

# **Multilevel Governance and Partnership**

## ***The Van den Brande Report***

Prepared at the request of the Commissioner  
for Regional and Urban Policy Johannes Hahn

**October 2014**



## FOREWORD

When in October 2011 I was asked by Commissioner Johannes Hahn to advise him on how the role of regions and municipalities could be strengthened in cohesion policy, I considered that the time was right for the European Commission to put forward some ambitious new proposals to improve the delivery of cohesion policy. A key issue in this respect is to find new ways to increase ownership both vertically amongst all levels of governance and horizontally involving all relevant societal partners in all the stages related to the design and delivery of the Operational Programmes.

Since 2008 a wide reflection was organised within the European Committee of the Regions as to how a rather academic debate on the virtues of 'multilevel governance' could be translated into operational recommendations for EU policy design and implementation. As a result, the Committee of the Regions adopted a White paper on Multilevel Governance in 2009 for which I was initiator and co-rapporteur. In the White paper, multilevel governance is defined as: "*coordinated institutional action by the European Union, the Member States and local and regional authorities, based on partnership and aimed at drawing up and implementing EU policies.*" In 2012, the Committee adopted my update opinion, widening the scope and the implementation of the multilevel governance concept. Thereafter, several Scoreboards were elaborated by the Committee measuring the respect of multilevel governance in the policy design of various EU policies with a clear territorial dimension. Recently, the plenary of the Committee of the Regions adopted a Charter for Multilevel Governance in Europe promoting the respect of the principle throughout all stages of policy making both at the EU and Member State level. More than 150 regional and local authorities have already signed up to the Charter, whereas an increasing number of policy makers have expressed their support.

However, only through the EU legislator Multilevel Governance could become a binding principle. Article 5 of Regulation 1303/2013 is a real breakthrough in this respect. Upon a proposal of the European Commission, for the first time the principle was introduced in the Common Provisions Regulation for the European Structural and Investment Funds. Moreover, also the partnership principle was strengthened. When in the previous programming period a partnership was organised '*where applicable*', Member States are now obliged to organise a partnership at all stages of the programming and at all levels.

The European Code of conduct on Partnership constitutes yet an additional important step forward in view of enhancing collective commitment and ownership of cohesion policy. The Code defines the objectives and criteria allowing Member States to implement the multilevel governance and partnership principles, but leaves the necessary flexibility for the practical implementing arrangements pursuant the institutional internal structure of the Member State in question. An important pillar in this respect is that it thus provides for a differentiated approach towards the partners reflecting their functions and competences with regard to cohesion policy.

Not only Operational Programmes, but also the new Partnership Agreement' needs to be drawn up pursuant the philosophy of multilevel governance and reinforced partnership. Partnership Agreements constitute the long term reference framework for the Operational Programmes. It is thus important to ensure that all partners subscribe to their overall objectives and strategic rationale. In this context, the European Commission's guidance throughout the drafting process of the Partnership Agreements is considered by many Member States as very helpful.

With this report I intend to clarify in the first chapter the importance of multilevel governance and reinforced partnership for policy making in the European Union, whilst explaining the virtues of both principles specifically in the context of cohesion policy in the second chapter. The third chapter summarizes my main findings and recommendations following a first assessment of the Partnership Agreements of all Member States. In the fourth chapter some recommendations are made as to how the review of the Europe 2020 Strategy can be used as an opportunity to ensure better coherence between the Strategy and the Partnership Agreements, whilst providing Europe 2020 with a genuine territorial dimension. Finally, I propose some guidelines in the fifth chapter as to how a culture of MLG and partnership can be further strengthened in other EU policies with a territorial dimension, not least in the Europe 2020 Strategy.

It is encouraging that the European Commission's sixth report on economic, social and territorial cohesion shows that EU cohesion policy has contributed to reduce the impact of the crisis, but unfortunately development gaps are on the rise again. Over the coming years, ensuring growth and job opportunities will be the most demanding challenge for governments at national, regional and local level. It is my sincere conviction that only through well-targeted, concerted and coordinated action between both public and private actors at all levels important structural reforms will succeed. The modernised cohesion policy for 2014-2020 is without any doubt exemplary in this respect.



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**Table of Contents**

FOREWORD ..... 2

LIST OF ABBREVIATIONS ..... 5

CHAPTER 1 – Multilevel governance: a structuring principle for effective policy making at all levels of government..... 6

CHAPTER 2 – Structuring the governance of the 2014-2020 cohesion policy through MLG and developing stronger partnerships at all levels ..... 12

CHAPTER 3 – A first assessment of the 2014-2020 Partnership Agreements ..... 16

CHAPTER 4 – The new MLG based cohesion policy as a source of inspiration for the Europe 2020 Review ..... 20

CHAPTER 5 – Recommendations and guidelines for the future ..... 23

EPILOGUE ..... 29

ACKNOWLEDGMENTS..... 30

ANNEX..... 31

## **LIST OF ABBREVIATIONS**

CoR: European Committee of the Regions

CPR: Common Provisions Regulation

CSF: Common Strategic Framework

DA: Delegated Act

ECCP: the European Code of conduct on Partnership

EESC: European Economic and Social Committee

EGTC: European Grouping of Territorial Cooperation

EP: European Parliament

ESI Funds: European Structural and Investment Funds

ERDF: European Regional Development Fund

ESF: European Social Fund

LMP: Lisbon Monitoring Platform

MA: Managing Authority

MFF: Multiannual Financial Framework

MLG: Multilevel Governance

NRP: National Reform Programme

OECD: Organisation for Economic Co-operation and Development

OP: Operational Programme

PA: Partnership Agreement

REGLEG: Region with legislative power

RLA: Regional and Local Authorities

TP: Territorial Pact

# CHAPTER 1 – Multilevel governance: a structuring principle for effective policy making at all levels of government

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## 1.1. Building Europe in partnership

*“We call for a new compact between the European institutions and economic and social actors; and between different levels of power – national, regional and local. Above all, we call for strong leadership, a form of leadership marked by the capacity to sustain an honest and fruitful dialogue with citizens and to govern in partnership.”<sup>1</sup>”*

In terms of governance, the European Union has gradually evolved from a 'top-down' model to a more inclusive model, involving to a greater extent social and economic partners – and over time also societal actors – throughout the policy cycle. Over time, regional and local authorities (RLAs) have also been given more possibilities to contribute from the 'bottom up' to the EU integration process. At the European level, RLAs key role in pursuing growth and jobs on the ground is recognised, hence the important role they have in many Member States in the shared management of the European Structural and Investment Funds (ESI Funds) and in drafting and implementing the Operational Programmes (OPs).

