

## Basic information

2011/0273(COD)

COD - Ordinary legislative procedure (ex-codecision procedure)  
Regulation

European Regional Development Fund (ERDF): support to the European territorial cooperation goal 2014-2020

### Subject

4 Economic, social and territorial cohesion  
4.70.05 Regional cooperation, cross-border cooperation  
4.70.07 European Regional Development Fund (ERDF)

Procedure completed

## Key players

European  
Parliament

### Committee responsible

**REGI** Regional Development

### Rapporteur

PAKARINEN Riikka (ALDE)

### Appointed

21/06/2011

### Shadow rapporteur

SANCHEZ-SCHMID Marie-Thérèse (PPE)

DE ANGELIS Francesco (S&D)

ALFONSI François (Verts /ALE)

VLASÁK Oldřich (ECR)

OMARJEE Younous (GUE /NGL)

### Committee for opinion

**BUDG** Budgets

### Rapporteur for opinion

GEIER Jens (S&D)

### Appointed

06/02/2012

**CONT** Budgetary Control

STAVRAKAKIS Georgios (S&D)

24/11/2011

**EMPL** Employment and Social Affairs

The committee decided not to give an opinion.

**ENVI** Environment, Public Health and Food Safety

The committee decided not to give an opinion.

**ITRE** Industry, Research and Energy

The committee decided not to give an opinion.

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European Economic and Social Committee																										
European Committee of the Regions																										

Key events			
Date	Event	Reference	Summary
06/10/2011	Legislative proposal published	COM(2011)0611 	Summary
25/10/2011	Committee referral announced in Parliament, 1st reading		
24/04/2012	Debate in Council		Summary
16/10/2012	Debate in Council		
20/11/2012	Debate in Council		Summary

07/03/2013	Debate in Council		
10/07/2013	Vote in committee, 1st reading		
24/07/2013	Committee report tabled for plenary, 1st reading	<a href="#">A7-0280/2013</a>	<a href="#">Summary</a>
30/09/2013	Debate in Council		<a href="#">Summary</a>
19/11/2013	Debate in Parliament		
20/11/2013	Decision by Parliament, 1st reading	<a href="#">T7-0485/2013</a>	<a href="#">Summary</a>
20/11/2013	Results of vote in Parliament		
16/12/2013	Act adopted by Council after Parliament's 1st reading		
17/12/2013	Final act signed		
17/12/2013	End of procedure in Parliament		
20/12/2013	Final act published in Official Journal		

Technical information	
<b>Procedure reference</b>	2011/0273(COD)
<b>Procedure type</b>	COD - Ordinary legislative procedure (ex-codecision procedure)
<b>Procedure subtype</b>	Legislation
<b>Legislative instrument</b>	Regulation
<b>Legal basis</b>	Treaty on the Functioning of the European Union TFEU 178-p1
<b>Other legal basis</b>	Rules of Procedure EP 165
<b>Mandatory consultation of other institutions</b>	<a href="#">European Economic and Social Committee</a> <a href="#">European Committee of the Regions</a>
<b>Stage reached in procedure</b>	Procedure completed
<b>Committee dossier</b>	REGI/7/07451

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee opinion	<a href="#">CONT</a>	<a href="#">PE480.662</a>	30/05/2012	
Amendments tabled in committee		<a href="#">PE490.976</a>	04/06/2012	
Committee opinion	<a href="#">TRAN</a>	<a href="#">PE480.799</a>	08/06/2012	
Committee opinion	<a href="#">BUDG</a>	<a href="#">PE488.050</a>	21/06/2012	
Committee draft report		<a href="#">PE487.789</a>	11/06/2013	
Amendments tabled in committee		<a href="#">PE514.649</a>	24/06/2013	
Amendments tabled in committee		<a href="#">PE514.777</a>	01/07/2013	
Amendments tabled in committee		<a href="#">PE514.836</a>	02/07/2013	
Committee report tabled for plenary, 1st reading/single				

reading		<a href="#">A7-0280/2013</a>	24/07/2013	<a href="#">Summary</a>
Text adopted by Parliament, 1st reading/single reading		<a href="#">T7-0485/2013</a>	20/11/2013	<a href="#">Summary</a>

#### Council of the EU

Document type	Reference	Date	Summary
Draft final act	<a href="#">00081/2013/LEX</a>	17/12/2013	

