



The implementation of the provisions in relation to the *ex-ante* conditionalities during the programming phase of the European Structural and Investment (ESI) Funds

Final report - Annex

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ABBREVIATIONS

CCI	Common Code for Identification
CF	Cohesion Fund
CPR	Common Provisions Regulation
DG	Directorate General
DG ECHO	Directorate General for Humanitarian Aid and Civil Protection
DG EMPL	Directorate General for Employment, Social Affairs and Inclusion
DG ENER	Directorate General for Energy
DG ENV	Directorate General for Environment
DG CNECT	Directorate General for Communications, Networks, Content and Technology
DG MARE	Directorate General for Maritime Affairs and Fisheries
DG REGIO	Directorate General for Regional and Urban Policy
ExAC	Ex-Ante Conditionalities
EAFRD	European Agricultural Fund for Rural Development
EC	European Commission
EIA	Environmental Impact Assessment
EMFF	European Maritime and Fisheries Fund
ERDF	European Regional Development Fund
ESF	European Social Fund
ESI Funds	European Structural and Investment Funds
EU	European Union
GAEC	Good Agricultural and Environmental Conditions
GExAC	General Ex-ante Conditionalities
ICT	Information and Communication Technology
IP	Investment Priority
MA	Managing Authority
NGN	Next generation network

NOP	National Operational Programme
OP	Operational Programme
PA	Partnership Agreement
RIS	Regional Innovation Strategy
ROP	Regional Operational Programme
SEA	Strategic Environmental Assessment
SWOT	Strengths, Weaknesses, Opportunities, Threats
TA	Technical Assistance
TExAC	Thematic Ex-ante Conditionalities
TO	Thematic Objective
UP	Union Priority
YEI	Youth Employment Initiative
EU12+1	Member States that joined the EU after 2004
EU15	EU Member States before the 2004 enlargement
AT	Austria
BE	Belgium
BG	Bulgaria
CY	Cyprus
CZ	Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
EL	Greece
ES	Spain
FI	Finland
FR	France
HR	Croatia
HU	Hungary
IE	Ireland

IT	Italy
LT	Lithuania
LU	Luxembourg
LV	Latvia
MT	Malta
NL	The Netherlands
PL	Poland
PT	Portugal
RO	Romania
SE	Sweden
SI	Slovenia
SK	Slovakia
UK	United Kingdom

1 GENERAL EX-ANTE CONDITIONALITIES

1.1 General ex-ante conditionality 1

The existence of administrative capacity for the implementation and application of Union anti-discrimination law and policy in the field of ESI Funds

Short form Anti-discrimination

Considered applicable in 28 Member States/208 OPs

Austria	1	Lithuania	1
Bulgaria	3	Luxembourg	1
Belgium	3	Hungary	7
Czech Republic	7	Malta	1
Cyprus	1	Netherlands	4
Denmark	1	Poland	21
Estonia	1	Portugal	9
Finland	2	Croatia	1
France	33	Romania	2
Germany	16	Slovenia	1
Greece	17	Slovakia	7
Ireland	2	Spain	21
Italy	28	Sweden	10
Latvia	1	UK	6
Ex-ante applicable mostly at	National level		
ExAC has been a matter of difficulties	Difficulties have been reported in 1 MS: NL stated that it was also difficult to determine which information was supposed to be addressed in which document (PA or OP). Also, the guidance document provided by the Commission did not always provide clarity. The guidance stated that a GExAC was applicable when the establishment of the OP goals was influenced by European regulations. For this ex-ante conditionality, this was not the case for ERDF, but it did have to be addressed anyhow.		
Overall rate of fulfilment of this GExAC in all Member States	Overall fulfilment rate 80-90%		
Timing of fulfilment at OP-level	Share before December 2013: 61% Share between the adoption of the CPR and the adoption of the OP: 39%		
Criteria			

Difficult and easy criteria

The 'arrangements in accordance with the institutional and legal framework' (C1.1) has been reported as fulfilled in the majority of the OPs with the exception of UK, SK and HR. With regarding to the 'training of staff' (C1.2), a number of MS namely EE, HR, HU, IT, LV, PL, SK reported to not have fulfilled this criteria.

Type of approaches/actions implemented to fulfil ExAC before OP adoption

Equal treatment and anti-discrimination is incorporated in national law in all Member States. However, beside that several different activities are in place in order to assure a better implementation of equal treatment. Some Member States are ambitious in their descriptions in the respective documents other are less. The following actions have been described:

- Seminar programmes, information and education sessions, staff training(AT, BE, CY, FR, EL, HU, IE, IT, LV, NL, PT, SK),
- Involvement of relevant stakeholder organisations in the programme cycle (AT, DE, IE),
- Public awareness campaigns (CY),
- Guidelines (CZ, CY, DE, SI),
- Council for equal opportunities (ES),
- Ombudsman (EL, HR, SE),
- Equal opportunity commission (EL, HR, LT),
- Labour inspection (EL),
- Country agreements between national and regional authorities (IT),
- Agenda for action (PL),
- Indicative training plan (SI),
- Monitoring procedures (UK).

Need for action plans (PA-level)

21 Member States:
AT, CY, CZ, DE, DK, EE, ES, FI, FR, GR, HU, IE, IT, LU, LV, MT, NL, PL, PT, SE, SI

Need for action plans in 8 Member States/40 OPs

MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
EE	1	2014	LV	1	2015
HR	1	2015, 2016	PL	21	2015
HU	6	2015	SK	7	2015
IT	2	2015, 2016	UK	1	2015

1.2 General ex-ante conditionality 2

The existence of administrative capacity for the implementation and application of Union gender equality law and policy in the field of ESI Funds

Short form	Gender		
Considered applicable in 28 Member States/208 OPs			
Austria	1	Lithuania	1
Bulgaria	3	Luxembourg	1
Belgium	3	Hungary	7
Czech Republic	7	Malta	1
Cyprus	1	Netherlands	4
Denmark	1	Poland	21
Estonia	1	Portugal	9
Finland	2	Croatia	1
France	33	Romania	2
Germany	16	Slovenia	1
Greece	17	Slovakia	7
Ireland	2	Spain	21
Italy	28	Sweden	10
Latvia	1	UK	6
Ex-ante applicable mostly at	National level		
ExAC has been a matter of difficulties	Difficulties have been reported in 1 MS: NL stated that the writing of the PA had to be done at the same time as the development of the Guidance (including grids) by the Commission. This was difficult as it was unclear whether certain ex-ante conditionalities were applicable and whether this had to be included in the PA or the OPs. An example was the conditionality gender equality. The guidance document provided by the Commission did not always provide clarity. The guidance stated that a GExAC was applicable when the establishment of the OP goals was influenced by European regulations. For this ex-ante conditionality, this was not the case for ERDF, but it did have to be addressed anyhow.		
Overall rate of fulfilment	Fulfilment rate for each criteria > 80%		

Timing of fulfilment at OP-level	Share before December 2013: 83% Share between the adoption of the CPR and the adoption of the OP: 17%				
Criteria					
Difficult and easy criteria	The 'training of staff' (C2.2) is at a lower level of fulfilment while the 'arrangements in accordance with the institutional and legal framework' (C2.1) is at a higher level. Eight Member States reported a non-fulfilment of C2.2 (EE, HR, HU, IT, LV, PL, SK). Only SK and UK reported a non-fulfilment for C2.1.				
Type of approaches/actions implemented to fulfil ExAC before OP adoption					
<p>Equal treatment and anti-discrimination is incorporated in national law in all Member States. However beside that several different activities are in place in order to assure a better implementation of equal treatment. Some Member States are ambitious in their descriptions in the respective documents other are less. The following actions have been described:</p> <ul style="list-style-type: none"> • Seminar programmes, information and education sessions, staff training (AT, BE, CY, FR, EL, HU, IE, IT, LV, NL, PT, SK), • Involvement of relevant stakeholder organisations in the programme cycle (AT, DE, IE), • Public awareness campaigns (CY), • Guidelines (CZ, CY, DE, SI), • Council for equal opportunities (ES), • Ombudsman (EL, HR, SE), • Equal opportunity commission (EL, HR, LT), • Labour inspection (EL), • Country agreements between national and regional authorities (IT), • Agenda for action (PL), • Indicative training plan (SI), • Monitoring procedures (UK). 					
Need for action plans (PA-level)	22 Member States: AT, CY, CZ, DE, DK, EE, ES, FI, FR, GR, HR, HU, IE, IT, LU, LV, MT, NL, PL, PT, SE, SI				
Need for action plans in 8 Member States/40 OPs					
MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
EE	1	2014	LV	1	2015
HR	1	2016	PL	21	2015
HU	6	2015	SK	7	2015
IT	2	2015, 2016	UK	1	2015

1.3 General ex-ante conditionality 3

The existence of administrative capacity for the implementation and application of the United Nations Convention on the rights of persons with disabilities (UNCRPD) in the field of ESI Funds in accordance with Council Decision 2010/48/EC (9)

Short form	Disability		
Considered applicable in 28 Member States/209 OPs			
Austria	1	Lithuania	1
Bulgaria	3	Luxembourg	1
Belgium	3	Hungary	7
Czech Republic	7	Malta	1
Cyprus	1	Netherlands	4
Denmark	1	Poland	21
Estonia	1	Portugal	9
Finland	2	Croatia	1
France	33	Romania	3
Germany	16	Slovenia	1
Greece	17	Slovakia	7
Ireland	2	Spain	21
Italy	28	Sweden	10
Latvia	1	UK	6
Ex-ante applicable mostly at	National level		
ExAC has been a matter of difficulties	Difficulties have been reported in 1 MS: NL stated that it was also difficult to determine which information was supposed to be addressed in which document (PA or OP). In addition, the guidance document provided by the Commission did not always provide clarity. The guidance stated that a GExAC was applicable when the establishment of the OP goals was influenced by European regulations. For this ex-ante conditionality, this was not the case for ERDF, but it did have to be addressed anyhow.		
Overall rate of fulfilment	Fulfilment rate for each criteria > 80%		
Timing	Share before December 2013: 76% Share between the adoption of the CPR and the adoption of the OP: 24%		
Criteria			

Difficult and easy criteria			The same tendency of lack of training (C3.2) can be seen in GExAC 3 in EE, HR, HU, IT, LV, PL, SK. HR, IT and SK reported the non-fulfilment of C3.3 'monitoring of the implementation of Article 9 of the UNCRPD'.		
Type of approaches/actions implemented to fulfil ExAC before OP adoption					
<p>Equal treatment and anti-discrimination is incorporated in national law in all Member States. However beside that several different activities are in place in order to assure a better implementation of equal treatment. Some Member States are ambitious in their descriptions in the respective documents other are less. The following actions have been described:</p> <ul style="list-style-type: none"> • Seminar programmes, information and education sessions, staff training (AT, BE, CY, FR, EL, HU, IE, IT, LV, NL, PT, SK), • Involvement of relevant stakeholder organisations in the programme cycle (AT, DE, IE), • Public awareness campaigns (CY), • Guidelines (CZ, CY, DE, SI), • Council for equal opportunities (ES), • Ombudsman (EL, HR, SE), • Equal opportunity commission (EL, HR, LT), • Labour inspection (EL), • Country agreements between national and regional authorities (IT), • Agenda for action (PL), • Indicative training plan (SI), • Monitoring procedures (UK). 					
Need for action plans (PA-level)			22 Member States: AT, CY, CZ, DE, DK, EE, ES, FI, FR, GR, HU, IE, IT, LU, LV, MT, NL, PL, PT, SE, SI, SK		
Need for action plans in 9 Member States/59 OPs					
MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
EE	1	2014	LV	1	2015
GR	17	2014	PL	21	2015
HR	1	2015	SK	7	2015
HU	6	NA	UK	1	2015
IT	4	2015, 2016			

1.4 General ex-ante conditionality 4

The existence of arrangements for the effective application of Union public procurement law in the field of the ESI Funds.

Short form Public procurement

Considered applicable in 28 Member States/214 OPs

Austria	1	Lithuania	1
Bulgaria	5	Luxembourg	1
Belgium	3	Hungary	7
Czech Republic	7	Malta	1
Cyprus	1	Netherlands	4
Denmark	1	Poland	21
Estonia	1	Portugal	10
Finland	2	Croatia	1
France	33	Romania	4
Germany	16	Slovenia	1
Greece	17	Slovakia	7
Ireland	2	Spain	21
Italy	29	Sweden	10
Latvia	1	UK	6

Ex-ante applicable mostly at

National level

ExAC has been a matter of difficulties

Difficulties have been reported in 1 MS: HU stated that the concept for the assessment was not clear despite the guidance. What is the status required from the strategies? Is the official adoption by the Hungarian government or Parliament necessary, or will the preparation of the Ministry's proposal (and public consultation) suffice? Also, should the EC only tick the box that the strategy is adopted and the key elements as outlined in the regulation about EAC are contained in it, or will they assess whether the content is actually what it says it is and can be taken seriously (sufficiently detailed and evidenced), or even question policy choices in the document? Problematic areas for the assessment of fulfilment included a range of general and thematic EAC, like public procurement.