The EU cohesion policy, as a unifying solidarity mechanism, gives at the same time room for more decentralised and differentiated empowerment.

The Maastricht Treaty introduced the requirement for compliance with the subsidiarity principle in EU decision-making in matters of shared competences.<sup>2</sup> Also, institutionally, it was made possible for regional ministers to participate in Council meetings<sup>3</sup>. On 9-10 March 1994 the first plenary session of the Committee of the Regions of the European Union (CoR) took place. In addition to its advisory tasks under the Treaties, the CoR's Mission Statement spells out the EU's political assembly of regional and local authorities' clear commitment to monitoring the subsidiarity and proportionality principles, evaluating the territorial impact of EU legislation, and promoting multilevel governance (MLG) in EU policymaking.<sup>4</sup>

Shortly after the launch of the Lisbon strategy in the year 2000, the European Commission adopted its White Paper on European governance highlighting five principles of good governance in EU policymaking, namely openness, participation, responsibility, effectiveness and coherence.<sup>5</sup> The respect of all these principles throughout the EU's policy cycle is an important additional step in mainstreaming the pursuit of EU objectives at all levels of government and increasing ownership amongst societal partners. Over time many RLAs

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<sup>1</sup> A Report to the European Council by the Reflection Group on the Future of the EU 2030, *Project Europe 2030: Challenges and Opportunities*, 9 May 2010.

<sup>2</sup> Article 5 TEU.

<sup>3</sup> Article 16 TEU.

<sup>4</sup> Mission statement of the CoR, 21 April 2009.

<sup>5</sup> COM (2001), White Paper on European Governance.

continued to gain important competences firmly linked to the pursuit of the Lisbon strategy's goals of generating more sustainable growth and quality jobs in Europe.<sup>6</sup>

We have therefore seen the evolution of the EU integration process and a general trend towards more devolution/regionalisation within Member States. These processes have resulted in responsibilities being distributed between the EU, the Member States and RLAs. As a result many competences are de facto 'shared' between at least three levels of government. *"There are many goals which we cannot achieve on our own, but only in concert. Tasks are shared between the European Union, the Member States and their regions and local authorities."*<sup>7</sup>

As a result, it is estimated that the 'Europeanisation' of some policy areas, such as environment and agriculture, reaches a degree where more than 80% of existing policies are made at the EU level.<sup>8</sup> Today, RLAs account for about 16% of EU-28 GDP, 30% of total public expenditure, 60% of total government investments, more than 25% of total taxation revenue, about 16% of public debt, and 55% of total public employment (18 million people employed) in the EU.<sup>9</sup>

In this context, cohesion policy has undoubtedly instilled a more participatory governance culture across Europe. Since the entry into force of the Single European Act, Structural Fund Regulations have led Member States to ensure that strategies and programmes are designed and implemented in close cooperation with RLAs, socio-economic partners and – subsequently also – with civil society partners such as NGO's and relevant interest groups. This prerequisite is generally regarded as a precondition for good governance and needs to be fully respected before EU co-financing kicks in. Moreover, cross-border cooperation has gradually increased over the last decades via – inter alia – the popular INTERREG programmes. Cohesion policy thus contributed greatly to the completion of the Single Market and the development of functional areas across Europe and beyond, irrespective of administrative or geographical borders.

## **1.2. Ownership needs to be stepped up to gain better results on the ground**

In its report on the implementation of the European economic recovery plan in regions and cities, the CoR's Lisbon Monitoring Platform (LMP) noted a lack of ownership and coordination in the implementation process of the plan. Clearly, there is still scope for improvement in terms of cooperation between the grassroots level and the national/federal level on the one hand, and the EU level on the other. At the same time, in several cases, cross

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<sup>6</sup> Note that today in some (federal) Member States the competences such as education, employment, research and development, innovation, entrepreneurship or transport, required to deliver on the Europe 2020 Strategy objectives are even predominantly at RLA level.

<sup>7</sup> Declaration of European Heads of State and Government on the occasion of the 50th anniversary of the signing of the Treaties of Rome, Berlin, 25 March 2007.

<sup>8</sup> See amongst others: Börzel, Tanja and Thomas Risse (2003). *Conceptualizing the Domestic Impact of Europe*. In: Kevin Featherstone and Claudio Radaelli (eds.) (2003). *The Politics of Europeanisation*. Oxford: Oxford University Press, pp. 57-80.

<sup>9</sup> SWD(2014) 242 final part 17/23, accompanying COM(2014) 473 final, Communication from the Commission, "Sixth report on economic, social and territorial cohesion: Investing in Europe's Future".

border cooperation between regional and local authorities as well as public private partnerships between these authorities and the private sector have proved successful.<sup>10</sup>

With the entry into force of the Lisbon Treaty, the EU is to take better account of the increasing importance of the role of RLAs<sup>11</sup> and socio-economic and civil society partners<sup>12</sup> in the integration process. Also, the EU Citizens' Initiative now provides the EU with an important participatory democracy instrument<sup>13</sup>, complementing its well-established representative democracy system.<sup>14</sup> Moreover, the new Treaty enshrines the territorial cohesion objective as a new, horizontal objective.<sup>15</sup>

On 17 June 2009, the CoR adopted its White paper on multilevel governance making concrete proposals as to how Europe can be built in partnership with regions and cities.<sup>16</sup> Also, the European Economic and Social Committee adopted *A Programme for Europe: proposals of civil society*, stressing the need for partnership-based EU governance.<sup>17</sup>

In its report on the future of the European Union, the group of Wise Men chaired by the former Spanish Prime minister Felipe Gonz ales endorses the need for MLG and firmly calls for a "renewed compact" between all levels of government and socio-economic partners.<sup>18</sup> On 9 May 2010, the former Prime Minister of Italy and European Commissioner Mario Monti highlighted in his report on the Single Market the need for a participatory approach on the road to the further completion of the Single Market.<sup>19</sup> When some months later the Europe 2020 Strategy was endorsed by the European Council, it was clear that the success of its implementation would greatly depend on its objectives being shared by all public and societal actors. In other words: the development of a 'multi-layered' governance architecture is crucial as the Commission rightly puts it.<sup>20</sup> The Europe 2020 Strategy is thus to be based on a

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<sup>10</sup> CoR, LMP, *Final Report on the Survey on the European Economic Recovery Plan in Regions and Cities: one year on*, January 2010.

