

OPINION

on the proposal for a regulation of the European Parliament and of the Council on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal.

COM(2011) 611

Having regard to the Lisbon Treaty, in particular Articles 5 and 12 of the TEU and Protocols 1 and 2 annexed to the Treaty,

Having regard to the Romanian Constitution, as republished, in particular Article 148,

Having regard to Decision of the Chamber of Deputies No 11/2011,

Taking into account the draft opinion presented by the Committee for Employment and Social Protection at its meeting of 1 November 2011,

Taking into account the draft opinion presented by the Committee for Budget, Finance and Banking at its meeting of 22 November 2011,

Taking into account the draft opinion presented by the Industry and Services Committee at its meeting of 29 November 2011,

Taking into account the opinion presented by the Committee for Economic Policy, Reform and Privatisation at its meeting of 6 December 2011,

Taking into account the final draft opinion presented by the Committee for European affairs at its meeting of 19 December 2011,

Having regard to the approval given by the Permanent Office of the Chamber of Deputies on 22 December 2011,

The Chamber of Deputies, acting in accordance with Article 40 of Decision No 11/2011 of the Chamber of Deputies of 27 April 2011 hereby adopts this **opinion**:

1. The Chamber of Deputies appreciates the clarity and flexibility of the proposal for a Regulation and considers that it successfully reflects at administrative level the priorities of the cohesion policy, which is the main investment instrument for supporting the key priorities of the Union as enshrined in the Europe 2020 strategy.

2. The Chamber of Deputies considers that the proposal could be made more efficient if the following procedural aspects were to be considered for further development:

a) Article 13 – The Implementation Reports – states: 'by 30 April 2016 and by 30 April of each subsequent year until and including 2022, the managing authority shall submit to the Commission an annual report [which includes]:

- progress in implementation of the evaluation plan and the follow-up given to the findings of evaluations;

- the specific actions taken to promote equality between men and women and to prevent discrimination, including accessibility for disabled persons, and the arrangements implemented to ensure the integration of the gender perspective in the operational programme and operations;

- actions taken to promote sustainable development;'

These reporting areas are included both in the mainstreaming policy of the European Union and in established practice. However, opinions were expressed that such reporting is often little more than a box-ticking exercise. For this reason, the Chamber of Deputies considers that it would be sufficient for reports of the type mentioned to be due every three years rather than every year. Other ways of monitoring the actions specified for these objectives, such as annual seminars with the organisations concerned, would be more efficient than the report.

b) Article 16 – Technical assistance – states: 'the amount of the ERDF allocated to technical assistance shall be limited to 6% of the total amount allocated to cooperation programmes, but shall not be less than EUR 1 500 000.'

The Chamber of Deputies considers that setting a ceiling for technical assistance is both welcome and normal. However, the value of 6% does not appear to be justified in terms of the real needs of the programme, taking into consideration many Member States' extensive experience in such programmes. The Chamber of Deputies recommends analysing the possibility of reducing this ceiling to 3% for beneficiary regions with a higher level of development.

c) Article 17 – General rules on eligibility of expenditure – states: 'the Commission shall be empowered to adopt delegated acts in accordance with Article 29 to set additional specific rules on eligibility of expenditure for cooperation programmes.'

For reasons of budgetary prudence, the Chamber of Deputies considers the provision to be a welcome one. However, it would be advisable to keep the possibility of issuing specific eligibility rules to a minimum, in order to maximise the efficiency of the programmes themselves. The Chamber of Deputies requests a presentation of how it will be ensured that there is no legal excess.

d) Article 18 – Staff costs – states: 'Staff costs of an operation may be calculated as a flat rate of up to 15% of the direct cost other than the staff costs of that operation.'

In the context of increasing capacity for organisations to implement some specific functions using their internal resources, the Chamber of Deputies considers that the limit is set too low and recommends increasing the flat rate to 25% or establishing some procedural means to this effect.

The substance of this proposed regulation does not affect the substantive aspects of national law and is in compliance with the national judicial framework.

This opinion is addressed to the President of the European Parliament, the Council and the European Commission.

Roberta Alma Anastase, President of the Chamber of Deputies of the Romanian Parliament