#### European Commission

Document type	Reference	Date	Summary
Legislative proposal	<a href="#">COM(2011)0611</a> 	06/10/2011	<a href="#">Summary</a>
Document attached to the procedure	<a href="#">SEC(2011)1138</a> 	06/10/2011	
Document attached to the procedure	<a href="#">SEC(2011)1139</a> 	06/10/2011	
Commission response to text adopted in plenary	<a href="#">SP(2014)87</a>	30/01/2014	

#### National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	<a href="#">PT_PARLIAMENT</a>	<a href="#">COM(2011)0611</a>	01/12/2011	
Contribution	<a href="#">RO_CHAMBER</a>	<a href="#">COM(2011)0611</a>	13/01/2012	
Contribution	<a href="#">DE_BUNDESRAT</a>	<a href="#">COM(2011)0611</a>	14/02/2012	
Contribution	<a href="#">CZ_SENATE</a>	<a href="#">COM(2011)0611</a>	08/05/2012	
Contribution	<a href="#">IT_SENATE</a>	<a href="#">COM(2011)0611</a>	30/05/2012	

#### Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
CofR	Committee of the Regions: opinion	<a href="#">CDR0647/2012</a>	19/07/2012	

#### Additional information

Source	Document	Date
National parliaments	<a href="#">IPEX</a>	
European Commission	<a href="#">EUR-Lex</a>	
European Commission	<a href="#">EUR-Lex</a>	

<b>Final act</b>	
Regulation 2013/1299 OJ L 347 20.12.2013, p. 0259	<a href="#">Summary</a>

<b>Delegated acts</b>	
<b>Reference</b>	<b>Subject</b>
<a href="#">2014/2623(DEA)</a>	Examination of delegated act
<a href="#">2019/2567(DEA)</a>	Examination of delegated act

# European Regional Development Fund (ERDF): support to the European territorial cooperation goal 2014-2020

2011/0273(COD) - 06/10/2011 - Legislative proposal

PURPOSE: to define the next framework for cohesion policy for the period 2014-2020 (European Territorial Cooperation).

PROPOSED ACT: Regulation of the European Parliament and of the Council.

BACKGROUND: in its [proposal for the next multi-annual financial framework for the period 2014-2020](#), the Commission decided that cohesion policy should remain an essential element of the next financial package and underlined its pivotal role in delivering the Europe 2020 strategy. It proposed a number of important changes to the way cohesion policy is designed and implemented. Concentrating funding on a smaller number of priorities better linked to the Europe 2020 Strategy, focusing on results, monitoring progress towards agreed objectives, increasing the use of conditionalities and simplifying the delivery are among the major hallmarks of the proposal.

This proposal is part of a package of legislative measures relating to the **Cohesion policy 2014-2020**. This package includes:

- an [overarching regulation](#) setting out common rules governing the European Regional Development Fund (ERDF), the European Social Fund (ESF), the Cohesion Fund, the European Agricultural Fund for Rural Development (EAFRD) and the European Maritime and Fisheries Fund (EMFF). This will allow for the better combination of funds for a stronger impact of EU action;
- three specific regulations for the [ERDF](#), the [ESF](#) and the [Cohesion Fund](#);
- two regulations dealing with the [European territorial cooperation](#) goal and the European grouping of territorial cooperation ([EGTC](#));
- two regulations on the European Globalisation Fund ([EGF](#)) and the [Programme for Social Change and Innovation](#);
- a communication on the European Union Solidarity Fund ([EUSF](#)).

**European Territorial Cooperation** is one of the goals of cohesion policy and provides a framework for the implementation of joint actions and policy exchanges between national, regional and local actors from different Member States. This is all the more important given that the challenges faced by Member States and regions increasingly cut across national /regional boundaries and require joint, co-operative action at the appropriate territorial level.

IMPACT ASSESSMENT: the options assessed in the impact assessment relate to the improvement of the strategic focus and of the coordination between cooperation and regional programmes.

The options considered included:

1. **the continuation of the status quo** (broad priorities, no formal link between cooperation and regional programmes),
2. **a scenario focused on thematic concentration** and integration of cooperation in overall strategic framework (limited number of thematic objectives that cross-border and transnational programmes can choose, integration of cooperation aspects in Common Strategic Framework and Partnership Contract);
3. a scenario that would **fully integrate** cooperation aspects in the regional programmes without the need for separate cooperation programmes.