Overall rate of fulfilment	Fulfilment rates between 65% and 95%				
Timing	Share before December 2013: 65% Share between the adoption of the CPR and the adoption of the OP: 35%				
Criteria					
Difficult and easy criteria	Public procurement consists of four criteria with ten Member States reporting non-fulfilment (BG, CZ, EL, HR, HU, IT, LV, RO, SI, SK). The less problematic criteria is relating to the existence of transparent contract award procedures (C4.2), while the more problematic ones relate to 'administrative capacity' (C4.4) and 'effective application of Union public procurement rules through appropriate mechanism' (C4.1).				
Type of approaches/actions implemented to fulfil ExAC before OP adoption					
Regarding the adaption of the public procurement legislative framework beside the legal adoption Member States introduced numerous different interventions:					
<ul style="list-style-type: none"> • Seminar and workshops (AT, CZ, ES, FI, FR, HU, EL, SK, PT, RO), • Consultant services of national experts to regional public authorities (AT, CZ), • E-procurement introduction (CZ, EL), • Staff member increase (BG, CZ, HU, SI), • Assessment of procurement procedures (BE), • Arrangements towards transparent contract procedures (CZ, HU). 					
Need for action plans (PA-level)	17 Member States: AT, BG, CY, CZ, DE, DK, EE, FI, HU, HR, LU, LV, MT, NL, PL, SE, SI				
Need for action plans in 10 Member States/78 OPs					
MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
BG	5	2016	IT	28	2015, 2016
CZ	7	2016	LV	1	2016
GR	17	2015, 2016	RO	4	NA
HR	1	2015	SI	1	2014
HU	7	2016	SK	7	2015, 2016

1.5 General ex-ante conditionality 5

The existence of arrangements for the effective application of Union State aid rules in the field of the ESI Funds.

Short form	State aid		
Considered applicable in 28 Member States/212 OPs			
Austria	1	Lithuania	1
Bulgaria	5	Luxembourg	1
Belgium	3	Hungary	7
Czech Republic	7	Malta	2
Cyprus	1	Netherlands	4
Denmark	1	Poland	20
Estonia	1	Portugal	10
Finland	2	Croatia	1
France	33	Romania	3
Germany	16	Slovenia	1
Greece	17	Slovakia	7
Ireland	2	Spain	22
Italy	27	Sweden	10
Latvia	1	UK	6
Ex-ante applicable mostly at	National level		
ExAC has been a matter of difficulties	No difficulties have been reported		
Overall rate of fulfilment	Fulfilment >80% for each criteria		
Timing	Share before December 2013: 83% Share between the adoption of the CPR and the adoption of the OP: 17%		
Criteria			
Difficult and easy criteria	State aid has three criteria of which 'legal application' (C5.1) has the relatively highest rate of non-fulfilment in five Member States (CZ, HR, IT, RO, SK) while 'training and information transfer' (C5.2) has the lowest compared to the other two criteria, reported still to be fulfilled in IT and HR. Interestingly criterion 5.3 involving capacity building shows a higher level of non-fulfilment (in CZ, HR, IT, SK) than criterion 5.2.		

Type of approaches/actions implemented to fulfil ExAC before OP adoption

The key activity to fulfil the conditionality is the adaptation of national legal frameworks according to European Union state aid regulations. However additional measures have been reported:

- Training and seminars (AT, EE, ES, FR, IE, LV, SI, SK, SE),
- Attendance of European Commission seminars (CY),
- Staff increase (CY),
- Special office, contact points (CZ, DE, IE, NL, SE),
- Information transfer between national and regional level (DE, IT, LV, NL),
- State aid check list and monitoring (EE, NL),
- Information publication (FR, IE, IT),
- Guidance (HR, HU, PT),
- State Aid Monitoring Office (HU),
- Database (RO).

Need for action plans (PA-level)

17 Member States:
AT, BG, CY, CZ, DE, DK, EE, FI, GR, HU,
LU, MT, NL, PL, RO, SE, SI

Need for action plans in 6 Member States/45 OPs

MS	Num ber of OPs	Expected deadline	MS	Number of OPs	Expected deadline
CZ	7	2015, 2016	LV	1	2015
HR	1	2015, 2016	RO	3	NA
IT	26	2015, 2016	SK	7	2051

1.6 General ex-ante conditionality 6

The existence of arrangements for the effective application of Union environmental legislation related to EIA and SEA.

Short form Environmental legislation relating to Environmental Impact Assessment (EIA) and Strategic Environmental Assessment (SEA)

Considered applicable in 28 Member States/204 OPs

Austria	1	Lithuania	1
Bulgaria	4	Luxembourg	1
Belgium	3	Hungary	7
Czech Republic	7	Malta	1
Cyprus	1	Netherlands	4
Denmark	1	Poland	20
Estonia	1	Portugal	9
Finland	2	Croatia	1
France	32	Romania	2
Germany	16	Slovenia	1
Greece	17	Slovakia	7
Ireland	2	Spain	21
Italy	25	Sweden	10
Latvia	1	UK	6

Ex-ante applicable mostly at	National level
ExAC has been a matter of difficulties	Difficulties have been reported by 2 MS: HR stated that it was difficult to assess how much in detail the assessment goes. NL had some discussions about the applicability of environmental regulations.
Overall rate of fulfilment	Fulfilment rate for each criteria > 80%
Timing	Share before December 2013: 60% Share between the adoption of the CPR and the adoption of the OP: 40%

Criteria	
Difficult and easy criteria	General ex-ante conditionality 6 has in total the highest fulfilment rate. However C6.1 'application of Directive 2011/92/EU' is reported as not fulfilled in HR, IT, and SK while in CY, RO, SI, SK training and information (C6.2) and in LT and SI capacity building (C6.3) are reported as not fulfilled.

Type of approaches/actions implemented to fulfil ExAC before OP adoption

The main activities are the implementation of EU regulations in national law but however in many cases combined with other activities. The following other activities have been reported:

- Training and dissemination (CZ, DE, EE, FR, SK, NL, IT),
- Special exam for staff working in the field (CZ),
- Simplifying the nation process (DE),
- Working groups (AT),
- Website (AT),
- Seminars financed by JASPER (, SI),
- Guidance (FR, SE, IT),
- National network 'Partnership: Environment for Development' (PL).

Need for action plans (PA-level)

20 Member States:
AT, BG, CY, DE, DK, EE, FI, GR, HR, HU,
IT, LT, LU, MT, NL, PL, RO, SE, SI, SK

Need for action plans in 8 Member States/31 OPs

MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
CY	1	2015	LT	1	2014
CZ	7	2015	RO	2	NA
HR	1	2015	SI	1	2014, 2015
IT	11	2015	SK	7	2015

1.7 General ex-ante conditionality 7

The existence of a statistical basis necessary to undertake evaluations to assess the effectiveness and impact of the programmes.

Short form Statistical systems and result indicators

Considered applicable in 28 Member States/215 OPs

Austria	1	Lithuania	1
Bulgaria	5	Luxembourg	1
Belgium	3	Hungary	7
Czech Republic	7	Malta	1
Cyprus	1	Netherlands	4
Denmark	1	Poland	21
Estonia	1	Portugal	10
Finland	2	Croatia	1
France	34	Romania	4
Germany	16	Slovenia	1
Greece	17	Slovakia	7
Ireland	2	Spain	21
Italy	29	Sweden	10
Latvia	1	UK	6

Ex-ante applicable mostly at Both, national and regional level

ExAC has been a matter of difficulties Difficulties have been reported in 1 MS: HR stated that it was difficult to assess how much in detail the assessment goes. It was somehow confusing as it was not clear which aspects are part of ExAC and which are more the subject of the accreditation process. There was a lot of communication with the EC to eventually determine the right approaches which proved not to be as complex as thought in the first place.

Overall rate of fulfilment Low rate of fulfilment (between 55% and 75%).

Timing Share before December 2013: 29%
Share between the adoption of the CPR and the adoption of the OP: 71%

Criteria					
Difficult and easy criteria			In total 16 Member States have reported non-fulfilment in at least one of the six criteria. FR, EL, HU and SK have reported all six criteria not fulfilled in at least one OP.		
Type of approaches/actions implemented to fulfil ExAC before OP adoption					
Different to the other general ex-ante conditionalities for ex-ante conditionality (7) statistical systems a higher number of PAs referred to the OP. This is explained by the fact that the indicator system is developed at OP level. In many cases OPs have been developed to a later stage than PAs. At the OP level 17 Member States have reported the general ex-ante conditionality (7) statistical systems as fulfilled. The main actions to fulfil the ex-ante conditionality comprises the evidence of a comprehensive statistical system compatible with EU funding needs and the development of the indicator system for Operational Programmes. Furthermore activities include evaluation and monitoring plans. In some specific cases as for example Italy, France and Spain regional statistical systems complement the national system. The indicators are corresponding to the regional statistical systems. In France the regional authorities are developing an online tool for participants' data collection at application stage. This additional module allows for the collection, analysis and control of monitoring data contributing to the national IT tool called 'Synergie'.					
Need for action plans (PA-level)			10 Member States: AT, BG, DE, DK, FI, IT, LT, SE, SI, SK		
Need for action plans in 16 Member States/112 OPs					
MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
BG	5	NA	HU	7	NA
CY	1	2015	IT	20	2015, 2016
CZ	7	2015	NL	2	2015, 2016
DE	3	2016	PL	14	2015
EE	1	2016	RO	5	NA
ES	3	2015, 2016	SE	1	2016
FR	19	2014, 2015, 2016	SI	1	2015, 2016
GR	17	2014, 2015, 2016	SK	7	2015, 2016

2 THEMATIC EX-ANTE CONDITIONALITIES

2.1 Thematic ex-ante conditionality 1.1

Research and innovation: The existence of a national or regional smart specialisation strategy in line with the National Reform Programme, to leverage private research and innovation expenditure, which complies with the features of well-performing national or regional R&I systems.

Short form Research and innovation

Corresponding Investment Priority IP 1a and 1b

Considered applicable in 28 Member States/169 OPs

Austria	1	Lithuania	1
Bulgaria	2	Luxembourg	1
Belgium	3	Hungary	2
Czech Republic	3	Malta	1
Cyprus	1	Netherlands	4
Denmark	1	Poland	17
Estonia	1	Portugal	8
Finland	2	Croatia	1
France	28	Romania	2
Germany	16	Slovenia	1
Greece	14	Slovakia	1
Ireland	2	Spain	18
Italy	23	Sweden	9
Latvia	1	United Kingdom	5

Ex-ante applicable mostly at
National level: 63%
Regional level: 22%
Both levels: 15%

ExAC has been a matter of difficulties
Several MS (AT, DE, IE and LU) reported difficulties, mainly due to the high expenditure and the high involvement of local authorities.
Ireland faced difficulties in the negotiations on the PA and illustrates the underlying feeling that the COM was trying to use the Cohesion Policy to promote their own priorities in this area.
LU stated that the Luxembourgish authorities have not yet officially validated the Smart specialization strategy.

Overall rate of fulfilment	PA level: 35% fulfilled OP level: 42% fulfilled
Timing of fulfilment at OP-level	Share before December 2013: 31% Share between the adoption of the CPR and the adoption of the OP: 69%
Criteria	
Difficult and easy criteria	Criteria 1.1.1, 1.1.4, and 1.1.5 have a high degree of non-fulfilment. While the SWOT (1.1.2) analysis and measures to stimulate private RTD (1.1.3) for the regional innovation strategy (RIS) are fulfilled in more than 1/3 of the cases, the overall national or regional smart specialisation strategic framework (1.1.1), investment and monitoring mechanism (1.1.4) and a budgetary framework (1.1.5) are showing a high level of non-fulfilment.
Type of approaches/actions implemented to fulfil ExAC before OP adoption	
<p>The ex-ante conditionality (1.1) 'smart specialisation strategy' is one of the conditionalities which generated the highest attention on European commission side. DG RESEARCH as well as DG Regio have assigned external experts to support the strategy development process in EU-13 Member States. Additional an external platform assessing and supporting smart specialisation strategies has been developed and actively involved in the preparation process. The process as such was predefined and the involvement of stakeholders required. However there is a distinct difference between Member States with a structured strategy and policy framework and Member States with a weak strategic framework. Those Member States and regions which considered themselves as advanced in their strategic policy framework have been reluctant to follow the detailed requirements of the guidelines in order to fulfil the RIS development process. Most of those Member States or regions (e.g. UK, AT, Western Germany, LU) adapted existing strategies with only little effort or even merged different existing strategies together and presented them as one innovation strategy (e.g. North-Rhine Westphalia DE, DK). However in most of these cases aspects important to address the concept of any smart specialisation are missing. Most importantly evaluation and monitoring aspect, stakeholder involvement, private investment involvement and the budgetary resource plan. Another drawback of those 'adapted' strategies is that there is no evidence of any SWOT analysis as a basis for the strategy (e.g. BE,). However there are also good practices such as Finland. In Finland, regions have implemented smart specialisation strategies and policies already for years. The main objective has been to avoid duplication of support measures and to target support on few development measures, which support the future growth areas. Notwithstanding the positive example at mainland Finland the Island of Aland is not included in this strategy and about to prepare its own regional strategy. The regional OP for example puts a lot of effort in the development of the regional strategy.</p> <p>The larger Member States such as France, Germany and Italy chose for each regional Operational Programme one strategy. Thus in the case of Italy a complementary national strategy has been developed. In the case of France a lot of innovation strategies already in place have been adapted and renewed. On the other side Spain and Portugal chose to develop a new national innovation strategy along the given RIS3 requirements. Both Member States followed the whole process starting with SWOT-analysis, stakeholder involvement, monitoring system etc. However the budgetary framework is not yet in place.</p>	

