

WELCOME!

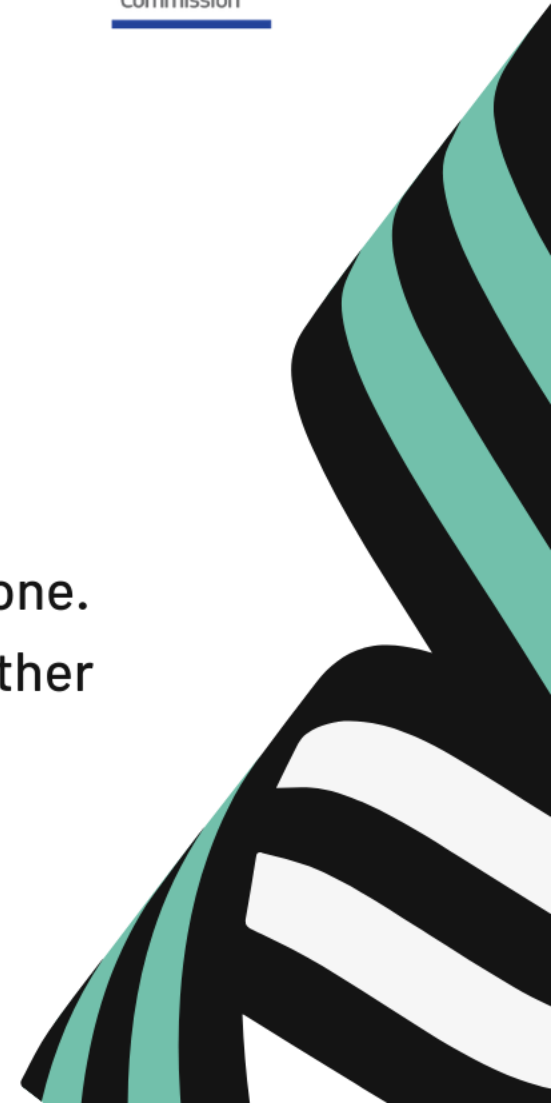


2021-2027 Technical seminars:

The session will start at 9h30

Good practices in Webex:

- To avoid background noise during the meeting, please mute your microphone.
- In order to ask a question, please write it in the chat. The moderator will either read it or invite you to speak.
- Turn off your microphone when not speaking





Webinar on 2021-27 programming VOL 3, **PART I**

2021-2027 technical seminars

Chair: Kadri UUSTAL, Head of Unit for the Coordination of Programmes,
Directorate-General for Regional and Urban Policy

16 June 2021, Webex

Housekeeping rules

Default settings (unless speaking)

- Cameras switched off
- Microphones muted

If you want to ask a question

- Write your question in the **Q&A window**
- Send the question by email to REGIO-COORDINATION-OF-PROGRAMMES@ec.europa.eu

Web streaming - please follow the link

- <https://webcast.ec.europa.eu/2021-2027-technical-seminars-webinar-on-2021-2027-programming-vol-3>

The webinar will be recorded

- Presentations and recording will be shared after the webinar and available on Info REGIO

Agenda BEFORE lunch

General introduction

I. Horizontal and other principles + Q&A session

III. Outstanding programming and template-related issues
(I)
+ Q&A session

12.40-13.40 Lunch break

Please submit questions in the Q&A window or send them by e-mail to:

REGIO-COORDINATION-OF-PROGRAMMES@ec.europa.eu

Agenda AFTER lunch

II. Outstanding programming and template-related issues (II)
+ Q&A session

III. Outstanding programming and template-related issues
(III)
+ Q&A session

IV. Implementation issues + Q&A session

Summary

Please submit questions in the **Q&A window** or send them by e-mail to:

REGIO-COORDINATION-OF-PROGRAMMES@ec.europa.eu

Welcome and introduction

Normunds POPENS, Deputy Director-General,
Directorate-General for Regional and Urban Policy

Andriana SUKOVA, Deputy Director-General,
Directorate-General for Employment, Social Affairs & Inclusion

Materials from previous webinars

All available here: https://ec.europa.eu/regional_policy/en/conferences/2021-2027-technical-seminars/

Previous topics:

- [Just Transition Fund \(JTF\) - Webinar - 25/02/2021](#)
- [Designing & implementing SCOs and FNLC - Webinar - 23/02/2021](#)
- [Programming of the REACT-EU resources - Webinar - 09/02/2021](#)
- [Horizontal enabling conditions - Webinar - 19/10/2020](#)
- [InvestEU programme and financial instruments under shared management - Webinar - 15/09/2020](#)
- [Technical assistance and capacity building - Webinar - 26/06/2020](#)

1. Horizontal and other principles

1. Treatment of horizontal principles
2. 'Do no significant harm' principle
3. Climate and biodiversity targets
4. Accessibility
5. Partnership principle

Treatment of horizontal principles

Maeva ROULETTE, Unit for ESF and FEAD: Policy & Legislation, DG EMPL

9)

(1)

EU Charter of fundamental rights

- Member States and the Commission shall ensure respect for fundamental rights and compliance with the Charter of Fundamental Rights of the European Union in the implementation of the Funds.

Gender equality

- Member States and the Commission shall ensure that equality between men and women, gender mainstreaming and the integration of a gender perspective are taken into account and promoted throughout the preparation, implementation, monitoring, reporting and evaluation of programmes.

Non-discrimination, including accessibility

- Member States and the Commission shall take appropriate steps to prevent any discrimination based on gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation during the preparation, implementation, monitoring, reporting and evaluation of programmes. In particular, accessibility for persons with disabilities shall be taken into account throughout the preparation and implementation of programmes.

Sustainable development

- The objectives of the Funds shall be pursued in line with the objective of promoting sustainable development as set out in Article 11 TFEU, taking into account the UN Sustainable Development Goals, the Paris Agreement and the "do no significant harm" principle.