<sup>11</sup> Inter alia, the European Union is to respect the internal constitutional and political structure in the Member States, inclusive of local and regional self-governance (Article 4 TEU); a new definition of subsidiarity mentions the RLA dimension (Article 5 TEU); the strengthened role for national parliaments (Article 11 TEU and the Protocol on the role of national parliaments in the EU) leads in many Member States to the involvement of regional representatives in the EU decision making process; also regional parliaments need to be consulted in applying the subsidiarity test (Protocol on subsidiarity); the role for the CoR is reinforced as it needs to be consulted in new areas such as climate change and energy (Article 307 TFEU), and as it has gained privileged access to the ECJ in defence of its prerogatives (Article 263 TFEU) and where it considers the subsidiarity principle has been breached (principles on subsidiarity and proportionality); finally also the regulatory impact of EU legislation on RLAs is to be taken into account (principle on subsidiarity).

<sup>12</sup> Promotion of social dialogue (Article 152 TFEU) and provides for an increased role for the European Economic Social Committee (Articles 300-304 TFEU).

<sup>13</sup> Articles 9-11 TEU.

<sup>14</sup> Note that in addition to the co-decision process becoming a general rule, the Convention method also became the ordinary method for Treaty change (Article 48 TEU).

<sup>15</sup> Article 3 TEU.

<sup>16</sup> CoR 89/2009 fin, White Paper on Multilevel governance.

<sup>17</sup> EESC, *A Programme for Europe: proposals of civil society*, 24 March 2009.

<sup>18</sup> A Report to the European council by the Reflection Group on the Future of the EU 2030, "Project Europe 2030", 9 May 2010.

<sup>19</sup> Monti, M., *A New Strategy for the Single Market*, 9 May 2010.

<sup>20</sup> COM(2009) 647/3, Commission Working Document *Consultation on the EU 2020 Strategy*, p.9.

coordinated approach and more participatory governance promoting increased ownership on the ground.

The crisis has also sparked a process of reshaping European governance as mutual interdependence between all levels of government has never been clearer. The new European economic governance undoubtedly has and will further continue to spur closer cooperation and dialogue amongst all levels of government on the one hand, and societal partners on the other. When EU leaders endorsed the "Pact for the euro" they highlighted the need for Member States "to pay heed to developments at regional level", whilst committing all Member States to engage in a solid dialogue with socio-economic partners.<sup>21</sup> As fiscal discipline needs to be ensured at both national and sub-national levels, a real opportunity exists to foster more synergies, better spending and greater cooperation. All partners need to assume their responsibility and contribute together to a stronger EU in an increasingly more interconnected world.

### **1.3. A greater role for RLA in cohesion policy and a strengthened partnership with socio-economic and societal actors will improve results on the ground**

#### *MLG for participatory democracy, greater transparency and accountability*

MLG is essentially multi-channelled in the European Union. RLAs must have the opportunity to choose freely through which gateways they voice their concerns, ideas and interests. This idea is intrinsically linked to participatory democracy as society is becoming more pluralistic. People want to participate, decision-making is scattered, and too often 'top-down'. Unilateral decisions are simply no longer acceptable in our democracy. MLG therefore offers a participatory answer in providing tools for participation to regions, cities, and ultimately the citizen. It favours cooperation and democratisation as it multiplies opportunities for citizens to influence government. It is a highly valid way to strengthen the democratic debate within the Union.<sup>22</sup> The alternative to multilevel democracy is not simple democracy, but ineffective democracy. MLG thus helps the EU in overcoming its remoteness and further closes the gap with citizens.

#### *MLG helps to communicate Europe better*

MLG helps the EU better communicating EU policies and objectives and their results, as it goes together with multi-layered citizenship. It is urgent to abandon the hierarchical approach in the European Union which places Europe above the Member States, the Member States above the regions, the regions above the cities and the local communities. Instead, a new partnership is needed between these entities and socio-economic partners at all levels of government to bring the European Union closer to the citizens. Following the adoption of the Commission's Plan D<sup>23</sup>, it would thus be worthwhile to go yet a step further and to provide for the possibility for RLAs to conclude direct communication partnerships with the European Commission instead of the situation where only Member States are able to conclude

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<sup>21</sup> Conclusions of European Council of 11 March 2011.

<sup>22</sup> Hooghe L. and Marks G., *Rise of Regions*, Contribution to the "Cahiers of the CoR", vol. 1, 2009, p.20.

<sup>23</sup> COM(2005), 494.

communication partnerships. New *e*-technological tools should be embraced, thus making the most of *e*-platforms and the social media.

*MLG helps to close the five coordination and capacity gaps in policy making*

According to the OECD, policy programmes whether focussed on innovation, economic growth, or improved public service delivery can be more efficiently and effectively implemented when resources are pooled and information is shared. However, governments must first bridge a series of gaps between levels. Bridging them is one of the primary challenges of MLG. Countries may experience these gaps to a greater or a lesser degree, but given the mutual dependence that arises from devolution, and the network-like dynamic within MLG, countries are likely to face them simultaneously. The most common obstacles to effective MLG are the following five gaps<sup>24</sup>:

- 1) **information gap**: different levels do not have the same quantity or quality of information when designing, implementing and delivering public policy;
- 2) **capacity gap**: there is a lack of human, knowledge (skill-based and ‘know-how’) or infrastructural resources available to carry out tasks, regardless of the level of government;
- 3) **fiscal/funding gap**: when revenues are not sufficient to finance the required expenditures, indicating a direct dependence on ‘higher’ levels of government;
- 4) **administrative gap**: administrative borders do not correspond to functional , economic and social areas, leading to a fragmentation of public policies; and
- 5) **policy gap**: occurs when line ministries take purely vertical approaches to cross-sectorial policies that require co-design or joint implementation at the local level. This leads to a lack of inter-sectorial co-ordination, often seen in such areas as energy and regional development.