EU-13 Member States as well as Eastern Germany developed their regional (e.g. Poland and Eastern Germany) and national strategies according to the guidelines of the European Commission. The process has been supported by several Commission Units as well as external experts. The requirements for those Member States have been high and the effort to get the strategy accepted by the Commission did not always justify the result. However also EU-15 reported example of difficulties fulfilling the respective negotiation requirements. For example Ireland felt this pressure during the Irish EU presidency, when the EC considered that Ireland failed to fulfil the criteria for the RIS3 conditionality. The EC conducted an independent assessment of the Irish Smart Specialisation Strategy, which was rejected and challenged by the Irish government. In the end, the EC accepted that Ireland had fulfilled the criteria. More broadly, Ireland felt that the fulfilment criteria for the conditionality need to be reconsidered. Moreover, it stressed that it should not be used as a tool for insertion of other policies or increasing the administrative burden. Only a small number of Member States understood the need of integrated development across regional borders when developing the innovation strategy. The vast amount of regional strategies for example in Poland lead to the fact that some of the more peripheral areas do not have the necessary resources for a standalone smart specialisation and would be better off cooperating with other regions. The development process of RIS3 however encourages a less effective approach of separation with a tendency of pro forma topics (e.g. soft tourism). Hungary on the other side has developed a national innovation strategy in parallel to the regional strategies. Almost all Member States did not have any budgetary framework prepared before the OP preparation. Even Member States with innovation strategies in place had to adapt them in order to meet the second criteria of the ex-ante conditionality. Concluding it can be said that all less developed regions have put a lot of effort in developing a smart specialisation strategy along the requirements of the European Commission and the EC guidelines. The RIS3 has been the conditionality with the highest involvement of regions. Not only large Member States but also smaller Member States with strong regions developed regional strategies. However most of the more developed regions and particularly Austria, Western Germany, Denmark, Sweden, Luxembourg and the majority of the French regions considered their existing strategies as good enough for adaption.

Need for action plans in 19 Member States/94 OPs

MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
BE	2	2015	IT	20	2015, 2016
BG	2	2015	LT	1	2015
CY	1	2015	LV	1	2015
CZ	3	2015	MT	1	2015
DE	4	2015	PL	17	2015, 2016
ES	6	2015, 2016	PT	8	2014
FI	1	2015	RO	2	NA
FR	9	2014, 2015	SI	1	2015
GR	13	2015	SK	1	2014

HR	1	2015		
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2.2 Thematic ex-ante conditionality 1.2

Research and Innovation infrastructure. The existence of a multi-annual plan for budgeting and prioritisation of investments.

Short form Research and infrastructure

Corresponding Investment Priority IP 1a

Considered applicable in 25 Member States/126 OPs

Austria	1	Lithuania	1
Bulgaria	2	Luxembourg	1
Belgium	2	Hungary	2
Czech Republic	2	Malta	1
Cyprus	1	Netherlands	-
Denmark	-	Poland	17
Estonia	1	Portugal	8
Finland	1	Croatia	1
France	25	Romania	1
Germany	13	Slovenia	1
Greece	12	Slovakia	1
Ireland	-	Spain	13
Italy	12	Sweden	3
Latvia	1	UK	3

Ex-ante applicable mostly at

National level: 71%
Regional level: 21%
Both levels: 8%

ExAC has been a matter of difficulties

No difficulties have been reported

Overall rate of fulfilment

PA level: 52% fulfilled
OP level: 63% fulfilled

Timing of fulfilment at OP-level

Share before December 2013: 32%
Share between the adoption of the CPR and the adoption of the OP: 68%

Criteria					
Difficult and easy criteria			The criteria of Research and Infrastructure shows a considerable high share of non-fulfilment.		
Type of approaches/actions implemented to fulfil ExAC before OP adoption					
The conditionality regarding research and infrastructure had been less problematic and less resource consuming than the RIS3 development. The preparation followed the general work division. Member States implemented the budgetary framework at national level as part of the national budgetary framework.					
Need for action plans in 18 Member States/93 OPs					
MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
FR	9	2014, 2015	IT	20	2015, 2016
BE	2	2015	LT	1	2015
BG	2	2015	LV	1	2015
CY	1	2015	MT	1	2015
CZ	3	2015	PL	17	2015, 2016
DE	4	2015	PT	8	2014
EL	13	2015	RO	2	NA
ES	6	2015, 2016	SI	1	2015
HR	1	2015	SK	1	2014

2.3 Thematic ex-ante conditionality 2.1

Digital growth: A strategic policy framework for digital growth to stimulate affordable, good quality and interoperable ICT-enabled private and public services and increase uptake by citizens, including vulnerable groups, businesses and public administrations including cross border initiatives.

Short form	Digital growth		
Corresponding Investment Priority	IP 2b, 2c		
Considered applicable in 19 Member States/129 OPs			
Austria	-	Lithuania	1
Bulgaria	-	Luxembourg	-
Belgium	-	Hungary	2
Czech Republic	2	Malta	1
Cyprus	1	Netherlands	-
Denmark	-	Poland	17
Estonia	1	Portugal	7
Finland	-	Croatia	1
France	28	Romania	1
Germany	-	Slovenia	1
Greece	15	Slovakia	1
Ireland	-	Spain	21
Italy	20	Sweden	4
Latvia	1	UK	4
Ex-ante applicable mostly at	National level: 88% Regional level: 6% Both levels: 6%		
ExAC has been a matter of difficulties	No difficulties have been reported		
Overall rate of fulfilment	PA level: 41% fulfilled OP level: 58% fulfilled		
Timing of fulfilment at OP-level	Share before December 2013: 27% Share between the adoption of the CPR and the adoption of the OP: 73%		

Criteria

Difficult and easy criteria

The general framework is in place in almost 75% of the OPs addressing TO 2. However, half of the OPs report non-fulfilments with budgeting (2.1.2) and needs assessment (2.1.5). This is an interesting result since it can be assumed that the needs assessment should be a basis for any policy framework.

Type of approaches/actions implemented to fulfil ExAC before OP adoption

The majority of the Member States implemented the conditionality (2.1) related to digital growth at national level with the elaboration of a national digital strategy (e.g. CZ, LV, HR, RO) or in combination with the smart specialisation strategy (e.g. EL, IT, LT, SI). Other Member States developed a strategy in adjustment with the innovation strategy (e.g. HU, PT). France implemented the digital growth strategies in each regional OP addressing the relevant thematic objective 2. Some of the French regions combined the digital aspect with the RIS3 process other developed separate documents.

Need for action plans in 10 Member States/54 OPs

MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
FR	6	2015	HU	2	2014, 2015
CY	1	2015	IT	17	2014, 2015
CZ	2	2015	PT	7	2015
EL	16	2015	RO	1	2015
HR	1	2015	SI	1	2015

2.4 Thematic ex-ante conditionality 2.2

Next Generation Network (NGN) Infrastructure: The existence of national or regional NGN Plans which take account of regional actions in order to reach the Union high-speed Internet access targets, focusing on areas where the market fails to provide an open infrastructure at an affordable cost and of a quality in line with the Union competition and State aid rules, and to provide accessible services to vulnerable groups.

Short form	Next Generation Network		
Corresponding Investment Priority	IP 2a		
Considered applicable in 18 Member States/83 OPs			
Austria	-	Lithuania	1
Bulgaria	-	Luxembourg	-
Belgium	-	Hungary	1
Czech Republic	1	Malta	-
Cyprus	1	Netherlands	-
Denmark	-	Poland	10
Estonia	1	Portugal	-
Finland	-	Croatia	1
France	25	Romania	2
Germany	-	Slovenia	1
Greece	1	Slovakia	1
Ireland	2	Spain	7
Italy	19	Sweden	5
Latvia	1	UK	3
Ex-ante applicable mostly at	National level: 88% Regional level: 6% Both levels: 6%		
ExAC has been a matter of difficulties	No difficulties have been reported		
Overall rate of fulfilment	PA level: 41% fulfilled OP level: 67% fulfilled		
Timing of fulfilment at OP-level	Share before December 2013: 46% Share between the adoption of the CPR and the adoption of the OP: 54%		

Criteria

Difficult and easy criteria

The next generation network (NGN) plan is in place in more than 70% of the OPs however only 60% reported that the plan is yet based on economic analysis (2.2.2) and sustainable investment models (2.2.3).

Type of approaches/actions implemented to fulfil ExAC before OP adoption

Ex-ante conditionality (2.2) next generation network is strongly linked to the digital growth strategy. In some Member States it is one element of the strategy or even one element of the RIS3. However it is in all cases except France elaborated at central level. In the case of Italy, France or Greece a need assessment has been basis for the new master plan. In some cases (e.g. IE, IT, LT, FR, ES) private investments are taken into account.

Need for action plans in 10 Member States/29 OPs

MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
FR	1	2015	HU	1	NA
CY	1	2015	IT	18	2015
CZ	1	2015	LT	1	2014
EL	3	2015	RO	1	2015
HR	1	2015	SI	1	2015

2.5 Thematic ex-ante conditionality 3.1

Specific actions have been carried out to underpin the promotion of entrepreneurship taking into account the Small Business Act (SBA).

Short form	Small Business Act		
Corresponding Investment Priority	IP 3a, 3d		
Considered applicable in 25 Member States/161 OPs			
Austria	1	Lithuania	1
Bulgaria	1	Luxembourg	-
Belgium	3	Hungary	2
Czech Republic	2	Malta	2
Cyprus	1	Netherlands	-
Denmark	-	Poland	18
Estonia	1	Portugal	8
Finland	2	Croatia	1
France	29	Romania	1
Germany	11	Slovenia	1
Greece	14	Slovakia	1
Ireland	2	Spain	21
Italy	22	Sweden	9
Latvia	1	UK	6
Ex-ante applicable mostly at	National level: 78% Regional level: 9% Both levels: 13%		
ExAC has been a matter of difficulties	No difficulties have been reported		
Overall rate of fulfilment	PA level: 64% fulfilled OP level: 77% fulfilled		
Timing of fulfilment at OP-level	Share before December 2013: 46% Share between the adoption of the CPR and the adoption of the OP: 53%		
Criteria			
Difficult and easy criteria	The state of fulfilment of criteria related to 'Small business act' are generally high, however, the lowest fulfilment is marked for monitoring mechanism with 70% (3.1.3).		

Type of approaches/actions implemented to fulfil ExAC before OP adoption

Implementation of the Small Business Act, reduction of administrative burdens for SMEs.

Need for action plans in 9 Member States/37 OPs

MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
CY	1	2015	PL	17	2015
CZ	2	2015	PT	8	2014
HR	1	2015	SI	1	2015
IT	4	2015, 2016	SK	1	2015
MT	2	2015			

2.6 Thematic ex-ante conditionality 4.1

Actions have been carried out to promote cost-effective improvements of energy end use efficiency and cost-effective investment in energy efficiency when constructing or renovating buildings.

Short form	Energy efficiency		
Corresponding Investment Priority	ERDF IP 4c CF IP a(iii)		
Considered applicable in 25 Member States/152 OPs			
Austria	-	Lithuania	1
Bulgaria	2	Luxembourg	1
Belgium	3	Hungary	4
Czech Republic	4	Malta	1
Cyprus	1	Netherlands	1
Denmark	-	Poland	17
Estonia	1	Portugal	8
Finland	-	Croatia	1
France	26	Romania	1
Germany	11	Slovenia	1
Greece	15	Slovakia	2
Ireland	2	Spain	18
Italy	22	Sweden	5
Latvia	1	UK	3
Ex-ante applicable mostly at	National level: 78% Regional level: 9% Both levels: 13%		
ExAC has been a matter of difficulties	Germany reported difficulties with TExAC TO4		
Overall rate of fulfilment	PA level: 42% fulfilled OP level: 48% fulfilled		
Timing of fulfilment at OP-level	Share before December 2013: 58% Share between the adoption of the CPR and the adoption of the OP: 42%		

Criteria

Difficult and easy criteria

Criteria related to energy efficiency (4.1) shows different status of fulfilment. While measures for minimum energy performance requirements (4.1.1), measures for certification system establishment (4.1.2) and measures for strategic planning (4.1.3) mark a high share of non-fulfilment (55%, 48%, 34%), measures consistent with Article 13 of Directive 2006/32/EC (4.1.4) mark a share of fulfilment of almost 100%.