Treatment of horizontal principles in programming (art. 9) (2)

Partnership Agreement

- Section 2 - Policy choices, coordination and complementarity

Programmes

- Section 1 - Programme strategy: main development challenges and policy responses
- Section 2.1.1.1.1. on actions safeguarding equality, inclusion and non-discrimination

- How these horizontal principles will be taken into account throughout the preparation, implementation, monitoring reporting and evaluation of Partnership Agreement and programmes, with reference to specific challenges faced in the relevant area, as appropriate?
- Member States may refer to arrangements foreseen under the horizontal enabling conditions on the Charter and the UNCRPD.
- Example of measure: checklist to take these horizontal principles into account for all stages of the Partnership Agreement and programmes

Actions safeguarding equality, inclusion and non-discrimination

Examples of targeted operations:

- making existing public building accessible;
- actions to prevent and combat educational and spatial segregation,
- measures to promote women's labour market participation and reducing gender-based segregation in the labour market;
- mobile health screening actions in Roma settlements and complementing measures to ensure access to mainstream health screening;
- foster access to second chance schools, in particular for lone parents/young mothers with low education levels etc.

Examples of indicators: e.g. number of desegregated schools, number of accessible public buildings, number of projects dedicated to the sustainable participation and progress of women in employment

Examples of criteria: e.g. introducing criteria in the calls for proposal which require targeted actions, e.g. tackling educational and spatial segregation, increasing female labour force participation etc.

Treatment of horizontal principles in programming (art. 9) (4)

Tracking gender-related expenditure in the programmes: new dimension

ANNEX 1, TABLE 7: CODES FOR ESF+/ERDF/ CF/ JTF GENDER EQUALITY DIMENSION

ESF+/ERDF/ CF/ JTF gender equality dimension		Coefficient for the calculation of support to gender equality
01	Gender targeting	100 %
02	Gender mainstreaming	40 %
03	Gender neutral	0 %

For reference: OECD definition of equality markers

Not targeted (marked 0) – “gender neutral”

- means that the project / programme has been screened against the gender marker but has not been found to target gender equality – **0%**

Significant (marked 1) - “gender mainstreaming”

- means that gender equality is an important and deliberate objective, but not the principal reason for undertaking the project / programme, often explained as gender equality being mainstreamed in the project / programme – **40%**

Principal (marked 2) – “gender targeting”

- means that gender equality is the main objective of the project / programme and is fundamental in its design and expected results. The project / programme would not have been undertaken without this objective – **100%**

Example of how to fill in the programme template

Table 8: Dimension 7 – ESF+*, ERDF, CF and JTF gender equality dimension					
Priority No	Fund	Category of region	Specific objective	Code	Amount (EUR)
1	ERDF	More developed	1.1	01 Gender targeting	5 000 000
1	ERDF	More developed	1.1	02 Gender mainstreaming	10 000 000
1	ERDF	More developed	1.1	03 Gender neutral	85 000 000

Questions by Member States

- If we select the 40% marker under a SO, does it mean that 40% of all activities/funding need to be dedicated to actions promoting gender equality?
- Should gender-related expenditure be broken down by gender in the reporting?
- Can you please give us some examples of ‘gender mainstreaming’ and ‘gender targeted’ measures?
- Should we use the “gender neutral” marker (0%) if the programme is not planning to fund specific actions for gender equality?

Do no significant harm principle

Peter BERKOWITZ, Head of Unit for Smart and Sustainable Growth, DG
REGIO

The “do no significant harm” principle

- CPR Article 9 Horizontal principles: The objectives of the Funds shall be pursued in line with the objective of promoting sustainable development as set out in Article 11 TFEU, taking into account the UN Sustainable Development Goals, the Paris Climate Agreement and the "do no significant harm" principle.
- No significant harm to the six environmental objectives defined in the [Taxonomy Regulation](#) (art.9):
 - climate change mitigation
 - climate change adaptation
 - sustainable use and protection of water and marine resources
 - transition to a circular economy
 - pollution prevention and control
 - protection and restoration of biodiversity and ecosystems
- Article 17 of the Taxonomy Regulation defines what constitutes significant harm to each of the six objectives (with detailed criteria set out in the Delegated Acts)
- The principle shall be applied in a consistent manner across the MFF

The legal context of DNSH principle in cohesion policy

- The DNSH principle is mentioned among the horizontal principles in the CPR
- The legal framework of cohesion policy has to be taken into account: gaps where existing provisions do not fully address the DNSH compliance have to be filled (complementing SEA, exclusion from the scope of support, enabling conditions)
- The programme template (CPR Annex V) does not provide for sufficient space to present an exhaustive DNSH assessment
- The approach under cohesion policy needs to be consistent with that under the RRF, while allowing flexibility to MS on how to comply with DNSH

Cohesion policy legal framework in support of DNSH principle

- Compliance with relevant EU environmental legislation, which is an explicit requirement in the CPR
- Certain activities that are harmful to the environment are excluded from the scope of the Funds
- Cohesion policy programmes fall under the scope of the SEA Directive which requires MS to carry out a Strategic Environmental Assessment for each programme that are likely to produce significant negative impacts on the environment
- Contribution to the objectives of EU environmental legislation is supported by the thematic enabling conditions
- In case of non-compliance with any of the rules the regulatory framework provides for effective mechanism for not disbursing EU Funds to the programmes concerned

DNSH assessment of cohesion policy programmes

- Compliance with the principle has to be ensured during the programming stage
- The *types of actions* defined in the programmes have to be assessed with view to their potential to do significant harm to any of the six objectives
- The findings and results of the SEA process provide a starting point for the assessment (SEA can integrate the DNSH assessment)
- The approach outlined in the RRF [technical guidance](#) is proposed be followed
- Member States can apply other approaches for their assessment
- If an action was subject to a DNSH assessment under the RRF, the results also apply to cohesion policy (no requirement to repeat the assessment under cohesion policy)
- The results of the assessment undertaken under the RRF can be used to justify the inclusion or rejection of a type of action in the programme

DNSH assessment of cohesion policy programmes

- Where potential risks to the compliance with the DNSH principle are identified, the programme should be adjusted or it should define appropriate mitigating measures for the implementation of the programme (e.g. for the selection of operations) that will ensure DNSH compliance
- The programmes should state the results of the assessment of actions and the basis on which the assessment was made (RRF or other approach)
- The Commission can request additional information supporting the compliance with the DNSH principle from national authorities
- The Commission will assess the programmes in line with Article 23 CPR, including compliance with Article 9(4), and will issue observations if necessary