The second option was chosen as the preferred one since it will ensure a better focus on European priorities, strengthen the programme intervention logic and ensure a better link and coherence with regional programmes.

LEGAL BASIS: Article 178 of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: a separate regulation is proposed for European Territorial Cooperation to take better account of multi-country context of the programmes and make more specific provisions for cooperation programmes and operations, as has been requested by a large number of stakeholders.

The proposal also:

- establishes the scope of the European Regional Development Fund with regard to the European Territorial Cooperation goal;
- defines the priority objectives and organisation of the ERDF, eligibility criteria, financial resources available and criteria for their allocation
- sets the implementation arrangements, including provisions for financial management and control. The Common Provisions Regulation and the ERDF regulation both apply subject to the specific provisions contained in this regulation.

The proposal also includes the **continuation of the mechanism for the transfer of resources** for cooperation activities at the external borders of the Union, to be supported under the European Neighbourhood and Partnership Instrument and the instrument for Pre-Accession Assistance. Synergies and complementarity between programmes under the European Territorial Cooperation goal and programmes financed under external instruments shall be promoted.

**New element:** a new element in the proposal is the provisions on **thematic concentration and investment priorities**. This is to be seen in the overall context of improving the strategic focus of programmes and their results orientation. Programmes will also contain a performance framework defining programme-specific milestones against which progress in implementation can be assessed.

The 2007-2013 programming period has seen the emergence of new forms of territorial cooperation, tailor-made responses to address macro-regional challenges. At the request of the European Council, two **macro-regional strategies** have been prepared by the Commission for the **Baltic Sea** and the **Danube** Regions respectively. The proposed regulation explicitly foresees that transnational cooperation can also support the development and implementation of macro-regional strategies and sea-basin programmes (including the ones established on the external borders of the EU).

The **implementation modalities have been streamlined** for cooperation programmes. The number of authorities involved in programme implementation has been reduced and roles and responsibilities further clarified.

**BUDGETARY IMPLICATION:** the Commission's proposal for a Multiannual Financial Framework includes **EUR 376 billion** for cohesion policy for the period 2014-2020. The proposed budget (in billion euros) is broken down as follows:

- Less developed regions: EUR 162.6
- Transition regions: EUR 38.9
- More developed regions: EUR 53.1
- Territorial cooperation: EUR 11.7
- Cohesion fund: EUR 68.7
- Extra allocation for outermost and sparsely populated regions: EUR 0.926.
- Facility for transport, energy and ICT: EUR 40 billion (with an additional EUR 10 billion ring-fenced inside the Cohesion Fund).

In the proposed Regulation, the resources provided for **European territorial cooperation** are broken down as follows:

- 73.24% (i.e., a total of EUR 8 569 000 003) for cross-border cooperation;
- 20.78% (i.e., a total of EUR 2 431 000 001) for transnational cooperation;
- 5.98% (i.e., a total of EUR 700 000 000) for interregional cooperation.

**DELEGATED ACTS:** this proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union (TFEU).

## European Regional Development Fund (ERDF): support to the European territorial cooperation goal 2014-2020

2011/0273(COD) - 20/11/2012

The Council agreed on a **fourth partial general approach** on the cohesion policy legislative package for the 2014-2020 period.

The partial general approach complements the **three partial general approaches** agreed on:

- **24 April 2012** (ex ante conditions, management and control, monitoring and evaluation, eligibility and major projects);
- **26 June 2012** (thematic concentration, financial instruments, net revenue generating operations and public-private partnerships, performance framework);
- and **16 October 2012** (territorial development, European territorial cooperation, financial questions not covered in the negotiations on the MFF for the 2014-2020 period, management and control, country-specific recommendations, information, communication and technical assistance, indicators).

The partial general approach covers **the following two elements**:

**1. Financial management:** this part of the partial general approach is aimed at ensuring that EU support under the cohesion policy respects the principle of sound financial management and safeguards the European Union's financial interest. The provisions cover inter alia areas such as:

1. the annual pre-financing and the interim payments of programmes by the Commission,
2. the application of financial corrections in case of irregularities and
3. rules for the closure of operational programmes.

**The compromise text agreed by the Council** stipulates that in order to safeguard the Union's financial interests, there should be measures limited in time that allow the authorising officer by delegation to interrupt payments where there is clear evidence to suggest a significant deficiency in the

functioning of the management and control system, evidence of irregularities linked to a payment application, or a failure to submit documents for the purpose of examination and acceptance of accounts.