Promoting an integrated approach, coordination, and capacity building at all levels is a critical step towards bridging these gaps, overcoming fragmentation and overlap. Experimentation (e.g. the use of innovative pilot-programmes) in policy design and implementation can promote co-ordination and capacity building thanks to partnerships with the local area concerned.<sup>25</sup>

#### **1.4. Defining Multilevel Governance**

In an EU context, MLG has been defined by the CoR as: "*based on coordinated action by the EU, the Member States and regional and local authorities according to the principles of subsidiarity and proportionality and in partnership, taking the form of operational and institutionalised cooperation in the drawing-up and implementation of the European Union's policies*"<sup>26</sup>.

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<sup>24</sup> OECD, “Bridging the gaps between the levels of Government”, Policy Briefing, October 2009.

<sup>25</sup> *Ibid.*, pp. 6-7

<sup>26</sup> CoR 273/2011 fin, "Building a European Culture of Multilevel Governance", See also CoR 89/2009 fin, "White Paper on Multilevel governance".

In relation to the subsidiarity principle, it is important to clarify that MLG-arrangements can only be optimal if the subsidiarity principle is fully respected, i.e. once the responsibilities of each level of government are clearly delineated, MLG kicks in, contributing to the development of a shared vision, greater coordination, information sharing, structural dialogues and joint-implementation agreements amongst all partners. Given the increasing interdependence between all levels of government, MLG helps match and complement different actions. In other words: MLG ensures that the various actors involved work closely together like cogs in a wheel.

*Clarification of the intrinsic relationship between MLG and the partnership principle*

MLG is based on partnership, but clearly goes a step further. MLG provides for a structural approach towards institutional relationships, leading to coordinated action in drawing up, implementing, monitoring and evaluating EU policies.

Seen from this angle, the partnership principle is a guiding principle that can organically be stepped up – or decreased – depending on the stage in the policy cycle and the nature of the partners that are involved, whereas MLG structurally takes on board both RLAs and relevant partners at each phase of the programming cycle going beyond mere consultation practices and ensuring coordinated action instead.

*For improved results and greater ownership of cohesion spending, a "double paradigm shift" has informed the architecture of 2014-2020 new cohesion policy:*

1/ MLG has been firmly anchored in the new CPR for the ESI Funds as RLAs need to be 'structurally' involved in the drafting and delivery of partnership agreements and the related operational programmes;

2/ Partnerships with socio-economic and relevant civil societal actors have been reinforced at all levels of government to increase ownership and the effective delivery of the ESI Funds on the ground. In this way multi-actorship complements and strengthens MLG.

MLG and partnership are powerful drivers for enhancing collective commitment and ownership of EU policies, ensuring greater transparency and contributing to knowledge based policy making. In this respect, it is essential that MLG and partnership constitute major pillars of the reformed cohesion policy. Both principles are important during programme design as well as for programme implementation and evaluation process. Both are effective tools for improving the performance and the results-orientation of the ESI Funds in the new period.

As detailed *infra* in this report, it is my belief that - *mutatis mutandis* - the new MLG and partnership should also inspire the review of the Europe 2020 Strategy in inciting greater ownership and effective delivery of growth and jobs on the ground.

For the European Union, the time is now to bring MLG alive.

## **CHAPTER 2 – Structuring the governance of the 2014-2020 cohesion policy through MLG and developing stronger partnerships at all levels**

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### **2.1. Introducing MLG and a stronger partnership principle in cohesion policy**

#### *Article 5 of Regulation 1303/2013*

For the first time MLG has been introduced in the CPR governing the ESI Funds. The legal base leaves no room for ambiguity in recognizing the specific role first and foremost of RLAs and subsequently of the other relevant partners. Moreover, when in the previous programming period a partnership was organised 'where applicable', Member States 'shall' organise a partnership for the new period:

*"(...) each Member State shall, in accordance with its institutional and legal framework, organise a partnership with the competent regional and local authorities. The partnership shall also include (...) competent urban and other public authorities; economic and social partners; and relevant bodies representing civil society, including environmental partners, non-governmental organisations, and bodies responsible for promoting social inclusion, gender equality and non-discrimination."*

#### *Delegated Act on the European Code of Conduct on Partnership*

Also the new Delegated Act (DA) on the European Code of conduct on Partnership (ECCP) constitutes a major reform in view of enhancing collective commitment and ownership of cohesion policy. The ECCP defines the objectives and criteria to allow Member States to implement the MLG and partnership principles, but leaves for the necessary flexibility for the practical arrangements/modalities of implementation pursuant the institutional structure of each Member State. An important pillar of the Code of conduct in my view is therefore that it provides for a differentiated approach towards the partners according to their functions and competences with regard to cohesion policy. Since its entry into force, the Code is binding in its entirety and directly applicable in all Member States. I believe that Member States should continuously develop and improve MLG and partnership throughout the lifecycle of the programmes.

#### *Introducing a MLG-logic in the Partnership Agreements*

In its Fifth Cohesion Report, the European Commission rightfully considered that RLAs should be involved in the process of drafting the PAs. However, in order to generate genuine ownership, one should go beyond consultation arrangements. RLAs should be duly informed and structurally associated throughout the entire drafting process of the PA. They should become 'co-authors' and, where applicable, also 'co-signatories' of the PAs. In case it would be possible to officially 'subscribe/sign off' a PA at the political level, RLAs would become fully-fledged partners in the delivery of the PA, whilst becoming clearly aware of their responsibility. Increased responsibility is not only necessary at administrative but especially at

political level in order to ensure good follow-up and commitment. Also, joint evaluation, monitoring, reporting, and a jointly agreed communication strategy – shared between all key authorities and stakeholders – should in my view become an integral part of any successful delivery of the PAs. Through internal coordination procedures/platforms every Member State can – pursuant its own constitutional organisation – decide in what way (the most pertinent) RLA will be invited to endorse/co-sign the PA.

The drafting of the PA should not be separated from democratic accountability since the share of EU funding in public investments can in some regions reach up to 80-90% of total investment. Hence when PAs/OPs are drafted under a genuine MLG and partnership culture, it can be expected that 'downstream' they will be better implemented on the ground.