Climate and biodiversity targets

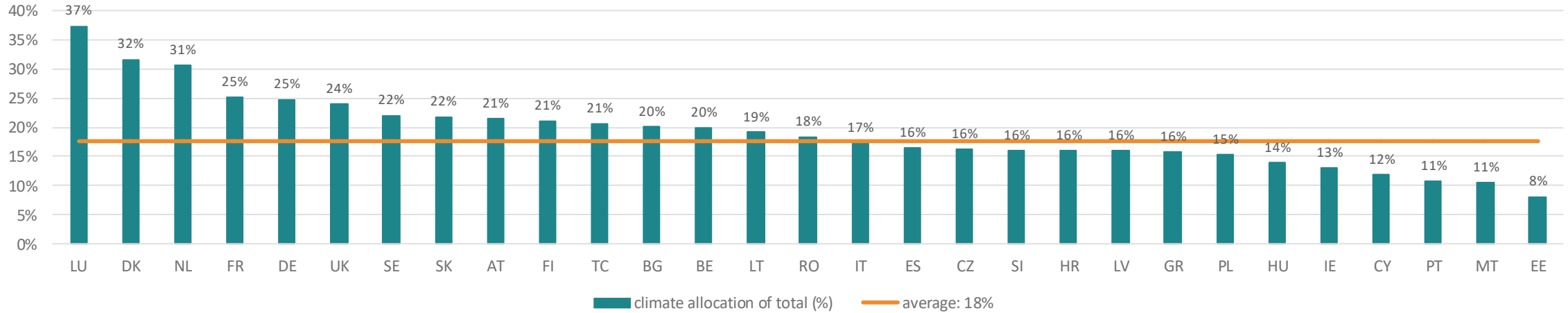
Mate TAS, Unit for Smart and Sustainable Growth, DG REGIO

Contribution to climate objectives

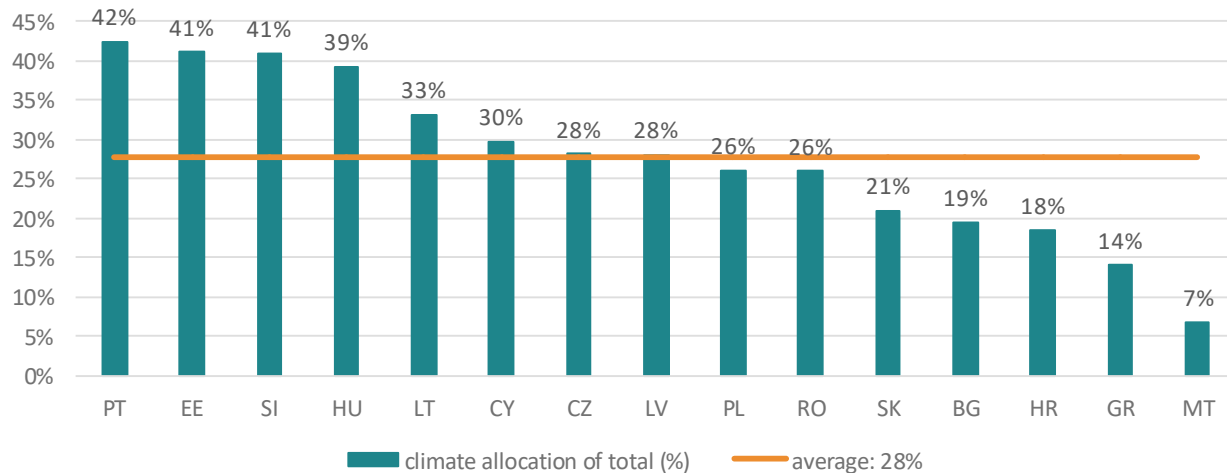
- The Special European Council of 17-21 July 2020 set an overall climate target of 30% applicable to the total amount of expenditure from the EU budget 2021-27
- Article 6 CPR: The ERDF and the Cohesion Fund shall contribute with 30% and 37% respectively of the Union contribution to expenditure supported for the achievement of the climate objectives set for the Union budget
- Calculated by applying the climate coefficients assigned to the intervention fields (CPR Annex I)
- The Partnership Agreement has to set out the preliminary climate contribution by Fund (section 12)
- Important to have a **commitment from each MS** in the Partnership Agreement to fulfil the minimum 30% for ERDF and 37% for Cohesion Fund

2014-2020: varying climate contribution

ERDF



Cohesion Fund



Contribution to biodiversity objectives

- MFF inter-institutional agreement: “working towards the ambition of providing 7.5% in 2024 and 10% in 2026 and in 2027 of annual spending under the MFF to biodiversity objectives” (reflected in Recital (11) CPR)
- Biodiversity Strategy for 2030: biodiversity action requires at least EUR 20 bn per year stemming from private and public funding at national and EU level
- Financing gap foreseen for 2026 and 2027 to reach the target – **MS are called to increase funding for biodiversity**
- Intention how to increase the 2014-2020 level (3% ERDF and 8% CF in average) shall be indicated in Partnership Agreements
- Tracking by applying coefficients to the expenditure categorised by intervention fields (under development)

Accessibility

Ima PLACENCIA, Senior expert for Disability, DG EMPL

Andrea LERUSTE, Deputy Head of the Unit for ESF & FEAD: Policy and Legislation, DG EMPL

Accessibility obligations under Cohesion Policy

Horizontal principles, Art. 9

- Member States and the Commission shall take appropriate steps to prevent any discrimination [...] **In particular, accessibility for persons with disabilities shall be taken into account throughout the preparation and implementation of programmes.**

Enabling conditions , Art. 15, annex III

- A national framework to ensure implementation of the UNCRPD is in place, to ensure
- (...)
- (2) Arrangements to ensure that ***the accessibility policy, legislation and standards are properly reflected in the preparation and implementation of the programmes***
- (...)

Article 73 on the Selection of Operations

- [...] managing authority shall establish and apply criteria and procedures which are non-discriminatory, transparent, **ensure accessibility to persons with disabilities, [...]**

Accessibility

Accessibility is considered as a wide concept that includes the prevention and elimination of barriers that pose problems for persons with disabilities in using products, services and infrastructures.

UNCRPD provide no definition!

But... contains clear obligations!