Type of approaches/actions implemented to fulfil ExAC before OP adoption

Regarding energy efficiency action plans mainly describe the adaption of the legal framework in the Member States (BE, CZ, EE, HU, PT). Some Member States elaborated certificates, guidelines and methodologies for energy efficiency in buildings (EL, IT, MT, PL, SE). Slovenia plans to establish a web-portal for energy efficiency and Mayotte, France redrafts the regional plan for climate, air and energy.

Need for action plans in 13 Member States/78 OPs

MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
FR	1	2015	MT	1	2015, 2016
BE	1	2015	NL	1	2015
CZ	4	2015	PL	17	2015
EL	15	2014, 2015	PT	8	2015
HU	4	NA	SE	5	2015
IT	19	2014, 2015, 2015	SI	1	2015

2.7 Thematic ex-ante conditionality 4.2

Actions have been carried out to promote high-efficiency co-generation of heat and power.

Short form	Co-generation		
Corresponding Investment Priority	ERDF IP 4g CF IP a(vi)		
Considered applicable in 12 Member States/39 OPs			
Austria	-	Lithuania	-
Bulgaria	-	Luxembourg	-
Belgium	1	Hungary	-
Czech Republic	2	Malta	-
Cyprus	-	Netherlands	-
Denmark	-	Poland	15
Estonia	-	Portugal	1
Finland	-	Croatia	-
France	6	Romania	1
Germany	1	Slovenia	1
Greece	2	Slovakia	1
Ireland	-	Spain	3
Italy	5	Sweden	-
Latvia	-	UK	-
Ex-ante applicable mostly at	National level: 75% Regional level: 8% Both levels: 17%		
ExAC has been a matter of difficulties	Germany reported difficulties with TExAC TO4		
Overall rate of fulfilment	PA level: 93% fulfilled OP level: 98% fulfilled		
Timing of fulfilment at OP-level	Share before December 2013: 56% Share between the adoption of the CPR and the adoption of the OP: 44%		
Criteria			
Difficult and easy criteria	Co-generation (4.2) shows a high fulfilment rate of almost 100% of all criteria.		

Type of approaches/actions implemented to fulfil ExAC before OP adoption

Preparation and adoption of Programme for the use of efficiency potential in heating and cooling for the period 2016-2030 according to Directive 2012/27.
The programme will include identification and calculation of potential for useful heating and cooling demands, appropriate mechanisms in order to increase share of high-efficiency cogeneration and identification of existing obstacles and barriers and measures for its minimisations/eliminations.

Need for action plans in 1 Member States/1 OP

MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
HR	1	2015			

2.8 Thematic ex-ante conditionality 4.3

Actions have been carried out to promote the production and distribution of renewable energy sources (4).

Short form	Renewables		
Corresponding Investment Priority	ERDF IP 4a CF IP a(i)		
Considered applicable in 20 Member States/91 OPs			
Austria	-	Lithuania	1
Bulgaria	1	Luxembourg	1
Belgium	2	Hungary	2
Czech Republic	3	Malta	1
Cyprus	-	Netherlands	1
Denmark	-	Poland	17
Estonia	-	Portugal	8
Finland	-	Croatia	-
France	25	Romania	1
Germany	2	Slovenia	1
Greece	2	Slovakia	1
Ireland	-	Spain	8
Italy	8	Sweden	-
Latvia	1	UK	5
Ex-ante applicable mostly at	National level: 75% Regional level: 10% Both levels: 15%		
ExAC has been a matter of difficulties	Germany reported difficulties with TExAC TO4		
Overall rate of fulfilment	PA level: 95% fulfilled OP level: 96% fulfilled		
Timing of fulfilment at OP-level	Share before December 2013: 71% Share between the adoption of the CPR and the adoption of the OP: 29%		
Criteria			
Difficult and easy criteria	Renewable energy (4.3) shows a high fulfilment rate of almost 100% of all criteria.		

Type of approaches/actions implemented to fulfil ExAC before OP adoption

National renewable energy action plan currently with consultants, development of regional energy plans,

Need for action plans in 2 Member States/2 OPs

MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
SI	1	2015	UK	1	2015

2.9 Thematic ex-ante conditionality 5.1

Risk prevention and risk management: the existence of national or regional risk assessments for disaster management taking into account climate change adaptation.

Short form	Risk management		
Corresponding Investment Priority	ERDF IP 5b CF IP b(ii)		
Considered applicable in 19 Member States/72 OPs			
Austria	-	Lithuania	-
Bulgaria	1	Luxembourg	-
Belgium	-	Hungary	1
Czech Republic	3	Malta	-
Cyprus	1	Netherlands	-
Denmark	-	Poland	17
Estonia	1	Portugal	2
Finland	-	Croatia	1
France	16	Romania	1
Germany	3	Slovenia	-
Greece	7	Slovakia	1
Ireland	-	Spain	4
Italy	11	Sweden	
Latvia	1	UK	1
Ex-ante applicable mostly at	National level: 69% Regional level: 19% Both levels: 13%		
ExAC has been a matter of difficulties	No difficulties have been reported		
Overall rate of fulfilment	PA level: 43% fulfilled OP level: 81% fulfilled		
Timing of fulfilment at OP-level	Share before December 2013: 60% Share between the adoption of the CPR and the adoption of the OP: 40%		
Criteria			
Difficult and easy criteria	All four criteria regarding risk prevention and risk management (5.1) do show a high share of fulfilment.		

Type of approaches/actions implemented to fulfil ExAC before OP adoption

Ex-ante conditionality (5.1) 'Risk management plan' is mainly reported at national level. Most of the regional OPs refer to those mainly national documents. In some areas with higher risk awareness risk assessments have been conducted. The main subject has been floods. Some of the overseas regions included seismic risk management (e.g. Martinique FR). Germany implemented the risk analysis in the law for civil protection and disaster management. However each Federal state has its own protection programme. In Greece a platform for risk reduction has been established. The national framework for Action 2005 - 2015 includes the assessment of earthquakes, tsunamis and forest fires. With regard to earthquakes and forest fires, the assessment is fully integrated into national legislation. The second edition of the national risk assessment framework includes multi-risk scenarios and flood risk assessments.

The Italian national authorities provide the legal framework with the Prime Ministerial Decree. In compliance with the Decree the Italian regions adopted the regional system of civil protection for meteorological, hydrological and hydraulic risks. Latvia elaborates the Flood Risk Management Plan coordination with the River Basin Management Plans 2015-2016 for the four river basins in Latvia. Some of the Spanish regions have their own risk management plans. In France risk management is part of different legislation acts and road maps.

In general it can be said that the main activity to fulfil the ex-ante conditionality has been the risk assessment.

Need for action plans in 11 Member States/13 OPs

MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
FR	1	2015	IT	2	2016
BG	1	2015, 2016	LV	1	2015
CY	1	2016	PT	1	2015
CZ	2	2015	RO	1	NA
EE	1	2016	SK	1	2015
HR	1				

2.10 Thematic ex-ante conditionality 6.1

Water sector: The existence of a) a water pricing policy which provides adequate incentives for users to use water resources efficiently and b) an adequate contribution of the different water uses to the recovery of the costs of water services at a rate determined in the approved river basin management plan for investment supported by the programmes.

Short form	Water sector
Corresponding Investment Priority	ERDF IP 6b CF IP c(i)

Considered applicable in 18 Member States/72 OPs

Austria	-	Lithuania	1
Bulgaria	2	Luxembourg	-
Belgium	-	Hungary	1
Czech Republic	1	Malta	1
Cyprus	1	Netherlands	-
Denmark	-	Poland	17
Estonia	1	Portugal	2
Finland	-	Croatia	1
France	6	Romania	1
Germany	-	Slovenia	1
Greece	14	Slovakia	2
Ireland	-	Spain	13
Italy	6	Sweden	-
Latvia	1	UK	-

Ex-ante applicable mostly at	National level: 82% Regional level: 12% Both levels:6%
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ExAC has been a matter of difficulties	Difficulties have been reported in 1 MS: HU stated that the concept for the assessment was not clear despite the guidance. What is the status required from the strategies? Is the official adoption by the Hungarian government or Parliament necessary, or will the preparation of the Ministry's proposal (and public consultation) suffice? Also, should the EC only tick the box that the strategy is adopted and the key elements as outlined in the regulation about EAC are contained
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	in it, or will they assess whether the content is actually what it says it is and can be taken seriously (sufficiently detailed and evidenced), or even question policy choices in the document? Problematic areas for the assessment of fulfilment included a range of general and thematic EAC, like water management.				
Overall rate of fulfilment	PA level: 20% fulfilled OP level: 11% fulfilled				
Timing of fulfilment at OP-level	Share before December 2013: 57% Share between the adoption of the CPR and the adoption of the OP: 43%				
Criteria					
Difficult and easy criteria	The status of fulfilment of criteria related to the water sector (6.1) is very low (5-20%)				
Type of approaches/actions implemented to fulfil ExAC before OP adoption					
Implementation of EU legislation, capacity building					
Need for action plans in 16 Member States/63 OPs					
MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
FR	4	2015	IT	6	2015, 2016
BG	2	NA	LV	1	2015
CY	1	2015	MT	1	2015
CZ	1	2015, 2016	PL	17	2015, 2016
EL	14	2015, 2016	PT	2	2015, 2016
ES	8	2015, 2016	RO	1	NA
HR	1	2015, 2016	SI	1	2015
HU	1	NA	SK	2	2015, 2016

2.11 Thematic ex-ante conditionality 6.2

Waste sector: Promoting economically and environmentally sustainable investments in the waste sector particularly through the development of waste management plans consistent with Directive 2008/98/EC, and with the waste hierarchy.

Short form	Waste sector		
Corresponding Investment Priority	ERDF IP 6a CF IP c(ii)		
Considered applicable in 16 Member States/52 OPs			
Austria	-	Lithuania	1
Bulgaria	2	Luxembourg	-
Belgium	-	Hungary	1
Czech Republic	1	Malta	1
Cyprus	1	Netherlands	-
Denmark	-	Poland	17
Estonia	-	Portugal	2
Finland	-	Croatia	1
France	5	Romania	1
Germany	-	Slovenia	1
Greece	10	Slovakia	1
Ireland	-	Spain	-
Italy	6	Sweden	-
Latvia	1	UK	-
Ex-ante applicable mostly at	National level: 82% Regional level: 12% Both levels: 6%		
ExAC has been a matter of difficulties	No difficulties have been reported		
Overall rate of fulfilment	PA level: 25% fulfilled OP level: 18% fulfilled		
Timing of fulfilment at OP-level	Share before December 2013: 20% Share between the adoption of the CPR and the adoption of the OP: 18%		
Criteria			
Difficult and easy criteria	The fulfilment of criteria related to the waste sector (6.2) is diverse. The implementation report (6.2.1) has been submitted in almost 95%, waste prevention programmes (6.2.3) exist in at		

least 60% of the OPs. Conversely, waste management plans (6.2.2) and recycling measures (6.2.4) exist only in 12% and 15% of the OPs, respectively, addressing the relevant TO.

Type of approaches/actions implemented to fulfil ExAC before OP adoption

Implementation of EU legislation, capacity building

Need for action plans in 13 Member States/47 OPs¹

MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
FR	2	2015	IT	3	2015, 2016
BG	1	2014	LV	1	2015
CY	1	2015	PL	16	2015, 2016
CZ	1	2016	PT	1	2014
EL	12	2014, 2015	RO	1	NA
ES	6	2014, 2015, 2016	SK	1	2015
HR	1	2015			

¹ In case of SR, Action Plan containing 5 actions to fulfil EAC 6.2, 4th criterion, was prepared and included in the OP QE (reference to the OP QE, chapter 9.2, Table 75)

2.12 Thematic ex-ante conditionality 7.1

Transport: The existence of a comprehensive plan or plans or framework or frameworks for transport investment in accordance with the Member States' institutional set-up (including public transport at regional and local level) which supports infrastructure development and improves connectivity to the TEN-T comprehensive and core networks.

Short form	Transport masterplan		
Corresponding Investment Priority	ERDF IP 7a, 7b, 7c, 7d CF IP d(i), d(ii)		
Considered applicable in 20 Member States/69 OPs			
Austria	-	Lithuania	1
Bulgaria	2	Luxembourg	-
Belgium	-	Hungary	1
Czech Republic	2	Malta	1
Cyprus	1	Netherlands	-
Denmark	-	Poland	18
Estonia	1	Portugal	3
Finland	-	Croatia	1
France	4	Romania	1
Germany	-	Slovenia	1
Greece	14	Slovakia	2
Ireland	-	Spain	5
Italy	6	Sweden	2
Latvia	1	UK	2
Ex-ante applicable mostly at	National level: 79% Regional level: 11% Both levels: 11%		
ExAC has been a matter of difficulties	No difficulties have been reported		
Overall rate of fulfilment	19% fulfilled (PA and OP level)		
Timing of fulfilment at OP-level	Share before December 2013: 23% Share between the adoption of the CPR and the adoption of the OP: 77%		
Criteria			
Difficult and easy criteria	Criteria within the thematic ex-ante conditionality related to road (7.1) show a low level of fulfilment.		