**The duration of the interruption period should be up to nine months-** if a Member State so wishes - to give sufficient time to resolve the situation which gave rise to the interruption with a view to avoid having to resort to suspensions.

**2. Common strategic framework (CSF):** this part of the partial general approach is about setting up a [framework](#) that provides strategic orientation to the programming and the coordination of EU support under the five following funds: the European Regional Development Fund (ERDF), the European Social Fund (ESF), the Cohesion Fund (CF), the European Agricultural Fund for Rural Development (EAFRD) and the European Maritime and Fisheries Fund (EMFF).

**The compromise text agreed by the Council** specifies, in particular, how the CSF Funds will contribute to the objectives of Union's strategy for **smart, sustainable and inclusive growth**, the means to address **key territorial challenges**, the integrated use of CSF Funds, horizontal principles and cross-cutting policy objectives, the means for coordination with other relevant Union policies and cooperation activities.

These partial general approaches do not prejudice the outcome of negotiations on other elements of cohesion policy or on the MFF for 2014-2020. Since all four partial general approaches were agreed on the principle that nothing is agreed until everything is agreed they may be subject to change as a result of these other negotiations.

The Presidency intends to **step up the informal trilogues with the European Parliament and the Commission achieving a preliminary agreement among the three institutions on programming** before the end of the year, thus facilitating the preparatory work of Member States and regions for the new programmes.

## European Regional Development Fund (ERDF): support to the European territorial cooperation goal 2014-2020

2011/0273(COD) - 24/07/2013 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Regional Development adopted the report by Riikka PAKARINEN (ADLE, FI) on the proposal for a regulation of the European Parliament and of the Council on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal.

It recommended that the European Parliament's position at first reading under the ordinary legislative should be to amend the Commission proposal as follows:

**Geographical coverage:** the Commission shall adopt a decision, by means of implementing acts, on the list of cross-border areas to receive support, broken down by cooperation programme. When submitting draft cross-border cooperation programmes, Member States may request that **additional NUTS level 3 regions are included** to those listed in the decision.

At the request of those Member States concerned, **in order to facilitate cross border cooperation on maritime borders for outermost regions**, the Commission may include in the decision referred to as cross border areas which may receive support from the corresponding allocation of those Member States, NUTS level 3 regions in outermost regions along maritime borders separated by more than 150 km.

**Resources:** Members demanded that the resources for the European territorial cooperation goal shall amount to **7 %** of the global resources available for budgetary commitment from the Funds for the period 2014 to 2020 (the Commission proposed 3.48 %). The resources shall be **allocated as follows:**

- 74.05 % for cross-border cooperation;
- 20.36 % for transnational cooperation;
- 5.59 % for interregional cooperation.

The Commission shall communicate to each Member State **its share of the global amounts for cross-border and transnational cooperation**, broken down by year.

The Commission shall, on the basis of the information provided by Member States, adopt a decision setting out a list of all cooperation programmes and indicating the global amount of the total ERDF support for each programme by means of implementing acts.

**Thematic concentration:** at least **80% of the ERDF** allocation to each cross-border cooperation and transnational programme shall be concentrated on up to four thematic objectives set out in the [Regulation on common provisions for the Structural and Investment Funds](#).

**Investment priorities:** Members added several new elements to the list of investment priorities:

- the integration of **cross-border labour markets**, including information services and advice and joint training;
- the promotion of **social inclusion and combating poverty** through the integration of communities across borders;
- investment in **skills, education and lifelong learning**;
- the enhancement of **institutional capacity** and an efficient public administration through developing and coordinating macro-regional and sea-basin strategies to promote information exchange.

**Contents of the cooperation programme:** a cooperation programme shall contribute to the Union strategy for smart, sustainable and inclusive growth and to the achievement of economic, social and territorial cohesion.

It should include a justification of the choice of thematic objectives, corresponding investment priorities and financial allocations, having regard to the Common Strategic Framework. It should be based on an analysis of the situation of the programme area as a whole in terms of needs and the strategy chosen in response, addressing where appropriate missing links in cross-border infrastructure, taking into account the results of the ex ante evaluation.

The report has provided clarification on what a programme should include for each priority axis other than technical assistance.

**Participation of third countries:** in order to strengthen the Union's economic, social and territorial cohesion and to reinforce effectiveness of its cohesion policy, third countries are allowed to participate through contribution of IPA and ENI resources in transnational and interregional cooperation programmes.