Accessibility in the UN CRPD

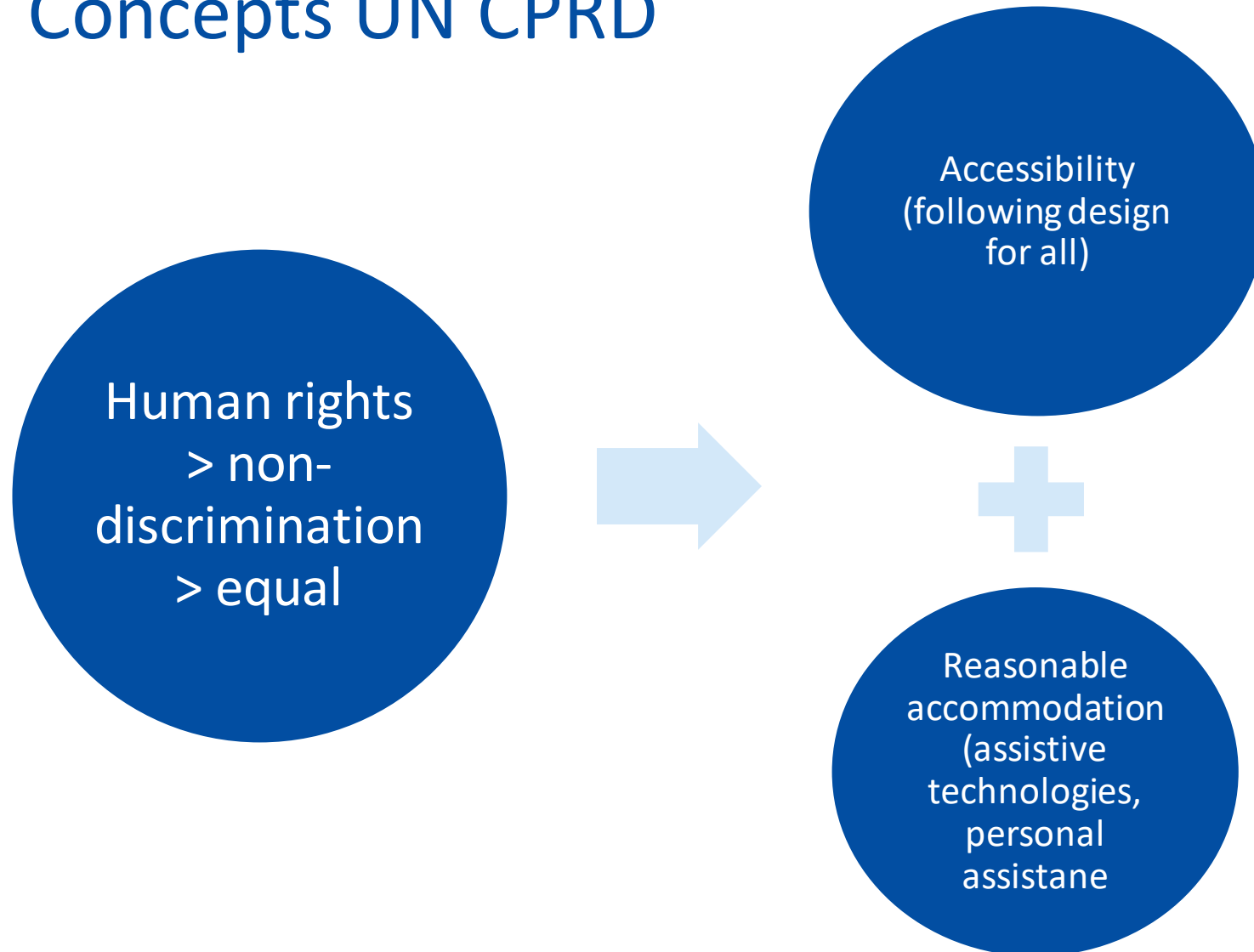
Accessibility is a general principle of the UN CRPD (Article 3)

Article 9: Accessibility

State parties to undertake appropriate measures **to ensure equal access** for persons with disabilities to:

- the physical environment
- transportation
- information and communications, including information and communications technologies and systems & internet
- other facilities and services open or provided to the public, both in urban and in rural areas

Concepts UN CPRD



European legislation on Accessibility

Thematic legislation

- Transport vehicles (low platform busses, rail, maritime)
- Rails TSI (built environment)
- Lifts
- Electronic Communication (ex 112, service information)
- Audiovisual media services
- Web Accessibility
- Terminals
- Electronic Signatures

Horizontal legislation

- European Accessibility Act
- Proposed: Draft Antidiscrimination legislation

Funding related legislation

- Public Procurement
- Public passenger transport services
- Structural Funds
- Trans-European Networks
- Common Implementing regulation External Action

Accessibility related standardization work at EU level



Mandate 376: Accessibility requirements for public procurement of products and services in the **ICT** domain



Mandate 554: Web accessibility Directive (WEB + Mobile Apps)
(H) EN 301 549



Mandate 420: Accessibility requirements for public procurement in the **Built Environment (including transport infrastructures)**
EN 17210



Mandate 473 to include Accessibility following Design For All in relevant standardization activities and to develop standards addressing accessibility following Design for all in the manufacturing and service delivery processes.

EN 17161

Accessibility in Funds over the whole lifecycle of the programmes (I)