Type of approaches/actions implemented to fulfil ExAC before OP adoption

Regarding the conditionality (7.1) 'Transport master plan' the requirements are the preparation of the master plan as well as to prepare a project pipeline. This covers road and if relevant also (7.2) 'rail' and (7.3) 'waterway transport infrastructure'. The master plan has been mainly elaborated at national level with the involvement of all necessary stakeholders. Poland, France, UK and some Italian regions have reported regional transport plans. Italy and Czech Republic transport master plans do not yet contain a rail or waterway section. Spain reports a separate Logistics Strategy at national level. The Spanish autonomous communities have separate plans for multimodal transport (often integrated in regional respective infrastructure transport plans) within regional network of competences.

The whole process is long lasting starting with the engagement of a wide range of different stakeholders, an adequate assessment as a basis and after the necessary strategic environmental assessment.

Interviews revealed that the process had been highly political with the involvement of a wide range of different stakeholders at national as well as regional and local level. A lot of experts claim that the political character of the process tend to hinder an effective prioritisation according to the actual needs of the respective Member State in favour of those with the highest political influence.

Beside the development of the transport plan which is in a more advance state the required project pipeline seems to be the actual subject of political debates. Furthermore managing authorities claimed that the development of the project pipeline is the biggest challenge and intermediary bodies as well as final beneficiaries cannot influence the whole process of preparing the investment projects.

The preparatory process is considered as complicated and it is seen as almost impossible to realize projects in time which do not have at least a construction permission at the time the funding period starts. The preparatory phase for construction proved to be too long lasting for the programme period. Even if they were well prepared, they have to be properly tendered.

The lack of adequate measures for capacity building of beneficiaries has been raised as one key obstacle in Czech Republic and Slovakia. However Greece, Spain, Hungary, Croatia and Lithuania reported measures for capacity building are in preparation.

Need for action plans in 18 Member States/46 OPs

MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
FR	1	2015	LT	1	2015
BG	2	2015	LV	1	2015
CZ	2	2015, 2016	MT	1	2015
EE	1	2014	PL	16	2015, 2016
EL	14	2014, 2015	PT	3	2014, 2015
ES	1	2016	RO	1	NA
HR	1	2016	SI	1	2016
HU	1	2015	SK	2	2016
IT	6	2015, 2016	UK	1	2015

2.13 Thematic ex-ante conditionality 7.2

Railway: The existence within the comprehensive transport plan or plans or framework or frameworks of a specific section on railway development in accordance with the Member States' institutional set-up (including concerning public transport at regional and local level) which supports infrastructure development and improves connectivity to the TEN-T comprehensive and core networks. The investments cover mobile assets, interoperability and capacity-building.

Short form	Railway		
Corresponding Investment Priority	ERDF IP 7a, 7b, 7c, 7d CF IP d(i), d(ii)		
Considered applicable in 17 Member States/51 OPs			
Austria	-	Lithuania	1
Bulgaria	1	Luxembourg	-
Belgium	-	Hungary	1
Czech Republic	1	Malta	-
Cyprus	-	Netherlands	-
Denmark	-	Poland	18
Estonia	1	Portugal	1
Finland	-	Croatia	1
France	2	Romania	-
Germany	-	Slovenia	1
Greece	8	Slovakia	1
Ireland	-	Spain	3
Italy	6	Sweden	2
Latvia	1	UK	2
Ex-ante applicable mostly at	National level: 75% Regional level: 13% Both levels: 13%		
ExAC has been a matter of difficulties	No difficulties have been reported		
Overall rate of fulfilment	PA level: 23% fulfilled OP level: 24% fulfilled		
Timing of fulfilment at OP-level	Share before December 2013: 8% Share between the adoption of the CPR and the adoption of the OP: 92%		
Criteria			
Difficult and easy criteria	The thematic ex-ante conditionality related to rail (7.2) shows a low level of fulfilment		

of both criteria.

Type of approaches/actions implemented to fulfil ExAC before OP adoption

Regarding the conditionality (7.1) 'Transport master plan' the requirements are the preparation of the master plan as well as to prepare a project pipeline. This covers road and if relevant also (7.2) 'rail' and (7.3) 'waterway transport infrastructure'. The master plan has been mainly elaborated at national level with the involvement of all necessary stakeholders. Poland, France, UK and some Italian regions have reported regional transport plans. Italy and Czech Republic transport master plans do not yet contain a rail or waterway section. Spain reports a separate Logistics Strategy at national level. The Spanish autonomous communities have separate plans for multimodal transport (often integrated in regional respective infrastructure transport plans) within regional network of competences.

The whole process is long lasting starting with the engagement of a wide range of different stakeholders, an adequate assessment as a basis and after the necessary strategic environmental assessment.

Interviews revealed that the process had been highly political with the involvement of a wide range of different stakeholders at national as well as regional and local level. A lot of experts claim that the political character of the process tend to hinder an effective prioritisation according to the actual needs of the respective Member State in favour of those with the highest political influence.

Beside the development of the transport plan which is in a more advance state the required project pipeline seems to be the actual subject of political debates. Furthermore managing authorities claimed that the development of the project pipeline is the biggest challenge and intermediary bodies as well as final beneficiaries cannot influence the whole process of preparing the investment projects.

The preparatory process is considered as complicated and it is seen as almost impossible to realize projects in time which do not have at least a construction permission at the time the funding period starts. The preparatory phase for construction proved to be too long lasting for the programme period. Even if they were well prepared, they have to be properly tendered.

The lack of adequate measures for capacity building of beneficiaries has been raised as one key obstacle in Czech Republic and Slovakia. However Greece, Spain, Hungary, Croatia and Lithuania reported measures for capacity building are in preparation.

Need for action plans in 13 Member States/42 OPs

MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
BG	1	2015	LV	1	2015
CZ	1	2015, 2016	PL	14	2015, 2016
EL	12	2014, 2015	PT	1	2014
HR	1	2016	SI	1	2016
HU	1	2015	SK	1	2015, 2016
IT	6	2015, 2016	UK	1	2015
LT	1	2015			

2.14 Thematic ex-ante conditionality 7.3

Other modes of transport, including inland-waterways and maritime transport, ports, multimodal links and airport infrastructure: the existence within the comprehensive transport plan or plans or framework or frameworks of a specific section on inland-waterways and maritime transport, ports, multimodal links and airport infrastructure, which contribute to improving connectivity to the TEN-T comprehensive and core networks and to promoting sustainable regional and local mobility.

Short form	Other modes of transport		
Corresponding Investment Priority	ERDF IP 7a, 7b, 7c, 7d CF IP d(i), d(ii)		
Considered applicable in 20 Member States/47 OPs			
Austria	-	Lithuania	1
Bulgaria	1	Luxembourg	-
Belgium	-	Hungary	1
Czech Republic	1	Malta	1
Cyprus	1	Netherlands	-
Denmark	-	Poland	4
Estonia	1	Portugal	3
Finland	-	Croatia	1
France	6	Romania	1
Germany	-	Slovenia	1
Greece	12	Slovakia	1
Ireland	-	Spain	2
Italy	5	Sweden	2
Latvia	1	UK	1
Ex-ante applicable mostly at	National level: 79% Regional level: 11% Both levels: 11%		
ExAC has been a matter of difficulties	No difficulties have been reported		
Overall rate of fulfilment	PA level: 20% fulfilled OP level: 26% fulfilled		
Timing of fulfilment at OP-level	Share before December 2013: 50% Share between the adoption of the CPR and the adoption of the OP: 50%		
Criteria			
Difficult and easy criteria	The thematic ex-ante conditionality related to other modes of transport (7.3) shows a		

low level of fulfilment of all four criteria.

Type of approaches/actions implemented to fulfil ExAC before OP adoption

Regarding the conditionality (7.1) 'Transport master plan' the requirements are the preparation of the master plan as well as to prepare a project pipeline. This covers road and if relevant also (7.2) 'rail' and (7.3) 'waterway transport infrastructure'. The master plan has been mainly elaborated at national level with the involvement of all necessary stakeholders. Poland, France, UK and some Italian regions have reported regional transport plans. Italy and Czech Republic transport master plans do not yet contain a rail or waterway section. Spain reports a separate Logistics Strategy at national level. The Spanish autonomous communities have separate plans for multimodal transport (often integrated in regional respective infrastructure transport plans) within regional network of competences.

The whole process is long lasting starting with the engagement of a wide range of different stakeholders, an adequate assessment as a basis and after the necessary strategic environmental assessment.

Interviews revealed that the process had been highly political with the involvement of a wide range of different stakeholders at national as well as regional and local level. A lot of experts claim that the political character of the process tend to hinder an effective prioritisation according to the actual needs of the respective Member State in favour of those with the highest political influence.

Beside the development of the transport plan which is in a more advance state the required project pipeline seems to be the actual subject of political debates. Furthermore managing authorities claimed that the development of the project pipeline is the biggest challenge and intermediary bodies as well as final beneficiaries cannot influence the whole process of preparing the investment projects.

The preparatory process is considered as complicated and it is seen as almost impossible to realize projects in time which do not have at least a construction permission at the time the funding period starts. The preparatory phase for construction proved to be too long lasting for the programme period. Even if they were well prepared, they have to be properly tendered.

The lack of adequate measures for capacity building of beneficiaries has been raised as one key obstacle in Czech Republic and Slovakia. However Greece, Spain, Hungary, Croatia and Lithuania reported measures for capacity building are in preparation.

Need for action plans in 16 Member States/37 OPs

MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
FR	1	2015	LT	1	2015
BG	1	2015	LV	1	2015
CZ	1	2015, 2016	MT	1	2015
EE	1	2014, 2016	PL	3	2015, 2016
EL	14	2014, 2015	PT	3	2014, 2015
HR	1	2016	RO	1	NA
HU	1	2015	SI	1	2016
IT	5	2015, 2016	SK	1	2016

2.15 Thematic ex-ante conditionality 7.4

Development of smart energy distribution, storage and transmission systems. The existence of comprehensive plans for investments in smart energy infrastructure, and of regulatory measures, which contribute to improving energy efficiency and security of supply.

Short form Smart energy infrastructure

Corresponding Investment Priority ERDF IP 7e

Considered applicable in 8 Member States/16 OPs

Austria	-	Lithuania	1
Bulgaria	1	Luxembourg	-
Belgium	-	Hungary	-
Czech Republic	1	Malta	-
Cyprus	-	Netherlands	-
Denmark	-	Poland	4
Estonia	-	Portugal	-
Finland	-	Croatia	-
France	1	Romania	1
Germany	-	Slovenia	-
Greece	6	Slovakia	-
Ireland	-	Spain	-
Italy	-	Sweden	-
Latvia	1	UK	-

Ex-ante applicable mostly at National level: 75%
National and Regional level: 25%

ExAC has been a matter of difficulties Difficulties have been reported in 1 MS: HU stated that the concept for the assessment was not clear despite the guidance. What is the status required from the strategies? Is the official adoption by the Hungarian government or Parliament necessary, or will the preparation of the Ministry's proposal (and public consultation) suffice? Also, should the EC only tick the box that the strategy is adopted and the key elements as outlined in the regulation about EAC are contained in it, or will they assess whether the content is actually what it says it is and can be taken seriously (sufficiently detailed and evidenced), or even question policy choices in the document?

	Problematic areas for the assessment of fulfilment included a range of general and thematic EAC, like energy networks.				
Overall rate of fulfilment	PA level: 0% fulfilled OP level: 60% fulfilled				
Timing of fulfilment at OP-level	Share before December 2013: 67% Share between the adoption of the CPR and the adoption of the OP: 22% (NA 11%)				
Criteria					
Difficult and easy criteria	Smart energy distribution (7.4) does show a very high share of fulfilment (> to 85%). Only the criteria related to project pipeline (7.4.5) shows a lower fulfilment rate of around 73%.				
Type of approaches/actions implemented to fulfil ExAC before OP adoption					
<p>Only 26 OPs have addressed the ex-ante conditionality (7.4) 'smart energy infrastructure'. Of which 11 are reported the fulfilment of the respective conditionality. These are all Greek, Romanian and Czech OPs. The OPs are referring to the national plan of energy infrastructure. Lithuania reports that plans describing the national energy infrastructure priorities are in place but they are not comprehensive enough. Plans concerned are not fully compatible with Article 3(4) of the Regulation (EU) No 347/2013 of the European Parliament and of the Council (8).</p> <p>In Romania the implementation of EC regulations in national law has been processed already before the programming period and continued further till 2013.</p> <p>Bulgaria is reporting about a currently conducted public participation process with the aim to finalise the Ten-Year Network Development Plan (TYNDP) 2014-2023 of "Bulgartransgaz" EAD. It has been followed by a closed session of the State Energy and Water Regulatory Commission on 8 October 2014. The approval of TYNDP is part of the certification process of "Bulgartransgaz" EAD as an independent transmission operator which will be completed by September 2015.</p> <p>In Poland the energy policy of Poland 2030 was accepted by Council of Ministers on 10 November 2009. This is the strategy of the state which contains solutions facing the most important challenges of the Polish energy sector, both in the short-term perspective, as up to 2030. The document was elaborated in coordination with the Polish energy agency which fulfils the function of the nation-wide partner and the consultant in the matters of the sustainable energetic policy. The project pipeline is not yet in place.</p>					
Need for action plans in 3 Member States/6 OPs					
MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
BG	1	2015	PL	1	2014
LT	1	2014			

2.16 Thematic ex-ante conditionality 8.1

Active labour market policies are designed and delivered in the light of the Employment guidelines.