It is appropriate to involve third countries or territories already in the preparatory process of cooperation programmes, when they have accepted the invitation to participate in such programmes, for which purpose special procedures should be established in the Regulation.

The programme implementation conditions should be consistent with the provisions of applicable Union law.

**Programme evaluation:** the managing authority should ensure that evaluations of cooperation programmes are carried out including evaluations to assess effectiveness, efficiency and impact on the basis of the evaluation plan.

At least once during the programming period, an evaluation should assess how the support provided has contributed to the achievement of objectives of the programme. These evaluations should inform about any proposed adjustments during the programming period.

## European Regional Development Fund (ERDF): support to the European territorial cooperation goal 2014-2020

2011/0273(COD) - 30/09/2013

The presidency informed the Council about the **state of play** in the ongoing trilogue discussions with the European Parliament and the Commission on the [EU's cohesion policy package for 2014-2020](#) on the basis of an issue paper (see *Council doc. 13796/13*).

The Council exchanged views and provided guidance to the presidency for finalising the negotiations with the European Parliament.

All Member States considered that a timely agreement was **urgently needed** in order to allow the new cohesion policy programmes to be implemented as from 1 January 2014. Member States reminded the significant concessions which the Council had already made to the European Parliament. They reiterated their willingness to continue working in a constructive spirit on this file.

With regard to the outstanding political issues, the discussion went along the following lines:

- Several Member States opposed any dilution of the **macro-economic conditionality**. They stressed its importance for making sure that the five European structural and investment funds (the European regional development fund (ERDF), the European social fund (ESF), the cohesion fund (CF), the European agricultural fund for rural development (EAFRD) and the European maritime and fisheries fund (EMFF)) were not undermined by unsound macro-economic policies.

- Many Member States objected to any change to the **performance reserve and the pre-financing** which could have an impact on the payments' profile, seen as a core element of the MFF agreement.

- Some Member States resisted to any modification to co-financing, reminding that national cofinancing was essential to guarantee the ownership of the different programmes on the ground.

## European Regional Development Fund (ERDF): support to the European territorial cooperation goal 2014-2020

2011/0273(COD) - 20/11/2013 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 629 votes to 25, with 35 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal.

The European Parliament's position at first reading under the ordinary legislative procedure amended the Commission proposal as follows:

**Cross-border cooperation:** this should aim to tackle common challenges identified jointly in the border regions (such as poor accessibility, especially in relation to ICT connectivity and transport infrastructure, declining local industries, etc).

**Interregional cooperation:** this should aim to reinforce the effectiveness of cohesion policy by encouraging exchange of experience between regions on thematic objectives and urban development, including urban-rural linkages.

**Geographical coverage:** the Commission shall adopt a decision, by means of implementing acts, on the list of cross-border areas to receive support, broken down by cooperation programme. When submitting draft cross-border cooperation programmes, Member States may request that **additional NUTS level 3 regions are included** to those listed in the decision.

At the request of those Member States concerned, **in order to facilitate cross border cooperation on maritime borders for outermost regions**, the Commission may include in the decision referred to as cross border areas which may receive support from the corresponding allocation of those Member States, NUTS level 3 regions in outermost regions along maritime borders separated by more than 150 km.

**Resources:** resources for the European territorial cooperation goal shall amount to **2.75 %** of the global resources available for budgetary commitment from the Funds for the period 2014 to 2020 (i.e., a total of **EUR 8 948 259 330**) and shall be allocated as follows:

- **74.05%** (i.e., a total of **EUR 6 626 631 760**) for cross-border cooperation;
- **20.36%** (i.e., a total of **EUR 1 821 627 570**) for transnational cooperation;
- **5.59%** (i.e., a total of **EUR 500 000 000**) for interregional cooperation.

The Commission shall communicate to each Member State **its share of the global amounts for cross-border and transnational cooperation**, broken down by year.

The Commission shall, on the basis of the information provided by Member States, adopt a decision setting out a list of all cooperation programmes and indicating the global amount of the total ERDF support for each programme by means of implementing acts.

**Thematic concentration:** at least **80% of the ERDF** allocation to each cross-border cooperation and transnational programme shall be concentrated on up to four thematic objectives set out in the [Regulation on common provisions for the Structural and Investment Funds](#).