Enabling conditions

Horizontal enabling condition on the UNCPRD

Program-ming

Reference to accessibility measures in section 2 of PA

Reference in section 1 and 2.1.1.1.1 of programme

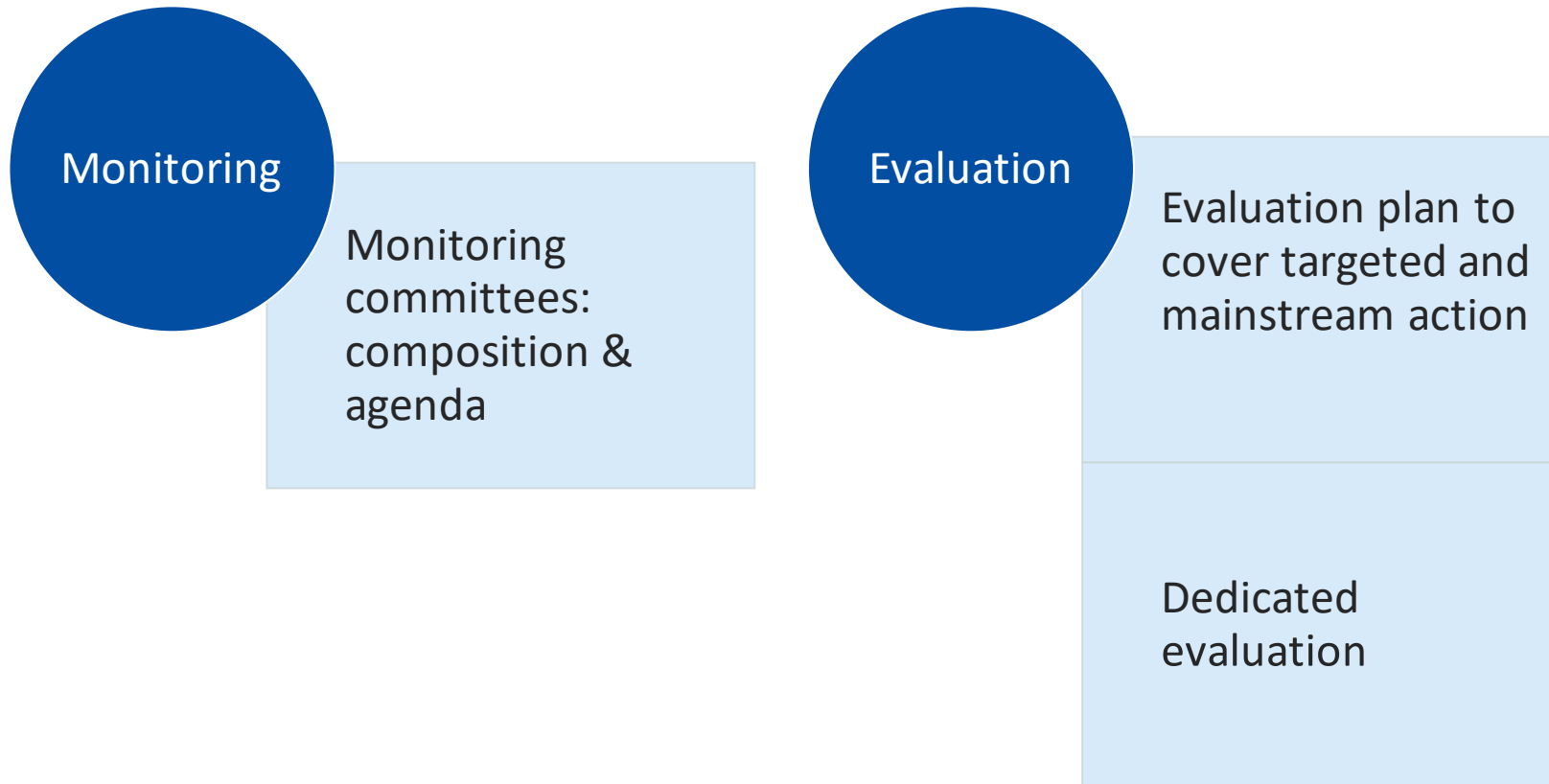
Implemen-tation

Project selection criteria

Technical assistance for expertise

Respect of partnership principle

Accessibility in Funds over the whole lifecycle of the programmes (II)



Respect of partnership principle

Partnership principle

Witold WILLAK, Deputy Head of Unit for Coordination of Programmes, DG
REGIO

Partnership principle in Article 8 of the CPR

Partnership and multi-level governance

For the Partnership Agreement and each programme, each Member State shall organise and implement **a comprehensive partnership** in accordance with:

- its institutional and legal framework
- taking into account the specificities of the Funds

Partnership principle in Article 8 of the CPR

That partnership shall include **at least** the following partners

such as:
environmental partners,
NGOs, bodies responsible
for promoting social
inclusion, fundamental
rights, rights of persons
with disabilities, gender
equality and
non-discrimination

(a) regional, local,
urban and other
public authorities;

(b) economic and
social partners;

(c) relevant bodies
representing civil
society,

(d) research
organisations and
universities, where
appropriate.

Partnership principle in Article 8 of the CPR

The partnership established under paragraph 1 of this Article shall operate in accordance with:

- the multi-level governance principle
- and the bottom-up approach

The Member State shall involve partners referred to in paragraph 1

- in the preparation of the Partnership Agreement
- and throughout the preparation, implementation and evaluation of programmes
- including through participation in monitoring committees in accordance with Article 39

Partnership principle in Article 8 of the CPR (cont.)

Member States shall, where relevant, allocate an **appropriate percentage** of the resources coming from the Funds for the **administrative capacity building** of social partners and civil society organisations

For **Interreg** programmes, the partnership shall include **partners from all participating Member States**

The organisation and implementation of partnership shall be carried out in accordance with the **European code of conduct on partnership** established by Delegated Regulation (EU) No 240/2014

At least once a year, the Commission shall consult organisations which represent partners at Union level on the implementation of programmes, and shall report to the European Parliament and Council on the outcome

Partnership principle

Applicable for decades, the **Code of Conduct** for the first time also since the beginning of the informal stage

Some MS have established proper partnership with the relevant partners, in some, there are **gaps**, e.g.

- involving the relevant bodies representing civil society, environmental partners, and bodies responsible for promoting social inclusion, fundamental rights, rights of persons with disabilities, gender equality and non-discrimination
- transparent consultation mechanisms with partners including a feedback mechanism

Key issues to watch

Are partners well informed ?



Do partners have an impact on the final decisions ?



Are partners well consulted ?



Are partners offered capacity-building opportunities ?



Q & A session

*Please write your questions in the **Q&A window**
or send an e-mail to*

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Moderation:

Kadri UUSTAL, Head of Unit for the Coordination of Programmes,
Directorate-General for Regional and Urban Policy

II. Outstanding programming and template-related issues

Part I

1. Justification of the form of support
2. Categorisation and performance
3. Transfers



Justification of the form of support

Jonathan DENNESS, Head of Unit for Financial Instruments and relations with International Financial Institutions, DG REGIO

Justification of the form of support: grants

Support in policy areas where **investments do not generate revenue and do not save cost**

- For example, transport, public goods, soft support to facilitate enterprise readiness, proof of concept, programme support targets low income/disadvantaged population, energy efficiency measures in historic buildings etc.