Short form	Active labour market policies		
Corresponding Investment Priority	ESF IP 8i		
Considered applicable in 12 Member States/40 OPs²			
Austria	-	Lithuania	1
Bulgaria	-	Luxembourg	-
Belgium	-	Hungary	3
Czech Republic	-	Malta	-
Cyprus	-	Netherlands	-
Denmark	-	Poland	15
Estonia	1	Portugal	7
Finland	2	Croatia	-
France	2	Romania	-
Germany	-	Slovenia	1
Greece	3	Slovakia	1
Ireland	-	Spain	-
Italy	3	Sweden	-
Latvia	1	UK	-
Ex-ante applicable mostly at	National level: 82% National and Regional level: 18%		
ExAC has been a matter of difficulties	No difficulties have been reported		
Overall rate of fulfilment	PA level: 71% fulfilled OP level: 80% fulfilled		
Timing of fulfilment at OP-level	Share before December 2013: 37% Share between the adoption of the CPR and the adoption of the OP: 63%		
Criteria			
Difficult and easy criteria	There is a clear distinction between the share of fulfilment of different criteria in 8.1 (Active labour		

² The fact sheet covers only multi-fund OPs and not ESF mono-fund OPs and therefore represents a partial view of programming

market policies in line with Employment guidelines).
 While the level of fulfilment related to the capacity of employment services (8.1.1) is relatively low (33%), services and labour market measures (8.1.2) as well as the actual set up of an employment service (8.1.3) are fulfilled in 73% and in almost 100%, respectively.

Need for action plans in 4 Member States/11 OPs

MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
EL	6	2016	IT	1	2016
HU	3	2015	SK	1	2015

2.17 Thematic ex-ante conditionality 8.2

Self-employment, entrepreneurship and business creation: the existence of a strategic policy framework for inclusive start-up.

Short form	Self employment		
Corresponding Investment Priority	ERDF IP 8a ESF IP 8iii		
Considered applicable in 7 Member States/50 OPs³			
Austria	-	Lithuania	-
Bulgaria	-	Luxembourg	-
Belgium	-	Hungary	2
Czech Republic	1	Malta	-
Cyprus	-	Netherlands	-
Denmark	-	Poland	15
Estonia	-	Portugal	7
Finland	-	Croatia	-
France	10	Romania	-
Germany	-	Slovenia	-
Greece	13	Slovakia	-
Ireland	-	Spain	-
Italy	2	Sweden	-
Latvia	-	UK	-
Ex-ante applicable mostly at	National level: 71% National and Regional level: 29%		
ExAC has been a matter of difficulties	No difficulties have been reported		
Overall rate of fulfilment	PA level: 91% fulfilled OP level: 98% fulfilled		
Timing of fulfilment at OP-level	Share before December 2013: 67% Share between the adoption of the CPR and the adoption of the OP: 33%		
Criteria			
Difficult and easy criteria	Very high fulfilment rate of each criteria		

³ The fact sheet covers only multi-fund OPs and not ESF mono-fund OPs and therefore represents a partial view of programming

Type of approaches/actions implemented to fulfil ExAC before OP adoption

The ex-ante conditionality (8.2) 'self-employment' comprising strategic policy frameworks for inclusive start-up has been reported as fulfilled in all Member States where relevant. In France measures have been put in place with the objective of reducing the time and cost involved in setting up a business, taking the targets of the SBA into account; reducing the time needed to get licenses and permits to take up and perform the specific activity of an enterprise; actions linking suitable business development services and financial services (access to capital), including disadvantaged groups.

In Poland the respective conditionality is covered by three programmes: Enterprise Development until 2020, Better Regulations 2015; National Programme on the development of social economy. In Greece and Hungary a range of measures have been implemented in the past years to reduce the administrative burden for start-ups and specifically for disadvantaged groups.

Italy introduced evaluations of the impact of the legislation on enterprises. This forms a task of the National Authority for micro business and SMEs. It analyses both ex-ante and ex post impact. Also regions and Municipalities due have to assess the impact of the laws (including fiscal laws) on the enterprises in advance. However the fulfilment of the conditionality is formally achieved but regions have to implement monitoring and evaluation systems in their territories.

In general the conditionality did not seem to form any difficulty for Member States it was mainly addressed at national level and already implemented before the programmes started.

Need for action plans in 1 Member State/1 OP

MS	Number of OPs	Expected deadline			
CZ	1 ⁴	2015			

⁴ only applicable to ERDF investments

2.18 Thematic ex-ante conditionality 8.3

Labour market institutions are modernised and strengthened in the light of the Employment Guidelines;
Reforms of labour market institutions will be preceded by a clear strategic policy framework and ex-ante assessment including with regard to the gender dimension

Short form	Labour market institutions		
Corresponding Investment Priority	ERDF IP 8d ESF IP 8vii		
Considered applicable in 7 Member States/ 18 OPs⁵			
Austria	-	Lithuania	1
Bulgaria	-	Luxembourg	-
Belgium	-	Hungary	-
Czech Republic	-	Malta	-
Cyprus	-	Netherlands	-
Denmark	-	Poland	8
Estonia	-	Portugal	2
Finland	-	Croatia	-
France	2	Romania	-
Germany	-	Slovenia	-
Greece	-	Slovakia	1
Ireland	-	Spain	1
Italy	3	Sweden	-
Latvia	-	UK	-
Ex-ante applicable mostly at	National level: 83% National and Regional level: 17%		
ExAC has been a matter of difficulties	No difficulties have been reported		
Overall rate of fulfilment	PA level: 58% fulfilled OP level: 89% fulfilled		
Timing of fulfilment at OP-level	Share before December 2013: 81% Share between the adoption of the CPR and the adoption of the OP: 19%		

⁵ The fact sheet covers only multi-fund OPs and not ESF mono-fund OPs and therefore represents a partial view of programming

Criteria					
Difficult and easy criteria			There is a clear distinction between the share of fulfilment of different criteria. Actions to reform of labour market institutions (8.3.1) have the lowest fulfilment rate (45%). Criteria 8.3.2 is fulfilled 70% and 8.3.1 is fulfilled 100%.		
Need for action plans in 3 Member States/5 OPs					
MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
EL	3	2016	SK	1	2015
IT	1	2016			

2.19 Thematic ex-ante conditionality 8.4

Active and healthy ageing: Active ageing policies are designed in the light of the Employment Guidelines.

Short form	Active health ageing		
Corresponding Investment Priority	ESF IP 8vi		
Considered applicable in 3 Member States/17 OPs⁶			
Austria	-	Lithuania	-
Bulgaria	-	Luxembourg	-
Belgium	-	Hungary	-
Czech Republic	-	Malta	-
Cyprus	-	Netherlands	-
Denmark	-	Poland	15
Estonia	-	Portugal	-
Finland	-	Croatia	-
France	1	Romania	-
Germany	-	Slovenia	1
Greece	-	Slovakia	-
Ireland	-	Spain	-
Italy	-	Sweden	-
Latvia	-	UK	-
Ex-ante applicable mostly at	National level (100%)		
ExAC has been a matter of difficulties	No difficulties have been reported		
Overall rate of fulfilment	PA level: 67% fulfilled OP level: 6% fulfilled		
Timing of fulfilment at OP-level	Share before December 2013: 0% Share between the adoption of the CPR and the adoption of the OP: 100%		
Criteria			
Difficult and easy criteria	Active health ageing has the lowest fulfilment rate of all thematic ex-ante conditionalities. Measures in place to		

⁶ The fact sheet covers only multi-fund OPs and not ESF mono-fund OPs and therefore represents a partial view of programming

promote active ageing (8.4.2) show a considerable low performance, while 8.4.1 (involvement of stakeholders in the design and follow-up of active ageing measures) is almost always fulfilled. However, only three Member States have addressed the conditionality 8.4 'active ageing' (FR, SI, PL). In the case of Poland almost all regional OPs are referring to the conditionality which is regulated at national level. So the percentage of non-fulfilment is distorted due to the weight of Polish OPs compared to only one OP in France and one in Slovenia.

Need for action plans in 2 Member States/16 OPs

MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
PL	15	2015	SI	1	2015

2.20 Thematic ex-ante conditionality 8.5

Adaptation of workers, enterprises and entrepreneurs to change: The existence of policies aimed at favouring anticipation and good management of change and restructuring.

Short form	Adaptation of workers, enterprises to change		
Corresponding Investment Priority	ESF IP 8v		
Considered applicable in 9 Member States/43 OPs⁷			
Austria	-	Lithuania	-
Bulgaria	-	Luxembourg	-
Belgium	-	Hungary	2
Czech Republic	-	Malta	-
Cyprus	-	Netherlands	-
Denmark	-	Poland	14
Estonia	-	Portugal	6
Finland	1	Croatia	-
France	3	Romania	-
Germany	1	Slovenia	-
Greece	12	Slovakia	-
Ireland	-	Spain	-
Italy	3	Sweden	-
Latvia	1	UK	-
Ex-ante applicable mostly at	National level: 63% National and Regional level: 38%		
ExAC has been a matter of difficulties	No difficulties have been reported		
Overall rate of fulfilment	PA level: 71% fulfilled OP level: 72% fulfilled		
Timing of fulfilment at OP-level	Share before December 2013: 37% Share between the adoption of the CPR and the adoption of the OP: 60% (NA 3%)		

⁷ The fact sheet covers only multi-fund OPs and not ESF mono-fund OPs and therefore represents a partial view of programming

Criteria					
Difficult and easy criteria			Regarding the adaptation of workers the criteria related to 'preparation and management of the restructuring process' (8.5.2) marks only 55% of fulfilment. Criteria 8.5.1 is fulfilled 100%.		
Need for action plans in 1 Member State/13 OPs					
MS	Number of OPs	Expected deadline			
EL	13	2015			

2.21 Thematic ex-ante conditionality 8.6

The existence of a strategic policy framework for promoting youth employment including through the implementation of the Youth Guarantee.

This ex-ante conditionality applies only for implementation of the YEI

Short form	Strategy for youth employment		
Corresponding Investment Priority	ESF IP 8ii		
Considered applicable in 9 Member States/30 OPs⁸			
Austria	-	Lithuania	1
Bulgaria	-	Luxembourg	-
Belgium	-	Hungary	2
Czech Republic	-	Malta	-
Cyprus	-	Netherlands	-
Denmark	-	Poland	5
Estonia	-	Portugal	5
Finland	-	Croatia	-
France	12	Romania	-
Germany	-	Slovenia	1
Greece	-	Slovakia	1
Ireland	-	Spain	-
Italy	2	Sweden	-
Latvia	1	UK	-
Ex-ante applicable mostly at	National level: 70% Regional level: 20% Both levels: 10%		
ExAC has been a matter of difficulties	No difficulties have been reported		
Overall rate of fulfilment	PA level: 75% fulfilled OP level: 98% fulfilled		
Timing of fulfilment at OP-level	Share before December 2013: 18% Share between the adoption of the CPR and the adoption of the OP: 79% (NA 4%)		

⁸ The fact sheet covers only multi-fund OPs and not ESF mono-fund OPs and therefore represents a partial view of programming

Criteria					
Difficult and easy criteria			Ex-ante conditionalities related to 'youth employment' only apply to OPs which include YEI. However, the state of fulfilment is very high for all criteria.		
Need for action plans in 1 Member State/1 OP					
MS	Number of OPs	Expected deadline			
IT	1	2016			

2.22 Thematic ex-ante conditionality 9.1

The existence and the implementation of a national strategic policy framework for poverty reduction aiming at the active inclusion of people excluded from the labour market in the light of the Employment guidelines.