#### *Greater effectiveness, common understanding, mainstreaming of Europe 2020*

Since the ESI Funds under the 2014-2020 OPs are more closely aligned to the pursuit of the Europe 2020 strategy objectives, and cohesion policy is seen as the main tool for the delivery of the Europe 2020 strategy, constant involvement of RLAs is not only required, it is essential.

The new Common Strategic Framework (CSF) establishes a clear link with Europe 2020 and incites an integrated approach towards other EU policies. The CSF concerns all funds whilst detailing the investment priorities at EU level. It thus fixes the key priorities that need to be mainstreamed across Europe via the conclusion of the PAs. The CSF hence provided for a sound 'negotiation framework' that Member States – including RLAs – have to take into account when translating the strategic priorities of the CSF into 'their' PA.

It is my conviction that Member States can only attain tangible results on the ground in translating the CSF into a meaningful PA when they take due account of the specific situation within their territory. There is thus a clear need to better and more structurally involve in any case RLAs together with other relevant partners throughout the entire drafting process of the PAs in order to value their know-how and expertise, eventually leading up to more effective and tailor-made territorial strategies on the ground.<sup>27</sup>

The EU must mobilise every level of government if it is to meet the targets envisaged in its 2020 strategy. We therefore need a transparent system that ensures the delivery of commonly defined objectives and involves RLAs at each critical stage of the programming exercise.

Also socio-economic and civil society partners need to be firmly associated within the latter process. This should further contribute to greater effectiveness of spending, resulting in greater ownership and better EU added value on the ground.

#### *Inciting greater EU added value from cohesion policy through a shared governance culture*

Alongside its solidarity function and its strong incentive towards sustainable growth, the added value of cohesion policy – as a way of financing EU public goods, actions that Member States and regions cannot finance themselves, or where it can secure better results – needs to be highlighted. The European Commission's 'Budget Review' reiterated that GDP in the EU-

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<sup>27</sup> *Ibid.* §44.

25 as a whole is estimated to have been 0.7% higher in 2009 as a result of cohesion policy over the 2000/2006 period – meaning a good return on a budget which represents less than 0.5% of EU GDP over the same period.<sup>28</sup>

As the European Commission rightly argues "*in times of severe and long-term budgetary constraints, coordination between the EU and national budgets should be seen as crucial for the sake of improving economic governance, transparency and efficiency of public spending.*" This is exactly the reason why there is a need to strengthen a shared governance culture via MLG and a more stringent partnership principle in order to engage all relevant partners in this coordination process for better spending and greater results.<sup>29</sup>

MLG and partnership should be promoted at all stages of the programming cycle, including in the OP design, management and evaluation. As these phases are currently dominated by the MA, enough support should be in place for ensuring that active participation by the partners in these two important stages is encouraged.<sup>30</sup>

*... without introducing new administrative burden*

The governance of cohesion policy has been criticised in the past for its complex delivery system. Clearly, any new "MLG-requirement" should result into more synergies, tangible results, and simplified concerted action. Further capacity-building and training on the management of ESI Funds are needed.

Also an over-representation of actors that are *de facto* not genuinely accountable to the groups they supposed to represent is counter-productive. The involvement of less or non-relevant partners for the sake of respecting the MLG and partnership principles should be avoided.

## **2.2. Strengthening the role of socio-economic actors and civil society**

*A strengthened and more organic partnership principle*

For the 2007-2013 programming period, Regulation 1083/2006 has broadened the partnership principle by also including civil society in the drafting of OPs. According to the Regulation, Member States also need to demonstrate how they respect the partnership principle.<sup>31</sup>

Reinforced partnership should also result in the promotion of a genuine commitment in the delivery of shared strategic objectives, generally leading up to the creation of public-private partnerships. Multi-actorship is therefore to be linked to the partnership principle, but it goes a step further. The leverage of the ESI Funds can be further enhanced by developing financial instruments with revolving effects and building up effective public-private partnerships.

MLG-arrangements should also flexibly allow for constant input into programming development on the part of social partners, non-governmental actors, including SMEs, universities, training institutions, and other players relevant to the effective and efficient

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<sup>28</sup> COM(2010) 700 final, The EU Budget Review (2010), p 5-6.

<sup>29</sup> See also CoR opinion on the EU Budget Review arguing for a MLG-based EU budget architecture.

<sup>30</sup> European Parliament, An assessment of Multilevel Governance in Cohesion Policy 2007-2013, Volume I, 2014, p 16.

<sup>31</sup> Council Regulation 1083/2006, Article 10.

implementation of innovation strategies.<sup>32</sup> It is welcome therefore that the role of socio-economic and civil society partners has been further stepped up in the new Common Provisions Regulation<sup>33</sup>.

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<sup>32</sup> OECD, GOV/TDPC(2010)20, “Regions and Innovation Policy”, 24th Session of the Territorial Development Policy Committee, 1-2 December 2010.

<sup>33</sup> See also CoR 369/2010 rev.1, draft opinion on the Fifth Cohesion Report, §51.

## **CHAPTER 3 – A first assessment of the 2014-2020 Partnership Agreements**

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### **3.1. Methodology**

Following a preliminary assessment of all Member States (see Annex), I made a first evaluation of the respect of the MLG and partnership principles. My initial findings have been cross-checked with the outcome of the surveys (i.a. Committee of the Regions, the European Parliament, and CEMR) and experiences I gathered from direct interviews and exchanges with representatives of several regions and local communities, multiple practitioners involved in the management of the ESI Funds at EU, regional and local level. Also I took good account of the EU territorial associations and the EU social partners. Finally, all findings were cross-checked against the assessments of the Commission on the respect of MLG and partnership in the framework of the negotiation of the 28 PAs, on the one hand, and of the (available) final texts of the PAs themselves, on the other.

I wish to stress that by no means it is my intention to blame and shame. What I tried to do is to highlight potential areas for improvements instead and encourage Member States to implement innovative practices. I did not refrain from highlighting the latter since I hope they might be a source of inspiration for other Member States.

### **3.2. First general and preliminary findings**

In general it seems that no fundamental problems exist with the respect of the MLG and partnership principles during the drafting of PA. However, it should be underlined that Member States implement the MLG and partnership principles in different ways, pursuant their institutional background, their administrative capacity, their know-how as well as their experience with the implementation of the principles in the past.