Easy access to commercial financing, where small grant is sufficient to facilitate access to financing or to encourage ambitious targets

- For example: cost of due diligence, of audits, incentive for deeper renovations
- Using commercial financing instead of financial instruments from shared management funds is more efficient (e.g. 10% grant from programme resources + 90% loan from the market)

Justification of the form of support: Financial Instruments

Projects generate revenue or save cost - the presumption is that such projects should be supported through financial instruments, for example:

- Competitiveness or enterprise development: aims to generate profit!
- Energy efficiency projects, including those for public buildings
- FI offering support to final recipients under better than existing market conditions (e.g. lower interest rates, lower collateral, longer payback period)

Capacity building:

- Guarantees in new markets, equity may require pilots (loan instruments should be feasible)
- “The more capacity you build the more benefit you will see”

Justification of the form of support: combination of FI and grants

Insufficient revenue or cost saving => combination of grant & financial instrument

In **one** operation

In **two** operations

Grants directly linked and necessary for FI, with grant component being less than 50% of the investments supported by the financial product Provides a broader range of possibilities than in the past

Both grant and FI streams of support need justification

Grant component is needed, for example:

To cover the additional costs

Achieve higher energy efficiency standards

Cover viability gaps or incentivise risk taking

Interest rate/guarantee fee subsidies to reduce the cost and burden of financial instrument financing

To crowd-in private investment

Stimulate investment demand

Examples of missing or incomplete justification

“Appropriate instruments will be used”

- No justification

“There was no demand for FI in the past”

- Competing instruments? Conditions?

“Grants provide the best incentive”

- Evidence indicates that FI is more efficient

“FI are too risky”

- Risks can be mitigated by choice of FI and their combination with grants; avoid high risk – low return investments!

“The use of FI will depend on the results of the ex-ante assessment”

- Choice and justification of form of support should be decided and described in the programme



Categorisation and Performance

Caterina SCARPA, John WALSH, Unit for Evaluation and European Semester,
DG REGIO

Categorisation – intervention fields – updated end 2020

- Currently 182 intervention fields > COM and Council additions (-bis, -ter)

Ex:

044 Energy efficiency renovation or energy efficiency measures regarding public infrastructure, demonstration projects and supporting measures – 40% climate coefficient

045 Energy efficiency renovation or energy efficiency measures regarding public infrastructure, demonstration projects and supporting measures compliant with energy efficiency criteria: *at least a medium-depth level renovation (Commission Recommendation 2019/786) or at least a 30 % reduction of direct and indirect greenhouse gas emissions compared to the ex-ante emissions.* – 100% climate coefficient

Categorisation – intervention fields, basic principles

No double counting of finances!

IFs should be coherent with the main objective of the financed operations

Where operations supported involve several intervention fields the MA can:

- choose one code corresponding to the most prominent part of the operation;
- use several codes, based on the approximate pro rata divisions of expected costs across different intervention fields (more accurate!)

Categorisation – intervention fields, basic principles

2.1.1.1. Specific objective¹ (repeated for each selected specific objective for priorities other than technical assistance)

2.1.1.1.3. Indicative breakdown of the programme resources (EU) by type of intervention (not applicable to the EMFAF)

Table 4: Dimension 1 – intervention field

Priority No	Fund	Category of region	Specific objective	Code	Amount (EUR)

Intervention fields are listed by Policy objective, **where relevant**, but may be used under all policy objectives

IFs for integrated territorial and local development strategies should be chosen according to territorial/local needs

Financial reallocations by categorisation dimension will need to be reflected in programmes (notifications/amendments)

Categorisation – territorial delivery mechanism and territorial focus

OPs must set out:

- Allows calculating and tracking sustainable urban development allocation (marked with “X”)
- “Not applicable” remains an option

Territorial delivery mechanism: the planned use of integrated territorial instruments

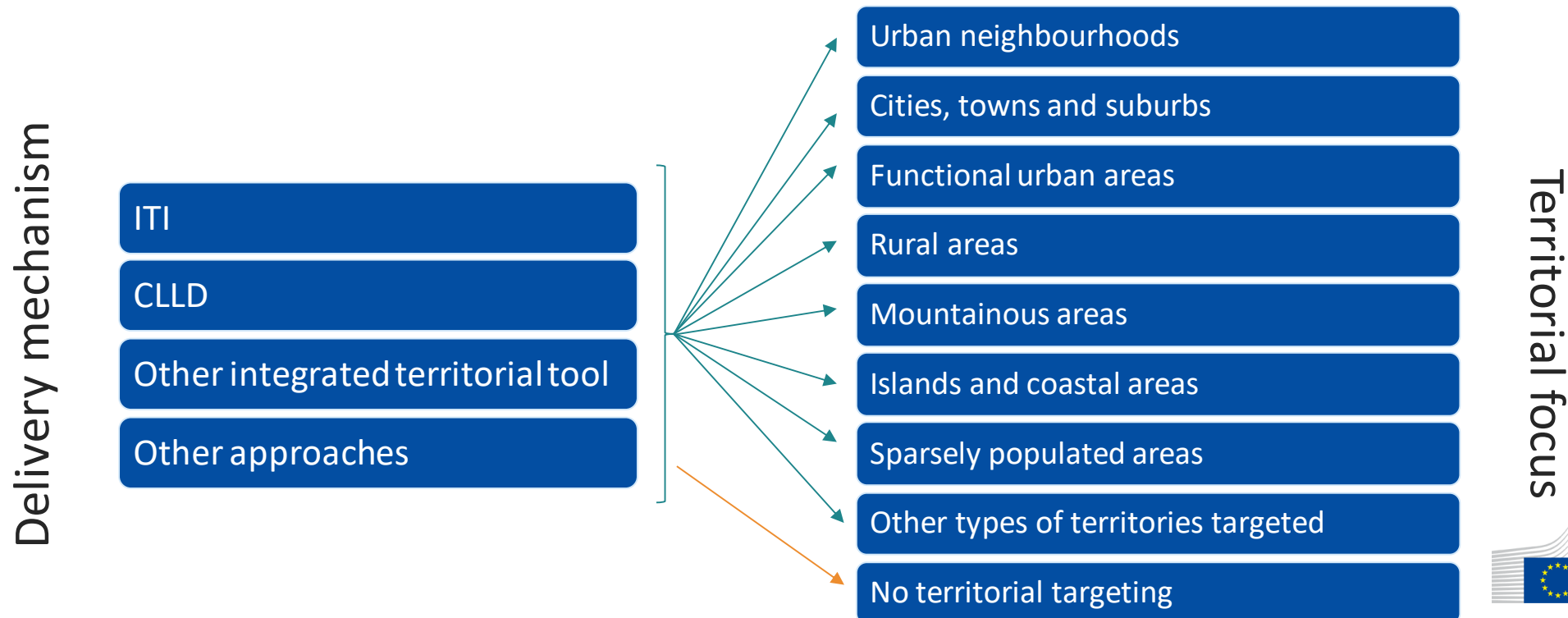
- Monitors the use of territorial instruments (ITI, CLLD, other national territorial tool)
- There must always be a designated territory covered by the territorial and local development strategies