Short form	Strategy for poverty reduction		
Corresponding Investment Priority	ERDF IP 9a, 9b ESF IP 9i		
Considered applicable in 22 Member States/93 OPs⁹			
Austria	1	Lithuania	1
Bulgaria	1	Luxembourg	-
Belgium	1	Hungary	3
Czech Republic	2	Malta	1
Cyprus	1	Netherlands	-
Denmark	-	Poland	15
Estonia	1	Portugal	7
Finland	2	Croatia	1
France	12	Romania	1
Germany	7	Slovenia	1
Greece	13	Slovakia	2
Ireland	-	Spain	8
Italy	11	Sweden	-
Latvia	1	UK	-
Ex-ante applicable mostly at	National level: 77% Regional level: 9% Both levels: 14%		
ExAC has been a matter of difficulties	Several MS (DE, HR, HU and NL) reported difficulties. HR stated that thematic objective 9 dealt with issues related mainly to the strategies and related contents in terms of details that needed to be included and which differed for ERDF and ESF. The EC Guidance helped in solving the issue. HU stated that the concept for the assessment was not clear despite the		

⁹ The fact sheet covers only multi-fund OPs and not ESF mono-fund OPs and therefore represents a partial view of programming

	<p>guidance. What is the status required from the strategies? Is the official adoption by the Hungarian government or Parliament necessary, or will the preparation of the Ministry's proposal (and public consultation) suffice? Also, should the EC only tick the box that the strategy is adopted and the key elements as outlined in the regulation about EAC are contained in it, or will they assess whether the content is actually what it says it is and can be taken seriously (sufficiently detailed and evidenced), or even question policy choices in the document? Problematic areas for the assessment of fulfilment included a range of general and thematic EAC.</p> <p>NL stated that especially for poverty policy, it was unclear whether this issue was applicable at what level (PA or OP).</p>
Overall rate of fulfilment	<p>PA level: 60% fulfilled OP level: 68% fulfilled</p>
Timing of fulfilment at OP-level	<p>Share before December 2013: 23% Share between the adoption of the CPR and the adoption of the OP: 77%</p>
Criteria	
Difficult and easy criteria	<p>The status of fulfilment related to poverty reduction (9.1) shows differences between the criteria and is specifically low (around 50%) for those parts of the policy framework related to needs identification (9.1.5) and project support (9.1.6).</p>
Type of approaches/actions implemented to fulfil ExAC before OP adoption	
<p>Regarding ex-ante conditionality (9.1) 'strategy for poverty reduction' Member States present either one national plan for poverty reduction (e.g. FI, FR, DE, PL) or refer to several different strategies which all cover aspects of poverty reduction (e.g. AT, EE). In most of the cases it lies in the national coordination. Only some Member States described regional activities such as for example for the Finish region Alands and Italy. Member States reported the development or reference to national strategies, but also the support of project applications, consultation and financial support. Some of the EU-13 Member States have been supported by World Bank projects in their development process. For example the Romanian National Strategy regarding Social Inclusion and Poverty Reduction 2014-2020 has been supported by technical assistance of the World Bank. The national strategic policy framework for poverty reduction is implemented by specific laws, such as: guaranteed minimum income (GMI); preventing and combating social marginalisation; unemployment benefit system and stimulating employment; social protection measures during the cold season – heating benefits (HB); family allowance (FA) – for families with children; the child state allowance (CSA); child raising benefits (CRB) and the insertion benefit; the legislative act also regulates the social benefits for people/children with disabilities; the strategy will have also a comprehensive operational action plan, including</p>	

a monitoring mechanism, with indicators.

Need for action plans in 10 Member States/28 OPs

MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
AT	1	2015	IT	7	2014, 2015, 2016
CY	1	2014	LT	1	2014
EE	1	2016	LV	1	2015
EL	13	2014, 2015	MT	1	2014
HR	1	2015	RO	1	NA

2.23 Thematic ex-ante conditionality 9.2

A national Roma inclusion strategic policy framework is in place

Short form	Roma inclusion strategy		
Corresponding Investment Priority	ERDF IP 9a, 9b, TO 10 ESF IP 9ii		
Considered applicable in 12 Member States/42 OPs¹⁰			
Austria	1	Lithuania	1
Bulgaria	2	Luxembourg	-
Belgium	-	Hungary	3
Czech Republic	2	Malta	-
Cyprus	-	Netherlands	-
Denmark	-	Poland	5
Estonia	-	Portugal	-
Finland	-	Croatia	-
France	6	Romania	1
Germany	-	Slovenia	-
Greece	13	Slovakia	1
Ireland	-	Spain	2
Italy	5	Sweden	-
Latvia	-	UK	-
Ex-ante applicable mostly at	National level: 83% National and regional level: 17%		
ExAC has been a matter of difficulties	3 MS (CZ, EE and HR) reported difficulties. EE stated that at the beginning when the full guidance material was not yet provided to the Member States, it was difficult to grasp the meaning of several ExAC (ExAC 9.2). ¹¹ HR stated that thematic objective 9 dealt with issues related mainly to the strategies and related contents in terms of details that needed to be included and which differed for ERDF and ESF. The EC		

¹⁰ The fact sheet covers only multi-fund OPs and not ESF mono-fund OPs and therefore represents a partial view of programming

¹¹ A draft version of the ex-ante conditionalities guidelines were also made available to Member States in March and September 2013

	Guidance helped in solving the issue.				
Overall rate of fulfilment	PA level: 46% fulfilled OP level: 54% fulfilled				
Timing of fulfilment at OP-level	Share before December 2013: 24% Share between the adoption of the CPR and the adoption of the OP: 76%				
Criteria					
Difficult and easy criteria	The status of fulfilment regarding the Roma strategy (9.2) is marked high (> 90%) with the exception of criteria 9.2.4 monitoring methods (around 55%).				
Type of approaches/actions implemented to fulfil ExAC before OP adoption					
<p>The ex-ante conditionality (9.2) 'Roma strategy' has been addressed in 14 Member States. The strategy however is almost everywhere in place and implemented at national level. Only a few of the Member States foresee actual regional activities for better implementation. Activities related to the data collection and monitoring systems are less advanced. In half of the Member States addressing the issue the data collection is still in an early stage. For example in Greece the monitoring system of the implementation of the Roma Strategy is part of the systemic action "Organisation of Monitoring of Social Policies" and is starting at the beginning of 2015. In France the national policy in favour of Roma inclusion is subject to intense policy debates since many years. The involvement of stakeholders again is less advanced. It seems to be missing in Slovakia. In Latvia for example it is not clear how, upon request and where justified, relevant stakeholders could be provided with support for submitting project applications and for implementing and managing the selected projects. Respective regulatory, administrative measures have to be put in place. On the other hand the Italian strategy foresees a strong cooperation between all relevant ministries in this respect however only one OP reported actions at regional level in order to implement the strategy.</p>					
Need for action plans in 5 Member States/18 OPs					
MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
BG	2	2015	LT	1	2014
CZ	2	2016	SK	1	2016
EL	12	2015			

2.24 Thematic ex-ante conditionality 9.3

Health: The existence of a national or regional strategic policy framework for health within the limits of Article 168 TFEU ensuring economic sustainability.

Short form	Health		
Corresponding Investment Priority	ERDF IP 9a ESF IP 9iv		
Considered applicable in 18 Member States/68 OPs¹²			
Austria	-	Lithuania	1
Bulgaria	1	Luxembourg	-
Belgium	-	Hungary	3
Czech Republic	1	Malta	1
Cyprus	-	Netherlands	-
Denmark	-	Poland	17
Estonia	1	Portugal	6
Finland	-	Croatia	1
France	7	Romania	1
Germany	1	Slovenia	1
Greece	13	Slovakia	2
Ireland	-	Spain	6
Italy	4	Sweden	-
Latvia	1	UK	-
Ex-ante applicable mostly at	National level: 82% Regional level: 12% Both levels:6%		
ExAC has been a matter of difficulties	Several MS (HR, IT, PL and SI) reported difficulties. HR stated that thematic objective 9 dealt with issues related mainly to the strategies and related contents in terms of details that needed to be included and which differed for ERDF and ESF. The EC Guidance helped in solving the issue. IT stated that the EC did not initially agree with the Italian position on conditionality 9.3 – health that stated it should have		

¹² The fact sheet covers only multi-fund OPs and not ESF mono-fund OPs and therefore represents a partial view of programming

	<p>been assessed at (regional) OP level. After having provided additional information, the EC agreed.</p> <p>SI stated that the most critical was the Health sector where very few relevant documents existed in the time of the elaboration of the PA and OP. The Commission required commitment from Slovenia not to start drawing the Funds before the ExAC is fulfilled. This is also written in the PA and OP. The Ministry of Health agreed, as there was no other option, in particular as it was also important for Slovenia to have the PA/OP approved. There are no different management measures taken for this ExAC as for the other ones. The set action plan is closely monitored, the progress is reported. Although there have been some delays in elaboration of the strategy/plan it is still the target to complete the task by July 2015.</p>
Overall rate of fulfilment	<p>PA level: 7% fulfilled OP level: 25% fulfilled</p>
Timing of fulfilment at OP-level	<p>Share before December 2013: 41% Share between the adoption of the CPR and the adoption of the OP: 59%</p>
Criteria	
Difficult and easy criteria	<p>The establishment of a health strategy presents a high number of not-fulfilled conditionalities, around 50%. Criteria related to efficiency in the health sector (9.3.3) and monitoring and review systems (9.3.4) are even lower in their performance with only around 30% fulfilment rate.</p>
Type of approaches/actions implemented to fulfil ExAC before OP adoption	
<p>Compared to the other ex-ante conditionalities the 'health strategy' (9.3) fulfilment is in a less advanced stage. Only 15 Member States have addressed this conditionality and only two Member States (Latvia and Lithuania) have reported the conditionality as fulfilled. Although the strategy is mainly elaborated at national level there are exceptions for example in Spain. Spain has a national legislative framework for the National Health System governed by various laws. There are also national health strategies for this system in particular the Strategy for the Promotion of Health and prevention measures. However, the fulfilment of the conditionality has been assessed at the level of regional OP, since the autonomous communities are responsible for the management and implementation of health services and investments in health (due to the decentralised administrative system in Spain). In Greece the elaboration of the National Strategic Framework supported by the Initiative 'Health in Action' was completed in late 2014. Under the 'Health in Action' initiative the Ministry developed a monitoring system for the implementation of reforms, in</p>	

collaboration with the World Health Organisation, which is expected to be operational at the end of the first half of 2015. The Ministry responsible for health has established its strategy for the development of an integrated system providing primary health care, along with the redefinition of the role of National Organisation for the Provision of Health Services. A project has been implemented dealing with the 'Reform Support Program in the field of Health 2013-2015 as part of the Health in Action', implemented by the WHO, which should be completed by the end of 2015. While another project on the creation and operation of Support Mechanism for the National Organisation for the provision of Health Services is expected to be completed by mid 2016 and is implemented by the General Unit Health Procurements. The Croatian National Health Care Strategy 2012-2020 has been adopted by the Croatian Government and Parliament. It is the umbrella strategic document for the health sector. Priorities and measures defined in the Strategy aim to improve access to high-quality health services and to ensure efficient and sustainable health care system.

Need for action plans in 14 Member States/49 OPs

MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
FR	1	2015	LV	1	2013
BG	1	NA	MT	1	2014
CZ	1	2015	PL	16	2015, 2016
EE	1	2014	PT	6	2015, 2016
EL	13	2016	RO	1	2015
HR	1	2015	SI	1	2051
HU	3	2015	SK	2	2016

2.25 Thematic ex-ante conditionality 10.1

Early school leaving: The existence of a strategic policy framework to reduce early school leaving (ESL) within the limits of Article 165 TFEU.

Short form	Early school leaving		
Corresponding Investment Priority	ERDF TO 10 ESF IP 10i		
Considered applicable in 16 Member States/65 OPs¹³			
Austria	-	Lithuania	1
Bulgaria	2	Luxembourg	-
Belgium	-	Hungary	2
Czech Republic	3	Malta	1
Cyprus	-	Netherlands	-
Denmark	-	Poland	15
Estonia	1	Portugal	7
Finland	-	Croatia	-
France	3	Romania	1
Germany	1	Slovenia	-
Greece	11	Slovakia	2
Ireland	-	Spain	9
Italy	5	Sweden	-
Latvia	1	UK	-
Ex-ante applicable mostly at	National level: 86% Regional level: 7% Both levels: 7%		
ExAC has been a matter of difficulties	Difficulties were reported in 1 MS: HR stated that thematic objective 10 dealt with issues related mainly to the strategies and related contents in terms of details that needed to be included and which differed for ERDF and ESF. The EC Guidance helped in solving the issue.		
Overall rate of fulfilment	PA level: 36% fulfilled OP level: 61% fulfilled		

¹³ The fact sheet covers only multi-fund OPs and not ESF mono-fund OPs and therefore represents a partial view of programming

Timing of fulfilment at OP-level	Share before December 2013: 33% Share between the adoption of the CPR and the adoption of the OP: 68%				
Criteria					
Difficult and easy criteria	The overall system for collecting and analysing data is in place (almost 90% fulfilment for criteria 10.1.1 and 10.1.2), the strategic policy framework shows a significantly higher degree of non-fulfilment (around 40% fulfilment for 10.1.3 to 10.1.6).				
Type of approaches/actions implemented to fulfil ExAC before OP adoption					
<p>Ex-ante conditionalities relevant for thematic objective 10 'education' are closely related to each other. It includes Early school leaving, Higher education, Lifelong learning and Strategy for vocational education and training. For all four topics national education strategies are the pre requirement. Some Member States have included all four aspects in one united strategy such as Poland with the Human Development Strategy and Lifelong Learning Perspective or Czech Republic with the national education strategy. In general the ex-ante conditionality (10.1) 'early school leaving' has been elaborated at national level. The main content of the strategic framework is the data collection system. Only some of the partnership agreements described other activities included in the strategy. Some Member States reported the active involvement of regions in the data collection system. Spain does not report anything about the strategy rather than about the indicators which are collected. The central legal framework provides objectives the regions are obliged to implement.</p> <p>France reports a national database system as a information and guidance platforms for young dropouts, a network of contact points providing enhanced support to early school leavers and facilitates access to training, skills and employment and online tools. Germany supports the alliance for dual training in regions which combines work training with school education.</p>					
Need for action plans in 10 Member States/24 OPs					
MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
CZ	3	2015, 2016	LT	1	2014
EE	1	2015	LV	1	2015
EL	11	2015	MT	1	2014
HU	2	NA	RO	1	2015
IT	1	2016	SK	2	2014

2.26 Thematic ex-ante conditionality 10.2

Higher education: the existence of a national or regional strategic policy framework for increasing tertiary education attainment, quality and efficiency within the limits of Article 165 TFEU.