**Investment priorities:** Members added several new elements to the list of investment priorities:

- promoting employment and supporting labour mobility through the integration of **cross-border labour markets**, including information services and advice and joint training;
- the promotion of **social inclusion and combating poverty** through the integration of communities across borders;
- investment in **skills, education and lifelong learning**;
- the enhancement of **institutional capacity** and an efficient public administration through developing and coordinating macro-regional and sea-basin strategies to promote information exchange.

**Contents of the cooperation programme:** a cooperation programme shall contribute to the Union strategy for smart, sustainable and inclusive growth and to the achievement of economic, social and territorial cohesion.

It should include a justification of the choice of thematic objectives, corresponding investment priorities and financial allocations, having regard to the Common Strategic Framework. It should be based on an analysis of the situation of the programme area as a whole in terms of needs and the strategy chosen in response, addressing where appropriate missing links in cross-border infrastructure, taking into account the results of the ex ante evaluation.

The resolution has provided clarification on what a programme should include for each priority axis other than technical assistance.

**Participation of third countries:** in order to strengthen the Union's economic, social and territorial cohesion and to reinforce effectiveness of its cohesion policy, third countries are allowed to participate through contribution of IPA and ENI resources in transnational and interregional cooperation programmes.

It is appropriate to involve third countries or territories already in the preparatory process of cooperation programmes, when they have accepted the invitation to participate in such programmes, for which purpose special procedures should be established in the Regulation.

The programme implementation conditions should be consistent with the provisions of applicable Union law.

**Programme evaluation:** the managing authority should ensure that evaluations of cooperation programmes are carried out including evaluations to assess effectiveness, efficiency and impact on the basis of the evaluation plan.

At least once during the programming period, an evaluation should assess how the support provided has contributed to the achievement of objectives of the programme. These evaluations should inform about any proposed adjustments during the programming period.

## European Regional Development Fund (ERDF): support to the European territorial cooperation goal 2014-2020

2011/0273(COD) - 17/12/2013 - Final act

**PURPOSE:** to define the framework for economic, social and territorial cohesion for the period 2014-2020 (European territorial cooperation).

**LEGISLATIVE ACT:** Regulation (EU) No 1299/2013 of the European Parliament and of the Council on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal.

**CONTENT:** the Regulation is part of a **package of measures** relating to the cohesion policy comprising the following Regulations:

- [Regulation \(EU\) No 1303/2013](#) of the European Parliament and of the Council sets out the provisions common to five European structural and investment funds (ESI Funds);
- The Regulations specific to the five funds for the [ERDF](#), the [ESF](#), the [Cohesion Fund](#), the European Territorial Cooperation and the **European grouping of territorial cooperation (EGTC)**.

With the investment for growth and employment, European territorial cooperation is one of the objectives of the cohesion policy. This Regulation defines the scope of the ERDF so far as it concerns the objective, European territorial cooperation, and sets specific measures in relation to this objective.

**Types de cooperation:** ERDF supports the following components:

**1) cross-border cooperation** between adjacent regions in two or more Member States, separated by a land or maritime border, or between neighbouring border regions in at least one Member State and one third country on external borders of the Union;

**Cross-border cooperation should aim to tackle common challenges identified jointly in the border regions**, such as: poor accessibility, especially in relation to information and communication technologies (ICT) connectivity and transport infrastructure, declining local industries, an inappropriate business environment, lack of networks among local and regional administrations, low levels of research and innovation and take-up of ICT, environmental pollution, risk prevention, negative attitudes towards neighbouring country citizens.

**2) transnational cooperation** over larger transnational territories, involving national, regional and local partners and also covering maritime cross-border cooperation in cases not covered by cross-border cooperation, with a view to achieving a higher degree of territorial integration of those territories: the priority investments aim to **enhance the institutional capacity** of public authorities and stakeholders and efficient public administration by promoting legal and administrative cooperation and cooperation between citizens and institutions.

**3) interregional cooperation:** it should aim to reinforce the effectiveness of cohesion policy by encouraging **exchange of experience** between regions on thematic objectives and urban development, including urban-rural linkages.

**Geographical coverage:** the regions to be supported are:

- the NUTS level 3 regions of the Union along all internal and external land borders other than those covered by programmes under the external financial instruments of the Union,
- all NUTS level 3 regions of the Union along maritime borders separated by a maximum of 150 km.

The Commission shall **adopt a decision, by means of implementing acts, setting out the list of cross-border areas** to receive support, broken down by cooperation programme.