Territorial focus: the specific territory targeted by the interventions

- Needs to be set out in the programmes (not location of the spending)
- Does not follow strictly statistical definitions but leaves definition to MS

Categorisation – territorial delivery mechanism and territorial focus

- Intervention with a territorial focus but not implemented through an integrated mode > category “other approaches”
- Topography (outermost/border/coastal/mountain/island) and urban-rural typology can be captured by the NUTS3 nomenclature (location dimension)



Indicators and Performance Framework

- Final list of indicators including the newly added indicators - **Annex I of the ERDF/CF Regulation [Council document](#) in view of adoption**
- REGIO shared the pre finalised ERDF/CF/JTF indicator descriptions (in view of adoption) with MS on CIRCABC as follows:
 - SWD ANNEX 1 Word document – 1) clean copy and 2) track changed copy
- An excel version of Annex I (with filters) is being finalized and a tabular dataset will be added to the Open Data Platform on adoption of the SWD
- SWD adoption end June after EP plenary adoption of CPR/ Fund regulations

Indicator Fiche: Changes taken on board

Objective: Minimise changes to the fiche already circulated as far as possible

1. Correction of indicator uses across specific objectives (asterisks in ERDF/CF Reg. Annex 1)
2. New Fiches for all 7 indicators added in Trilogues + 2 indicators under JTF
3. Changes to descriptions arising from MS / programme clarification questions
4. Rare changes to measurement units / definitions
5. Harmonisation of terms used across indicator descriptions (i.e users/year)
6. Technical correction of references and typographical / syntax corrections

Legislative changes linked to indicators (2)

7 new ERDF indicators from Trilogues

ESO2.1 Promoting energy efficiency and reducing greenhouse gas emissions

- + **RCO 123:** Dwellings benefitting from natural gas-fired boilers and heating systems replacing solid fossil fuels based installations (dwellings)
- + **RCR 105:** Estimated greenhouse emissions by boilers and heating systems converted from solid fossil fuels to gas (tonnes CO² eq./year)

RSO2.3 Developing smart energy systems, grids and storage outside TEN-E

- + **RCO124:** Gas transmission and distribution network lines newly constructed or improved (km)

RSO2.4 Climate change adaptation

- + **RCO121 Climate:** Area covered by protection measures (other) (hectares)
- + **RCO122:** Investments in disaster management (non climate) (euro)

RSO2.6 Circular economy

- + **RCO119 Circular:** Waste prepared for re-use (tonnes/year)

RSO4.3 Socio economic inclusion of disadvantaged ...

- + **RCO113** Population covered by projects in the framework of integrated actions for socio-economic inclusion of marginalised communities, low income households and disadvantaged groups (persons)

Legislative changes linked to indicators (3)

Just Transition Fund:

- + **RCO121a**: Enterprises supported to achieve the reduction of greenhouse-gas emissions from activities listed in Annex I to Directive 2003/87/EC
- + **RCR29a** : Estimated greenhouse-gas emissions from activities listed in Annex I to Directive 2003/87/EC in supported enterprises

Indicators and Performance Framework

Other issues

- Performance Framework Methodology will be sought by Commission when programme draft is mature / quantified (not at last minute)
- Programme specific indicators are possible when relevant (not to replace common indicators) – programme advised to define them for project promoters. The common indicator descriptions could be used as a model.
- In the programme template, indicators and targets are set by SO and category of region (target setting could be estimated and documented in the PF methodology)



Transfers and contributions

Błażej GORGOL, Unit for Policy Development and Economic Analysis, DG
REGIO

Review of transfers and contributions

Article 14, CPR

- Contribution to Invest EU

Article 26(1), CPR

- Transfers to instruments under direct or indirect management

Article 26(1), CPR

- Transfer to another Fund or Funds

Article 26(1), CPR

- Transfers between the ERDF, the ESF+ and the Cohesion Fund

Article 27, CPR

- Transfers to the JTF

Article 111(1), CPR

- Transfers between categories of region

Article 111(3) and (4), CPR

- Transfers between goals

Calculation basis for transfers and contributions

Allocations **as communicated by the Commission** to the Member States (upcoming Commission decision on the basis of Article 103, CDF)

- Easier for monitoring throughout the programming period and validation rules
- Fixed reference point throughout the programming period
- No need to set up a sequence of transfers/contributions
- No need for constant recalculations and transfers back

Regulatory requirements are related to allocation in programmes, so **after transfer and contributions**

a need to adjust, if necessary, thematic concentration, urban earmarking, technical assistance, ceilings for fossil fuels, climate targets

Ceilings – ‘transfers and contributions outside CPR family’

Contribution to InvestEU

- **Up to 5%** during the entire programming period, but:
 - Up to 2% of the initial national allocation of a fund in the PA adoption
 - Up to further 3% of the initial national allocation of a fund after 01/01/2023

Transfer to instruments under direct or indirect management

- **Up to 5%** of the initial national allocation of a fund

But **not more than 5%** of initial national allocation of a fund **for both cases together**

(sum of both transfers cannot exceed 5% of the allocation of a fund)

Ceilings – transfers between the ‘Funds’

Transfer to another Fund or Funds

- Up to 5% of the initial national allocation of a fund
- Transfers to EMFAF, AMIF, ISF, BMVI only
- Transfers between cohesion policy funds is explicitly a separate case

