

INVESTEERT IN
JOUW TOEKOMST

ESF

**Subsidiarity and proportionality
HLG on Simplification
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Purpose of the presentation

- Feeding discussion on shared management/implementation with principles of subsidiarity and proportionality

Subsidiarity

- ▶ Is a principle which governs the choice of who should act, in situations where potentially more than one actor is able to act;
- ▶ In the EU context, it refers to the choice of whether to act at EU, national or sub-national levels, with a preference for the level closest to citizens.
- ▶ The Dutch Government review concluded that subsidiarity could be summed up as “Europe where necessary, national where possible”
- ▶ It is not a type of competence, but rather a principle that must be followed

Translated in ESIFunds

- ▶ Setting up the regulation in a close partnership between EU, national, regional and local authorities and civil society
- ▶ Programming at the appropriate level, national or regional with involvement of local authorities
- ▶ Implementation with clear responsibilities of every level in every step of the procedures (from call over selection, monitoring and control), including clear ex-ante agreements on co-financement of priorities/actions
- ▶

Options

- ▶ Cfr note Malina Kroumova
- ▶ In the option of “One policy one fund”:
 - Include all relevant programmes in one fund (f. i. ESF with EGF and Easy and even parts of LLL)
 - Shared, indirect or direct management in one OP, varying with the priorities of the OP
 - Real partnership from all partners involved, including the EC
 - Clear division of responsibilities in all steps
 - Takes a very hands-on way of working
 - Should solve problems on state aid

Proportionality

- ▶ Originates from the criminal atmosphere
- ▶ Transposed to EU action it requires that:
 - action be no more than is needed to achieve the intended objective.
- ▶ Thus the need for action, and the costs and benefits that can be expressed must be examined.

Differentiation of applicable rules

- ▶ Cfr notes Malina Kroumova and Häkan Forsberg
- ▶ Budget
- ▶ Objectives
- ▶ Performance
- ▶ Co financing rates
 - MS/regions and contribute an even share or more to the total public budget
 - Trust should be given to the national/regional procedures
 - EC should limit itself to monitoring results and system auditing

Differentiation of applicable rules

- ▶ One Policy One Fund
 - Clear ex ante division of responsibilities,
 - Clear and effective partnership
 - Rules of different ways of managing the different priorities in an OP could vary from shared over indirect to direct management
- ▶ Historical management performance: historical consumption, results achieved and low error rate in the past should make room for far a simpler management, reporting and less audit and or application of only system audits with application of SISA