When submitting draft cross-border cooperation programmes, Member States, in duly justified cases, and, in order to ensure the coherence of cross-border areas, may request the addition of NUTS level 3 regions other than those listed in the decision. The Commission may also include the outermost regions.

**Resources:** the resources for the European territorial cooperation goal shall amount to 2.75% of the global resources available for budgetary commitment from the ERDF, ESF and the Cohesion Fund for the 2014-2020 programming period, a total of **EUR 8 948 259 330**. The resources shall be allocated as follows:

- 74.05% (i.e., a total of EUR 6 626 631 760) for cross-border cooperation;
- 20.36% (i.e., a total of EUR 1 821 627 570) for transnational cooperation;
- 5.59% (i.e., a total of EUR 500 000 000) for interregional cooperation.

The Commission shall communicate to each Member State its share of the global amounts for cross-border and transnational cooperation, broken down by year.

**Thematic concentration:** at least **80% of the ERDF allocation** to each cross-border cooperation and transnational programme shall be concentrated on a maximum of four of the thematic objectives announced in Regulation (EU) No 1303/2013 on the common provisions relating to Structural and Investment Funds.

**Cooperation programmes:** cooperation programmes must contribute to the Europe 2020 strategy and to the realisation of economic, social and territorial cohesion. They must set out: a) **a justification for the choice of thematic objectives**, corresponding investment priorities and financial allocations, b) for each priority axis, **the investment priorities**, as well as the results expected for the specific objectives and corresponding performance indicators.

**Participation of third countries:** third countries will be allowed to participate in the transnational and interregional cooperation programmes by drawing on the resources of the Instrument for Pre-Accession Assistance (IPA) and the European Neighbourhood Instrument (ENI).

**Management and evaluation:** Member States participating in a cooperation programme shall designate **a single managing authority**, a single certifying authority; and, a single audit authority. The managing authority and the audit authority shall be located in the same Member State.

The managing authority should ensure that evaluations of cooperation programmes. At least once during the programming period, an evaluation should assess how the support provided has contributed to the achievement of objectives of the programme.

ENTRY INTO FORCE: 21.12.2013.

DELEGATED ACTS: the Commission may adopt delegated acts in order to set out specific rules on amending common output indicators and on eligibility of expenditure. The power to adopt delegated acts shall be conferred on the Commission **from 21 December 2013 to 31 December 2020**. The European Parliament or the Council may object to a delegated act within a period of two months from the date of notification (this period can be extended for two months). If the European Parliament or the Council make objections, the delegated act will not enter into force.

## European Regional Development Fund (ERDF): support to the European territorial cooperation goal 2014-2020

2011/0273(COD) - 24/04/2012

The Council reached agreement on a **partial general approach** concerning the EU cohesion policy for the 2014-2020 period.

The Council's partial general approach is aimed at strengthening results orientation and improving the quality of cohesion spending. It also seeks to contribute to the integration of cohesion policy in the economic governance of the EU.

The partial general approach does not prejudice the outcome of negotiations on other elements of cohesion policy or on the EU's multiannual financial framework (MFF) for 2014-2020 or the Financial Regulation.

**(1) The Council's compromise text:** this covers some of the more technical features of the future cohesion policy. Work on the more political elements will continue. Some of these are dealt with in the negotiations on the MFF.

More concretely, the partial general approach includes the following elements:

**Programming:** **common programming rules** are envisaged for the five funds covered by a common strategic framework, namely: (i) **the European Regional Development Fund (ERDF)**; (ii) **the European Social Fund (ESF)**; (iii) **the Cohesion Fund (CF)**; (iv) the European Agricultural Fund for Rural Development (EAFRD); (v) the European Maritime and Fisheries Fund (EMFF).

Each programme has to specify how it contributes to the EU's 2020 strategy for jobs and growth. The question as to whether the link between the EU strategy for jobs and growth on one hand and cohesion policy on the other should be assured through country-specific recommendations or national reform programmes has been left open. The Council will come back to it in June.

**Ex ante conditionality:** certain conditions must be met before funding may start. It is aimed at improving cohesion policy performance.

**Management and control:** the partial general approach provides for specific rules for the management and control of funds disbursed.

**Monitoring and evaluation:** this part of the partial general approach makes sure that the implementation of the cohesion policy programmes is duly monitored and evaluated.

**Eligibility:** the financing of already completed projects, which is possible under the current rules, would be excluded under the partial general approach.