In this context it is therefore important to highlight that neither in OP programming, nor in OP management does the relationship between MLG and the domestic institutional system of territorial governance fully hold. This shows that – irrespective of the country – there is enough flexibility to adapt the cohesion policy systems to national institutional arrangements.<sup>34</sup>

Overall, it appears that at least ten Member States made significant improvement and consolidated the existing excellent MLG and partnership culture in place. Conversely, in eight other Member States there is yet clear scope for improving the MLG and partnership culture in the future. Yet another ten Member States further consolidated the existing MLG and partnership culture already in place. It seems that in several Member States (SE, ES, MT, IE, LV, CZ, CY, and BG) the drafting process is (heavily) centralised. Whereas this can be explained in some countries given their internal constitutional/institutional organisation, it is rather surprising that centralisation seems also to be applied in some of the more

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<sup>34</sup> European Parliament, An assessment of Multilevel Governance in Cohesion Policy 2007-2013, Volume I, 2014, p 15.

federalised/devolved Member States. It should be analysed ex-post whether this ‘top-down approach’ impacts on the effectiveness of cohesion policy. As the case study of BG and CZ demonstrate a centralised approach does, however, not necessarily mean that it is not possible to put a genuine partnership in place.

Member States that foster a ‘bottom-up approach’ possibly mixed with some ‘top-down’ elements (LU, LT, NL, FI) seem to have a PA in place that is genuinely owned and has not led to amendment of strategic choices in the development of this document, but often to a confirmation of these choices and to further support/improvement of the explanation at all levels and by all partners.

A trend towards the overall ‘de-politising’ of the drafting process may be observed in some Member States. In HU and MT, for example, the process seems to be steered by the senior administration, whereas in the UK ‘economic formats’ are steering the drafting process. It should also be analysed ex-post whether this model impacts on the effectiveness of cohesion policy.

In some Member States (SI, RO, LT, GR, EE), RLAs are put at the same level as other partners. Given the democratic accountability of RLAs, these Member States should try to better foster MLG by ensuring that a more differentiated approach towards RLAs is in place.

Many Member States have conducted territorial reforms establishing new ways to interact with RLAs. The result is, however, mixed and patchy since in some Member States (mostly federal countries and PL) reforms have resulted in an even closer and more genuine MLG and partnership, whereas in other (mostly more centralised) countries RLAs involvement seems to be further hampered (SE, UK, GR, RO). Moreover, in the latter countries the reality on the ground does not seem to match the degree of MLG and partnership potential the countries have.

Compared to the previous programming period, the management and coordination of the drafting process of the PA/OP has been to a greater extent decentralised (e.g. PL, FR).

A new kind of 'centralisation' at the regional level seems however to arise in (mostly federal) Member States where the regions are (historically) responsible for the biggest share of the management of the ESI Funds, resulting into insufficient involvement of the city level (BE, some regions in ES, and to a certain extent also in some DE Länder). Also social partners report to be generally less involved at regional level.

In some Member States tensions might arise in case no sound coordination and dialogue structures are in place to deal with the coherence between national OPs and the OPs developed at the regional level.

It is positive that a number of Member States (AT, BG, CY, EE, FI, LT, LV, NL, and PT) have used Article 5 of the CPR and the DA on the ECCP as a springboard for streamlining (electronic) administrative procedures resulting in greater, more systematic and more meaningful involvement of RLAs and/or societal partners for the 2014-2020 programming period.

Whereas partnership is embedded in dialogue and genuine consultation practice/procedures, MLG can only be genuinely respected when in addition also the necessary cross-cutting and cross-tiers coordination fora are in place in which all partners can actively participate and for which responsiveness to the contributions made, is ensured. For many Member States (IE, DK, FR, LV, MT, PL, PT, RO, SI, ES, SE, UK) it is unclear whether the current drafting process goes beyond the traditional (mere) information/consultation of relevant partners.

Whereas the overall 'governance' of the (initial) drafting stages of PA/OP is generally considered as open, transparent and participative, the responsiveness to RLAs and stakeholders could in many Member States be improved, especially vis-à-vis city-representatives. In some Member States (EE, SI, some BE regions and some DE Länder) local governments are considered as mere stakeholders taking part in general information sessions only.

The degree of involvement of partners under ESF OP differs from ERDF OP in many Member States. Under ESF OP social partners are (historically) better involved.

In some Member States (such as BE, DK, RO) the drafting/delivery process of PA/OP seems not to differ (much) from the consultation practices that were in place under the previous programming period(s). Some Member States (RO, BG) have established coordination platforms/working groups in charge for drafting the PA that appear to be too large, making it more a useful format for exchange of information than for genuine strategic coordination.

The timetable of consultations and deadlines for sending feedback needs in many Member States to be less tight. This is an essential point in order for partnership to be meaningful, relevant and genuine. In some Member States competent RLAs were incited at an early stage to draft the OP, without having the same level of know-how on the possible content of the new EU regulatory framework as experts operating at national level.

The participation of European Commission experts in (informal) consultation meetings is generally perceived as positive and useful (facilitator and awareness role) by all stakeholders. Notwithstanding, some REGLEG regions wish to see greater possibilities to directly debate strategic priorities with the European Commission in areas for which they are competent.

Due to diverging views between the city level, on the one hand, and the national/regional level on the other, it seems that the use of Integrated Territorial Investment (ITIs) should be qualified as suboptimal in many Member States (with the exception of NL, SI and FI). It seems indeed that in many Member States there was a clear resistance to establish ITIs, notwithstanding clear 'bottom-up' requests to make use of the new instrument. Being a new instrument it might be that some Member States are hesitant and prefer to evaluate the use and effectiveness of the ITI in other Member States before setting them up within their territory.

Where existing, the role of associations representing the local and/or the regional authorities during the drafting process of the PA/OP is generally perceived as positive (with the exception of ES). The degree of involvement of associations goes from consultation or mere stakeholders' involvement, to deep cooperation with the endorsement of the PA. In this

context it should be noted that in some regions, pursuant the consultation framework, cities can only be consulted via their umbrella associations.

