

BACKGROUND FICHE FOR HIGH LEVEL GROUP: PROGRAMMING

Process and timing

After the Commission had made the legislative proposal on the European Structural and Investment Funds for the 2014-2020 period in October 2011, position papers were sent to Member States in autumn 2012¹ and informal negotiations were held up until the Common Provisions Regulation came into force at the end of 2013. The informal and formal submission of Partnership Agreements (PAs) – with Commission observations – and programmes followed. The PAs were adopted between May and November 2014, the programmes between June 2014 and December 2015.

Even for the fastest Member States, it took more than 1.5 years to have their programmes adopted from the start of the informal negotiations. For the slowest it took almost 3.5 years. The informal negotiations speeded up the process (the corresponding ECA audit also recognised this) and ensured the earliest possible adoption of programmes. It should be noted that the 2014-2020 negotiations were faster overall compared to 2007-2013.

Equally, the process of re-programming sometimes turns out to be heavy procedure and needs to be balanced against the need for flexibility.

Evaluation of the process

According to the Simplification Study², the results from survey and interviews on the benefits of Partnership Agreements replacing the National Strategic Reference Framework were mixed, mostly as a result of different national specificities. Some participants linked the Partnership Agreement to increased complexity and administrative effort, in particular in federal Member States. They argued that the coordination effort needed to streamline the different administrative procedures and integrate the different logics they are following (e.g. in terms of linking objectives and operations under the EAFRD to the overall goal of growth and employment) rendered the process more cumbersome.

On the other hand, some participants affirmed the positive effect of the provision, which led to a more strategic and integrated approach in some Member States along the lines of the European Semester and the Europe 2020 strategy, leveraging synergies, eliminating duplications and even bringing benefits in terms of increased institutional capacities.

Additionally, while acknowledging positive influence on the quality of investment, the introduction of new elements in the legislative framework such as ex-ante conditionalities, performance framework, wider use of financial instruments, territorial instruments (eg Article 7 ERDF), structured information in programmes, all slowed down the preparations due to the initial time and resource investment needed to understand and develop these.

Based on the above, the programming process is still too long and needs to be shortened – in some cases considerably. There is scope for streamlining the programming architecture to enhance its focus. The challenge is finding common solutions that are helpful to all, notably as there are conflicting views about different elements of the existing procedure. Moreover,

¹ The position papers identified the key investment priorities in each Member State and were drafted by the Commission as a basis for negotiations.

² Study on the "Use of new provisions on simplification during the early implementation phase of ESIF", available on http://ec.europa.eu/regional_policy/en/policy/how/improving-investment/studies_integration/

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the impact of the various elements on different Member States, especially in relation to size, makes the challenge all the more difficult.

With this in mind, the Commission services would welcome the High Level Group's views on the following questions.

Suggested questions for the High Level Group to consider:

- What was Member States and regions' experience with the position papers? How should the Commission position be presented to further help to focus discussion and speed up preparations in the Member States and regions? How to better align the Funds with the European Semester process?

Was the PA considered useful or not by Member States and regions (and why?) Do (all) Member States need such a strategic co-ordination document? If not, what would be the differentiation criteria or alternatives to having a PA? Is a Commission decision on the PA necessary, or could it be a Member State document only?

- From a programme content point of view:
 - which elements are crucial for programme managers;
 - what elements could be provided to the Commission for information only (possibly in a structured way) without being part of the programming documents;
 - which elements do not need to be provided to the Commission at all?
- Several aspects of 2014-2020 programme architecture have been criticised as too complex. How can the implementation of the territorial aspects (including ITIs and CLLD) be simplified?