritisation obligations that cannot immediately be put into practice, are not the way to success
7. The Bundesrat points out that the comprehensive linkage to all available financial resources called for in the Communication will not be possible for a large number of EU programmes. In the case of action programmes, these are not usually geographically orientated but geared instead to the implementation of the respective policies. Besides which, control of access to funds from the action programmes is basically not open to Member States. What possibilities there are for control are limited instead to making potential user groups, such as scientists, aware of the possibilities of certain tendering competitions and their indirect significance for the EU's Baltic Sea Strategy. The Bundesrat asks the Commission for clarification on how non-regionally-orientated action programmes can be better utilised for implementing the Strategy.
8. Even now, of the EU's aid programmes the European Territorial Cooperation (ETC) programmes in the Baltic Sea Region – specifically, here, the transnational Baltic Sea programme – already represent the most important financial basis for implementing the Strategy. This is likely to be the case in the new funding period 2014-20 as well. The Bundesrat would like to see the thematic orientation of the future Baltic Sea programme more closely aligned to the targets and actions of the Strategy, so as to achieve a closer match both geographically and as regards content. Besides that, the Bundesrat already expressed its approval, in its Opinion on the Proposal for a Regulation on European territorial cooperation (Bundesrat Printed Paper 613/11 (Resolution)), that in future, by virtue of Article 6, first sentence, (b) of the draft ETC Regulation, the development and implementation of macro-regional strategies are also to be supported under transnational cooperation. It should not, however, be possible to use this investment priority only for coordinating the Strategy – it should be used for the benefit of the flagship projects as well.
9. The Bundesrat stresses that the progress made by a larger territory often stems from model regions or economic nodes. The same is also true for the Baltic Sea macro-region. Concrete actions in smaller, but functionally related areas can have exemplary effect for the whole of the Baltic Sea, notably in the implementation of the proposed core objectives. But functional, cross-border sub-regions often do not

coincide with the designated ETC funding areas. They are, however, of great importance for economic, social and territorial cohesion. Nevertheless there are only a limited number of possibilities of funding for them, since a successful application in the present Baltic Sea Programme usually calls for the maximum possible geographical overlap by the project partners. The Bundesrat therefore once again asks for development of these sub-regions, which in many cases lie below the level of macro-regional and transnational cooperation areas, to be taken up as a possible field of action in Article 6, first sentence, (b) of the proposed ETC Regulation.

10. The Bundesrat agrees with the Commission that the potential of European Groupings of Territorial Cooperation (EGTC) should be explored as a tool for better implementation of the Strategy. The Bundesrat considers that it should also be possible for sub-regions to be able to use this instrument in the interest of the Baltic Sea Region as a whole.
11. The Bundesrat welcomes the fact that macro-regional strategies are explicitly mentioned in Article 14 and in Article 87 of the Proposal for the Regulation for all EU funds in shared management (General Regulation, Bundesrat Printed Paper 629/11) and that therefore special importance is attached to them.
12. The Bundesrat is pleased that the eligibility of macro-regional strategies for aid from the Structural Funds is essentially guaranteed.
13. The Bundesrat also sees the possibility of taking into account, in the forthcoming partnership contracts and operational programmes of those countries that are wholly or partially affected geographically by a macro-regional strategy, the macro-regional strategies and the strategies for the marine areas, setting out in a general way how and with what instruments the Member States or the *Länder* wish to contribute to the implementation of those strategies. It must be ensured that the Member States or *Länder* decide for themselves on how and to what extent these strategies are to be taken into account in determining the content and strategic orientation of the operational programmes. Their statements and the degree of support must remain indicative and must not be made into approval criteria for the partnership contract or operational programmes. The Bundesrat draws attention to point 40 of its Opinion on the Proposal for all EU funds in shared management of 16 December 2011 (cf. Bundesrat Printed Paper 629/11 (Resolution)), stating that European targets and priorities must not too heavily restrict local flexibility, i.e. the strategies of the operational programmes must be able to fix their own priorities according to specific regional needs.

14. Regional programmes like the European Regional Development Fund (ERDF) and the European Social Fund (ESF) can make a useful additional contribution to the implementation of the Strategy in the objective 'Investment in competitiveness and employment'. The Bundesrat points out that it is precisely through cooperation between science, research and innovation in the Baltic Sea Region that decisive contributions can be made to all three overall objectives.
15. The Bundesrat underlines at the same time that the content and scale of the contribution from the ERDF and the ESF (objective 'Investment in growth and employment') should be determined in the respective operational programmes and therefore by the competent regions. That applies especially in the context of regions with widely varying conditions at the outset. In the preparation of the operational programmes it should be checked what contribution the particular programme can make in support of the strategy. The Commission should advise the affected structural aid programmes individually on how to identify suitable measures. At the same time the Commission should foster cohesion between the affected programmes of the Baltic States through common contents beneficial to the Strategy. But it should also be remembered that these programmes chiefly concern regional aid and sufficient room needs to be left for regional planning.
16. The Bundesrat rejects mandatory quantified EU targets (which limit regional flexibility) for taking into account macro-regional strategies and the strategies for the marine areas in the common strategic framework, in partnership contracts and in the mainstream programmes (operational programmes) for the objective 'Investment in growth and employment'. The recommendations provided for in the common strategic framework for the contributions of the mainstream programmes to macro-regional strategies, in particular preferential treatment in project selection, must not be made into mandatory requirements but must remain within the competence of the Member States or the *Länder* as an optional translation of the macro-regional strategies into the operational programmes.
17. The Bundesrat considers that the European added value of macro-regional strategies and the strategies for the marine areas lies in greater cooperation between states and regions in the macro-regions concerned. The respective actions and projects involve several Member States and/or regions (*Länder*) that want to promote cooperation in specific fields. The Bundesrat therefore sees European Territorial Cooperation mainly as a particularly suitable tool for implementing the objectives of the macro-regional strategies, and here in particular the trans-national orientation (INTERREG B).
18. The Bundesrat points out that in the programming period 2007-13 the mainstream

programmes already made decisive contributions to the implementation of macro-regional strategies, including in support of the EU's Strategy for the Baltic Sea Region, and that this is documented by relevant reports. The Bundesrat also points out that support given to the Baltic Sea Strategy by the mainstream programmes must not be combined with the creation of new reporting obligations. The present procedures are tried and tested. Any further specifications as to the form, content and scope of additional reporting obligations and for required attainment of fixed objectives will be critically assessed and rejected.

19. Any more administrative burdens would be obstructive and would hinder rather than promote the implementation of the Strategy by these programmes. Detailed schemes like the long-term projects referred to in the Communication are to be rejected in any case. The Bundesrat also points out that as regards the operational programmes of Structural Funds support there are specific indicators available for the implementation of each programme that should also be used for any reporting with regard to the Baltic Sea Strategy. The Bundesrat rejects any further creation of indicators for the mainstream programmes.
20. The Bundesrat agrees with the Commission that cooperation with neighbouring countries, in particular with the Russian Federation, should be intensified. In this, particularly cooperation at regional level can lead to speedy success. In the trilateral cooperation between Turku, St. Petersburg and Hamburg, for example, the focus should be on specific forms of cooperation – say in the areas of environmental protection, water supply, employment and innovation – which are aimed at implementing the Strategy at regional level.
21. The Bundesrat will transmit this opinion directly to the Commission.