## CHAPTER 4 – The new MLG based cohesion policy as a source of inspiration for the Europe 2020 Review

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### 4.1. Strengthening coherence between National Reform Programmes and Partnership Agreements

In his contribution on the Europe 2020 Strategy to the European Council of 11 February 2010, the Commission's President proposed a coordinated approach and strong governance for the Strategy, also via a stronger participation of RLAs and social partners.<sup>35</sup> In addition, the European Council has acknowledged that it would be important to closely associate national parliaments, the social partners, regions and other stakeholders in preparing the National Reform Programmes (NRPs), so as to increase ownership of the Strategy.<sup>36</sup> Furthermore, in order to enhance the Europe 2020 governance process, both the European Parliament and the CoR have called for the creation of “Territorial Pacts” between regional and local actors, Member States and the EU level as an integral part of NRPs.<sup>37</sup>

#### *Definition of "Territorial Pacts" (TPs)*

TPs would constitute an essential component of the future Europe 2020 NRPs. TPs could take the form of political commitments, agreements or even contracts established on a voluntary basis between public bodies and focusing on governance and implementation of the Europe 2020 Strategy. TPs could be developed in policy areas where RLAs are legally responsible and thus key actors when it comes to the design and implementation of the Europe 2020 headline targets and flagship initiatives.<sup>38</sup>

TPs ought to be flexible and therefore could be agreed and signed between a varying range of (inter)regional partners, i.e. 'à géométrie variable'. In my opinion, TPs could take the form of a bipartite (region + Commission or local authority + Commission), tripartite (region + local authority + Commission) or even a quadripartite (region + local authority + Member State + Commission) compact. However, they should always involve – as a minimum – a regional or local partner on the one hand, and the European Commission (and the CoR) on the other.

The conclusion of a TP must, however, not create disproportionate administrative burden with too little value in return. This would contradict the Commission's commitment to simplification. Secondly, TPs should involve socio-economic partners, valuing their specialist knowledge. Thirdly, coherence between the content of the TPs, the NRPs, and the strategic objectives of the PAs, is vital for success. Fourthly, any TP should provide for added value

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<sup>35</sup> Contribution of the Commission President on Europe 2020 in view of the informal meeting of Heads of State and Government of 11 February 2010.

<sup>36</sup> European Council, Conclusions, 25-26 March 2010.

<sup>37</sup> EP / CoR 73/2011, Bureau Declaration of 7 March 2011 addressed to the European Council.

<sup>38</sup> As defined by the CoR's EPP group cf. EPP/CoR Task Force "Europe 2020". See also CoR 89/2009, a White Paper of the CoR on Multilevel governance and the CoR Opinion CoR XX/2011 on the Fifth Cohesion Report - Learn from pitfalls of the tripartite pilot-contracts.

*vis-à-vis* the OPs. Finally, TPs should be flexible, leaving it up to the public authorities involved to decide about their form and content.

#### *Establishment of a network of Europe 2020 contact points at RLA level*

Alongside the existing network of 28 'Europe 2020 Coordinators' appointed by the respective governments at Member State level, the European Commission could actively promote the establishment of a network of Regional Europe 2020 Coordinators in order to help mainstream the Strategy at regional level and local level. Of course, it would be difficult for the Commission to liaise directly with more than 270 Europe 2020 coordinators appointed by their regional government. However, once established, the network would provide the Commission with a direct contact in every region helping to better understand certain territory specific 2020-related challenges. Similarly, the European Semester Officers within the Commission's country delegations should serve as a liaison with national parliaments, regional and local authorities on the one hand, and social partners and societal actors on the other. Once adopted by the Council, the Commission's European Semester Officer could explain the annual country recommendations *vis-à-vis* these actors.

## **4.2. Providing Europe 2020 with a territorial dimension**

#### *Promoting further synergies between Europe 2020 and cohesion policy*

I strongly welcome the greater synergy between cohesion policy and the Europe 2020 Strategy. It should be emphasised that cohesion policy is the main delivery instrument of the Europe 2020 strategy as about 60% of the funds are earmarked towards the pursuit of the goals of the Lisbon strategy/Europe 2020 strategy in the 2007-2013 programming period.<sup>39</sup> Following the adoption of the new regulative package for the 2014-2020, this percentage could further increased since the ESI Funds are geared even more towards the delivery of Europe 2020.

#### *The Committee of the Regions' Athens Declaration*

In his report to the European Commission, former Dutch Prime Minister, Wim Kok, highlighted the lack of ownership of the Lisbon strategy as one of the main reasons why the EU was lagging behind in its implementation.<sup>40</sup> Indeed, following its establishment in 2006 the CoR's Lisbon Monitoring Platform (LMP) also identified the weak ownership of the strategy at RLA level as an important gap.<sup>41</sup>

The upcoming review of the Europe 2020 Strategy in the year 2015 provides in my view for an excellent occasion to increase the ownership of the Strategy and to ensure a better delivery

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<sup>39</sup> European Parliament, Working document 2 by rapporteur Salvador Garriga on the implications of the Europe 2020 strategy on the post-2013 multi-annual financial framework, 16 December 2010.

<sup>40</sup> Report from the High Level Group chaired by Mr. Wim Kok, "Facing the challenge. The Lisbon Strategy for growth and employment", November 2004.

<sup>41</sup> See CoR LMP library at <http://portal.cor.europa.eu/europe2020/Pages/Library.aspx>

on the ground. I believe in particular that the CoR's 'Athens Declaration' provides for a sound 7-points plan for providing the Strategy with a genuine territorial dimension:<sup>42</sup>

**1. Give the strategy a territorial dimension:** Though the strategy has provided a framework for action, it ignores the strengths, weaknesses and development opportunities of European regions. There is a need to set territorially differentiated objectives and targets with updated and extended EU-wide regional data to measure progress locally.

**2. National Reform Programmes in partnership:** There is limited involvement of local and regional authorities in preparing NRPs: they are consulted but not viewed as partners in setting goals and targets.

**3. Making MLG the standard approach:** MLG allows for coordination between different levels of government and is a precondition for the Europe 2020 Strategy to bring added value in terms of growth, jobs and cohesion. Territorial Pacts and multi-level arrangements involving public authorities at all levels can help deliver a renewed Europe 2020 Strategy.