Short form	Higher education		
Corresponding Investment Priority	ERDF TO 10 ESF IP 10ii		
Considered applicable in 15 Member States/46 OPs¹⁴			
Austria	-	Lithuania	1
Bulgaria	2	Luxembourg	-
Belgium	-	Hungary	2
Czech Republic	1	Malta	-
Cyprus	-	Netherlands	-
Denmark	-	Poland	6
Estonia	1	Portugal	5
Finland	-	Croatia	1
France	4	Romania	1
Germany	-	Slovenia	-
Greece	11	Slovakia	1
Ireland	-	Spain	4
Italy	5	Sweden	-
Latvia	1	UK	-
Ex-ante applicable mostly at	National level: 80% Regional level: 13% Both levels: 7%		
ExAC has been a matter of difficulties	Difficulties were reported in 1 MS: HR stated that thematic objective 10 dealt with issues related mainly to the strategies and related contents in terms of details that needed to be included and which differ for ERDF and ESF. The EC Guidance helped in solving the issue.		
Overall rate of fulfilment	PA level: 33% fulfilled OP level: 56% fulfilled		

¹⁴ The fact sheet covers only multi-fund OPs and not ESF mono-fund OPs and therefore represents a partial view of programming

Timing of fulfilment at OP-level	Share before December 2013: 35% Share between the adoption of the CPR and the adoption of the OP: 65%				
Criteria					
Difficult and easy criteria	All criteria show a high performance with around 80-90% fulfilment				
Type of approaches/actions implemented to fulfil ExAC before OP adoption					
<p>Ex-ante conditionalities relevant for thematic objective 10 'education' are closely related to each other. It includes Early school leaving, Higher education, Lifelong learning and Strategy for vocational education and training. For all four topics national education strategies are the pre requirement. Some Member States have included all four aspects in one united strategy such as Poland with the Human Development Strategy and Lifelong Learning Perspective, Czech Republic with the national education strategy.</p> <p>Regarding ex-ante conditionality (10.2) higher education the strategy development is mainly conducted at national level with data contribution by regions. France reports that the Law on Research and Higher Education provides the legal basis for a National Strategy on Higher Education. The Committee in charge of coordinating all stakeholders is having difficulties to build consensus. Subjects of debate are higher education thematic scope is mostly geared towards overseas regions, specific support in order to facilitate access to higher education, especially for students registering their first year. Transition from higher education to the labour market is also pointed as a priority.</p>					
Need for action plans in 9 Member States/21 OPs					
MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
FR	1	2014	LT	1	2015
EL	11	2015	MT	1	2014
ES	2	2015	RO	1	2015
HU	2	NA	SK	1	2015
IT	1	2016			

2.27 Thematic ex-ante conditionality 10.3

Lifelong learning (LL): The existence of a national and/or regional strategic policy framework for lifelong learning within the limits of Article 165 TFEU.

Short form	Lifelong learning		
Corresponding Investment Priority	ERDF TO 10 ESF IP 10iii		
Considered applicable in 18 Member States/84 OPs¹⁵			
Austria	-	Lithuania	1
Bulgaria	1	Luxembourg	-
Belgium	1	Hungary	3
Czech Republic	1	Malta	-
Cyprus	-	Netherlands	-
Denmark	-	Poland	15
Estonia	1	Portugal	7
Finland	2	Croatia	-
France	26	Romania	1
Germany	1	Slovenia	1
Greece	11	Slovakia	2
Ireland	-	Spain	4
Italy	5	Sweden	-
Latvia	1	UK	-
Ex-ante applicable mostly at	National level: 72% Regional level: 17% Both levels: 11%		
ExAC has been a matter of difficulties	Difficulties were reported in 1 MS: HR stated that thematic objective 10 dealt with issues related mainly to the strategies and related contents in terms of details that needed to be included and which differ for ERDF and ESF. The EC Guidance helped in solving the issue.		
Overall rate of fulfilment	PA level: 57% fulfilled OP level: 85% fulfilled		

¹⁵ The fact sheet covers only multi-fund OPs and not ESF mono-fund OPs and therefore represents a partial view of programming

Timing of fulfilment at OP-level

Share before December 2013: 64%
Share between the adoption of the CPR and the adoption of the OP: 36%

Criteria**Difficult and easy criteria**

All criteria are fulfilled by more than 90%

Type of approaches/actions implemented to fulfil ExAC before OP adoption

Ex-ante conditionalities relevant for thematic objective 10 'education' are closely related to each other. It includes Early school leaving, Higher education, Lifelong learning and Strategy for vocational education and training. For all four topics national education strategies are the pre requirement. Some Member States have included all four aspects in one united strategy such as Poland with the Human Development Strategy and Lifelong Learning Perspective, Czech Republic with the national education strategy.

Regarding ex-ante conditionality (10.3) Lifelong learning in Germany the strategic framework on state level is the "Initiative for Professionals". It is implemented by the state government and several stakeholders to work out actions to strengthen lifelong learning and to secure the need for professionals for example in Lower-Saxony. The 'Perspective Contract on adult education 2015' defines the legal, financial and content-related framework. In Greece the Conference on Lifelong Learning and Association with Employment organizes a social dialogue on development directions and social needs, programs and lifelong learning policy measures. The Conference is attended by the presidents of organizations of social partners, the Association of Regions and the Central Union of Municipalities. The National Lifelong Learning Programme envisages measures for upgrading the system of initial vocational training and the strengthening of continuing vocational training system. Lithuania, Hungary and Spain merely report that the strategy for lifelong learning is in place. In Slovenia the National coordination point has been set up at the Institute of the Republic of Slovenia for Vocational Education and Training whose assignments are linked to the Slovenian Quality Assurance Agency for Higher Education. Article 13 of the Vocational and Professional Education Act sets out that parts of the education programme are defined together by schools and social partners (referred to as open curricula), which allows the schools and employers to fill the contents of open curricula with additional hours of work-based learning. The local economy and social partners thus get the chance to have their say in the design of education programmes in accordance with the legislation and to incorporate therein the contents that help address the skills mismatch.

Need for action plans in 8 Member States/11 OPs

MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
CZ	1	2015	LT	1	2014
FI	1	2015	MT	1	2014
HU	3	NA	RO	1	NA
IT	1	2016	SK	1	2015

2.28 Thematic ex-ante conditionality 10.4

The existence of a national or regional strategic policy framework for increasing the quality and efficiency of VET systems within the limits of Article 165 TFEU.

Short form	Strategy for vocational education and training		
Corresponding Investment Priority	ERDF TO 10 ESF IP 10iv		
Considered applicable in 18 Member States/61 OPs¹⁶			
Austria	-	Lithuania	1
Bulgaria	1	Luxembourg	-
Belgium	-	Hungary	2
Czech Republic	1	Malta	-
Cyprus	-	Netherlands	-
Denmark	-	Poland	15
Estonia	1	Portugal	3
Finland	1	Croatia	1
France	5	Romania	1
Germany	1	Slovenia	1
Greece	12	Slovakia	2
Ireland	-	Spain	6
Italy	6	Sweden	-
Latvia	1	UK	-
Ex-ante applicable mostly at	National level: 78% Regional level: 11% Both levels:11%		
ExAC has been a matter of difficulties	Difficulties were reported in 1 MS: HR stated that thematic objective 10 included ERDF and ESF funds and Croatia was faced with different opinions/interpretations of the Commission, i.e. DG Region and DG Employment. The issues related mainly to the strategies and related contents in terms of details that needed to be included. The EC Guidance helped in solving the issue.		

¹⁶ The fact sheet covers only multi-fund OPs and not ESF mono-fund OPs and therefore represents a partial view of programming

Overall rate of fulfilment	PA level: 43% fulfilled OP level: 56% fulfilled
Timing of fulfilment at OP-level	Share before December 2013: 31% Share between the adoption of the CPR and the adoption of the OP: 69%
Criteria	
Difficult and easy criteria	The overall national or regional strategy framework (10.4.1) shows a fulfilment rate of around 55%. The criteria 10.4.2 and 10.4.3 show a higher fulfilment, 80% respectively 70%.
Type of approaches/actions implemented to fulfil ExAC before OP adoption	

Ex-ante conditionalities relevant for thematic objective 10 'education' are closely related to each other. It includes Early school leaving, Higher education, Lifelong learning and Strategy for vocational education and training. For all four topics national education strategies are the pre requirement. Some Member States have included all four aspects in one united strategy such as Poland with the Human Development Strategy and Lifelong Learning Perspective, Czech Republic with the national education strategy.

Regarding ex-ante conditionality (10.4) 'vocational education and training' Member States reported either simple strategic developments or listed a comprehensive list of activities. Germany for example has listed a comprehensive list of different activities which form a combination between national and regional level interventions. The so called 'initiative educations chains' supports pupils in entering the working environment and supports the recognition of foreign degrees.

The Training Pact wants to offer all young people opportunities for vocational training, Support of the dual training to strengthen SME for the future. The National Committee for Education coordinates the school and operational education. The federal institute for vocational training (BIBB) identifies opportunities of vocational training, supports innovations on national and international level and develops new, practical oriented trainings.

In Hungary specific project ("Developing the quality and content of VET and adult education") has been launched to set up a quality control system. An expert implementation group, coordinated by the Tempus Public Foundation (the LLL National Agency) is working on the transposition of requirements and procedures.

Sweden assigned a national Agency for National Programme Board. The government again announced a wide range of different interventions based on a status quo assessment of schools and training centres. The aim is to better match labour market needs and skills.

Need for action plans in 10 Member States/26 OPs

MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
EL	12	2015	LT	1	2014
FI	1	2015	MT	1	2014
HR	1	2015	PT	3	2016
HU	2		RO	1	NA
IT	2	2016	SK	2	2015

2.29 Thematic ex-ante conditionality 11.1

The existence of a strategic policy framework for reinforcing the Member States' administrative efficiency including public administration reform.

Short form	Institutional capacity		
Corresponding Investment Priority	ERDF TO 11 ESF IP 11i→ applies only if CF applies (cf. ESF regulation Art. 3) CF IP e		
Considered applicable in 13 Member States/35 OPs¹⁷			
Austria	-	Lithuania	1
Bulgaria	-	Luxembourg	-
Belgium	-	Hungary	2
Czech Republic	1	Malta	-
Cyprus	-	Netherlands	-
Denmark	-	Poland	5
Estonia	1	Portugal	7
Finland	-	Croatia	-
France	3	Romania	1
Germany	-	Slovenia	1
Greece	4	Slovakia	-
Ireland	-	Spain	1
Italy	7	Sweden	-
Latvia	1	UK	-
Ex-ante applicable mostly at	National level: 91% National and regional level: 9%		
ExAC has been a matter of difficulties	No difficulties have been reported		
Overall rate of fulfilment	PA level: 31% fulfilled OP level: 48% fulfilled		
Timing of fulfilment at OP-level	Share before December 2013: 31% Share between the adoption of the CPR and the adoption of the OP: 69%		

¹⁷ The fact sheet covers only multi-fund OPs and not ESF mono-fund OPs and therefore represents a partial view of programming

Criteria

Difficult and easy criteria

A comparable low fulfilment rate (around 80%) is marked in criteria related to 'administrative capacity' with the lowest fulfilment (<60%) in the development monitoring and evaluation tools (11.1.7)

Type of approaches/actions implemented to fulfil ExAC before OP adoption

Action plans related to ex-ante conditionality (11) 'institutional capacity' include for example the implementation of civil service act and exams for official staff members (e.g. CZ), approval of the Corruption Prevention and Alleviation State Programme 2014-2020 (LV), quality action plan and capacity improvements (e.g. FR, EL, PT), adoption and implementation of monitoring and evaluation procedures (e.g. HU), evaluation of the capacity of public administration implementing these measures (e.g. PT). Romania described a comprehensive set of actions including a need assessment, measurement system for administration costs, pilot career development, and general skill development. Slovenia as well as Estonia referred to the OECD Public Governance Review. Slovenia reported the participation in the OECD workshops Peer2Peer followed by an analysis of gaps and the development of a public administration development strategy

Need for action plans in 9 Member States/16 OPs

MS	Number of OPs	Expected deadline	MS	Number of OPs	Expected deadline
FR	2	2015	LV	1	2015
CZ	1	2016	PT	5	2016
EL	2	2015	RO	1	NA
HU	2	2014, 2015	SI	1	2015
IT	1	2016			

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