Transfer between the ERDF, the ESF+ and the CF

- Up to 20% of the initial national allocation of a fund

Additional transfer between the ERDF, the ESF+ and the CF

- Applicable for Member States with “average unemployment rate for the period 2017-19 below 3%” (Czechia)
- Up to 25% of the initial national allocation of a fund

Ceilings – transfers to the JTF

Transfer to the JTF

- Total ERDF and ESF+ resources transferred shall not exceed:
 - **3 times the JTF support** referred to JTF MFF resources
 - This rule operationalised at programme level, where the transfer may **not exceed 3 times the allocation per JTF priority**
- Not more than **15% of the respective ERDF and ESF+** allocation to the Member State concerned JTF MFF resources

Maximum transfers at first adoption from ERDF or ESF+ or Cohesion Fund

up to 2%
(let's assume 2%)

- Contribution to InvestEU

up to 5%
(remaining 3%)

- Transfer to instruments under direct or indirect management

5%

- Transfers to other Fund or Funds

20%
(unless in CZ)

- Transfers between the ERDF, the ESF+, the CF

15%
(ERDF/ESF+ only)

- Transfers to JTF

up to 30-45%
of the initial allocation of a fund

- Total



Ceilings – transfers between categories of region

Transfer from less developed to transition or more developed

- As a rule, transfers from 'poorer' to 'richer' regions are capped
- Adding up to not more than
 - **5% of the initial allocation for less developed regions** or
 - **5% of the initial allocation for transition regions**

Additional transfer from less developed regions to transition or more developed regions

- Applicable to Member States with GNI per capita in PPS for 2015-17 less than 90% of the EU-27
 - **countries eligible for Cohesion Fund:** RO, BG, CZ, EE, PL, EL, HR, CY, LV, LT, HU, MT, PT, SK, SI
- **Up to 10%** of the total allocation for less developed regions only
 - not possible from allocation for transition regions
 - **so up to 15% (5%+10%) from allocation of less developed in total for these Member States**
- Resources of such additional transfer need to contribute to policy objectives 1 and 2

Transfer from more developed or transition to less developed and from more developed to transition

- As a rule, transfers from 'richer' to 'poorer' regions are not capped (theoretically, up to 100% of the allocation for more developed regions or for transition regions)

Calculations of ceilings – ‘colour coding’ example

MS	total	5%	10%	15%	20%
Cohesion Fund	6.365.295.625	318.264.781			1.273.059.125
Less developed regions	6.876.782.934	343.839.147	687.678.293	1.031.517.440	
Transition regions	6.168.973.223	308.448.661			
More developed regions	81.574.728				
Just Transition Fund	1.641.492.008				
Investment for Jobs and Growth	21.134.118.518				
ERDF	10.426.328.254	521.316.413		1.563.949.238	2.085.265.651
ESF+	2.701.002.631	135.050.132		405.150.395	540.200.526
European Territorial Cooperation	310.867.301				
Total Cohesion Policy	21.444.985.819				

Transfer back – consequence of a ‘fixed’ basis of calculation

Approach

- The ‘net’ amount of the initial transfer and transfer back cannot exceed the regulatory limit
- Initial transfers can be reversed in full
- Applicable to transfers within cohesion policy

Example

- Initial allocation for more developed: 40
- Initial allocation for less developed: **100**

Assumptions

- Transfer from more developed to less developed in the PA: 20
- Allocation for less developed after transfer: **120**

Transfer back calculation

- Maximum possible transfer back at the mid-term review: **25 (20+5)**
 - 5% transfer from the initial allocation for LD (5% of 100 = 5) would lower resources to 95 (‘minimum’ allocation for less developed’)
 - **If we were adjusting the basis for calculation the transfer back would be 6 (5% of 120=6)**

Transfers and split by category of region

Transfers between ERDF and ESF+

- Transfers between ERDF and ESF+ can only be done between the same categories of region
- Article 26(1) transfer does not replace Article 111(1) transfer

Transfers to JTF

- Transfer must come from the category of region, where JTF territory is located

Transfers from/to Cohesion Fund

- Reasoned decision of Member States
- Transfers 'proportionate' to the split of allocation by category of region are logical, but country-specific situation should be considered
 - A case of transfers from mono-category programmes

Transfer and contributions outside cohesion policy

- Reasoned decision of Member States

Ceilings – transfers between goals

Transfer between Interreg and Jobs and growth goal

- Applicable to Member States where share of Interreg resources in the total resources for Investment for jobs and growth goal is not less than 35% (equal or above 35%)
 - **Denmark and Luxembourg**
- Such a share after the transfer cannot be lower than 25%
 - **‘minimum share’** of Interreg in relation to total of IJG and ETC resources

Transfers between goals - example

MS	Fund	Before the transfer	After the transfer
Investment for Jobs and Growth		349.583.786	455.809.919
	JTF (MFF+NGEU)	88.968.963	tbd
	ERDF	140.997.951	tbd
	ESF+	119.616.872	tbd
European Territorial Cooperation		258.162.772	151.936.640
	Crossborder	237.003.179	tbd
	Transnational	21.159.593	tbd
	Outermost	-	
Total Cohesion Policy		607.746.558	607.746.558
Condition: Actual share of ETC in resources for both goals		42,5%	>35%
Minimum' 25% share of the ETC in resources for both goals		151.936.640	=25%
Maximum transfer		106.226.133	

- The split of transferred resources by fund and category of region or between strands of Interreg to be decided by Member State
- Other transfers thresholds will be calculated from initial allocation

Requests for transfers - procedure

Transfers other than to JTF

- Adoption of the partnership agreement (binding)
- Programme amendment

Transfers to JTF

- 1st adoption of programmes with JTF allocation (it may effectively be a programme amendment)
- Programme amendment
- **To note:** transfer in the partnership agreement is preliminary only and need to be confirmed in a 1st adoption of programmes) with JTF allocation

Q & A session

*Please write your questions in the **Q&A window**
or send an e-mail to*

REGIO-COORDINATION-OF-PROGRAMMES@ec.europa.eu

Moderation:

Kadri UUSTAL, Head of Unit for the Coordination of Programmes,
Directorate-General for Regional and Urban Policy

LUNCH BREAK

We will restart the webinar at 13.40