**Major projects:** the Council's compromise text would facilitate the deployment of "upstream" quality reviews by independent experts of major projects. This is considered to be more effective than the existing approvals "downstream" by the Commission.

Further discussions will be held at Council level in the coming months. The new cohesion policy rules are closely linked to the MFF negotiations. They are only expected to be adopted by the European Parliament and the Council once an agreement on the MFF has been reached.

**(2) Multiannual financial framework 2014-2020:** the Council discussed, in public session, for the first time on the basis of the negotiating box, certain areas of the multiannual financial framework (MFF) including cohesion policy and the provisions relating to the five funds belonging to these policy fields.

During the debate, a number of delegations voiced concerns about the **proposed overall level of expenditure** in times of fiscal consolidation and asked for cuts to be made in all headings.

**Cohesion policy:** some Member States considered the proposed amount for cohesion policy as a minimum, whereas others viewed the amount proposed for the common agricultural policy as a minimum.

Several Member States expressed concerns relating either to the new category of transition regions or to its scope. A number of delegations opposed the proposed level of capping, limiting the level of transfer to each Member State to a certain percentage of its gross domestic product. Some Member States objected to the so-called reversed safety net, which would limit the scope of support to a certain percentage as compared to its level during the 2007-2013 period. Some Member States argued for co-financing rates of 85% for less developed regions, whereas others pleaded for reducing the rates.

**The rules governing the five funds under the common strategic framework:** some Member States stressed the importance of macro-economic conditionality. Others were sceptical about it, unless it was extended to other types of expenditure.

The General Affairs Council of 29 May will hold a first discussion on a comprehensive version of the negotiating box covering all elements of the MFF negotiating package.

Ministers for European Affairs will continue their work on the MFF at an informal meeting in Horsens (Denmark) on 10 and 11 June.

The European Council will discuss the MFF for the first time on 28 and 29 June.

## European Regional Development Fund (ERDF): support to the European territorial cooperation goal 2014-2020

2011/0273(COD) - 26/06/2012

The Council agreed a **second partial general approach** on the new rules for EU cohesion policy for the 2014-2020 period.

The partial general approach agreed **complements** the partial general approach on six rather technical elements (programming; ex ante conditionality; management and control; monitoring and evaluation; eligibility; major projects) agreed on 24 April 2012. **Care has been taken to ensure that the partial general approach does not prejudice the outcome of negotiations on other elements of cohesion policy or on the EU's multiannual financial framework (MFF) for 2014-2020 or the financial regulation.** It may therefore be subject to change as a result of these other negotiations.

The partial general approach agreed today covers the **four following thematic blocks**:

1. **Thematic concentration** : the funds are concentrated on a limited number of thematic objectives, reflecting the 2020 priorities of the EU and taking into account the level of development of the different regions. Minimum shares of cohesion policy expenditure are set for employment, social inclusion and education.
2. **Financial instruments** : the five funds covered by a [common strategic framework](#) (CSF) (**European Regional Development Fund (ERDF)**, European Social Fund (**ESF**), Cohesion Fund (**CF**), European Agricultural Fund for Rural Development (EAFRD) and European Maritime and Fisheries Fund (EMFF)) may be used to support financial instruments such as loans, guarantees, equity investments or other risk-sharing instruments as long as these instruments address specific market needs.
3. **Net revenue generating operations and public-private partnerships** : this part of the partial general approach applies to operations which generate net revenue after their completion such as the construction of infrastructure (e.g. roads) for the use of which charges are levied. The Council agreed to reduce the eligible expenditure of a project to be co-financed by the EU by taking into account the project's potential to generate net revenue. The partial general approach also includes provisions on the use of the five funds covered by the CSF to support operations implemented within a public-private partnership.
4. **Performance framework** : this includes provisions setting out the rules on the possibility of suspension and cancellation of funds in the event of serious underachievement of certain targets.

As regards whether the **link between the EU strategy for jobs and growth and the cohesion policy** should be ensured via country-specific recommendations or national reform programmes, the Danish presidency decided to await clarification on the macroeconomic conditionality within the discussion on the multiannual financial framework (MFF) 2014-2020.

Further discussions will be held at Council level in the coming months under the Cypriot Presidency with a view to reaching **another partial general approach**. The new cohesion policy rules are closely linked to the MFF negotiations; they are only expected to be adopted by the European Parliament and the Council once an agreement on the MFF has been reached.