**4. Aligning the European Semester with genuine long-term investment:** The European Semester – the annual exercise of coordination of fiscal and structural policies by the EU's member states – must be more aligned with Europe 2020 goals covered by the Flagship Initiatives, including related need for long-term investments.

**5. Using the Europe 2020 Flagship Initiatives for enhanced policy coordination:** The seven Flagship Initiatives should become a lever to enhance policy coordination at all levels in view of achieving the Europe 2020 targets.

**6. Mobilising funding for long-term investment, ensuring better spending:** the European Commission should publish a Green Paper on budget synergies between all levels of government which would allow them to "do more with less". The European Investment Bank should strengthen its support for local and regional authorities. Private funds should be mobilised through innovative financial instruments. The quality of public spending should improve, to make public investments more effective.

**7. Strengthening administrative capacity for more effective implementation:** Benchmarking, exchange of experiences and peer learning between regions and cities should be supported by the EU and Member States, also by using EU instruments such as the European Territorial Cooperation programmes. A Public Sector Innovation Platform, aiming at supporting and coordinating public sector innovation, should be established.

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<sup>42</sup> Available at: <http://cor.europa.eu/en/events/summits/Pages/athens-2014-material.aspx>

## CHAPTER 5 – Recommendations and guidelines for the future

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### 5.1. Evidence-based MLG

*As always the proof is in the eating of the pudding*

Given the different institutional and constitutional arrangements within every Member State no unique MLG arrangement exists for the EU. Over time the appropriate balance will need to be struck in every Member State between the achievement of better results and the coordination costs associated with the establishment of MLG arrangements.

Both the development of and compliance with MLG arrangements is to be analysed ex post. Therefore, the applicable procedures and criteria for ex-post evaluation ought to be defined in partnership between all levels of government.<sup>43</sup>

It will be essential to receive timely feedback from Member States, RLAs, societal partners and managing authorities on whether the MLG and partnership arrangements have actually contributed to a better delivery of the ESI Funds.

Article 14 of the ECCP provides for the basis in this respect as it invites Member States to make a separate analysis of the assessment of the role of partners in the implementation of the PA and an overview of the views expressed during the consultation, including, where applicable, a description of the procedure for taking into account the opinions of partners.

The system of evaluation needs to be set up on the basis of results, taking into account the duration of the project, the skills of the controller, the criteria of audit and analysis, as well as the preliminary training needs of the stakeholders. The principles and conditions of implementation of the evaluation should be defined in partnership. Training and skills development is to be supported<sup>44</sup>.

*Towards a EU Cooperation Index measuring good participatory governance*

The development of a MLG culture within a given country seems to be strongly linked with the culture of participatory democracy. It will thus take time for genuine MLG to flourish. Hence, the importance of sharing best practices, promoting capacity building, and communicating the results achieved.

Following the adoption of its White Paper, the CoR is in the process of drafting MLG Scoreboards, measuring the development of MLG in specific EU policies. The policies that are being screened are selected on the basis of the Commission's annual programme and the political priorities of the CoR presidency. The first Scoreboard reveals gaps in the institutional practices and detects potentials for a better MLG architecture when designing policies and strategies at EU level. It demonstrates that with respect to procedures (information and

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<sup>43</sup> See also the White Paper of the Assembly of European Regions on the future cohesion policy, January 2011. Orientation document on the future cohesion policy of CCRE, 11 January 2011.

<sup>44</sup> UEAPME position

consultation, stakeholders' involvement and responsiveness), the objectives of MLG are better respected than the practices related to the content of the policies (territorial approach, subsidiarity) and the use of innovative instruments (contracts, joint action plans, etc.).<sup>45</sup>

The indicators used in the Scoreboard to measure the respect of MLG by EU institutions when shaping EU policies/strategies could, in turn, inspire the establishment of a Cooperation Index measuring the degree of participatory and multilevel governance at Member State level.

Indicators should evaluate Member States' actual MLG and partnership practices/arrangements. Results would highlight improvements/gaps towards the development of MLG on the one hand, and the partnership approach on the other, notably when Member States implement EU policies with a territorial dimension.

The (annual) results of the Cooperation Index could be presented to Member States as a 'reality check' which needs to be discussed and reviewed amongst peers, preferably involving the CoR, the EESC, the EU social partners and EU Territorial Associations.

Over time, a specific 'MLG label' could be awarded to public actors that improve on the Cooperation Index, build on their potential and make considerable improvements.<sup>46</sup>

### *Exchange of good practices*

At EU level, the CoR and the EESC have evidently a valuable role in disseminating good MLG and partnership practices. Moreover, the Community of Partnership referred to in the ECCP provides for a promising initiative to set up a database of good/bad examples/practices and inciting systematic exchange. Eventually, and with the support of Jean Monnet chairs and interested universities an "EU Academy for MLG and partnership" could be established for sharing, studying and stimulating the promotion of participatory governance within and beyond the EU.

Building on the expertise gathered, it would be possible to develop specific MLG and partnership guidelines and/or the development of a handbook, which would help Member States with the elaboration of the appropriate arrangement in line with their institutional structure.

The CoR and the EESC could appoint "MLG" (CoR) and "Partnership" (EESC) Ambassadors amongst their Members to further promote the good practices within every Member State.

## **5.2. Place-based MLG**

### *Towards a specific status for regions with legislative power?*

Acknowledging that "categorizing" regions is neither advisable nor adequate since all regions have their place in MLG, it is however a fact that several regions in some more decentralised Member States have, according to their constitutional order, (important) legislative powers

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<sup>45</sup> The first eight MLG Scoreboards are available at: <http://cor.europa.eu/en/activities/governance/Pages/mlg-scoreboard.aspx>

<sup>46</sup> European Parliament Resolution of 14 December 2010 on "Good governance with regards to the EU regional policy, procedures of assistance and control by the European Commission", ref. 2009/2231.

and/or fiscal autonomy. Previously, proposals have been made to give greater recognition to such 'constitutional' regions or 'regions with legislative powers'. Notably the concept of "partner regions of the EU" has been put forward.<sup>47</sup> Yet, in the context of cohesion policy, there is the danger that the European Commission would be perceived as interfering in the internal constitutional order, notably in favouring federal structures.

However, it is my opinion that – on the contrary – in giving greater recognition to these public actors in EU policy making, the European Commission would give effect to the Treaty provisions. One could thus formally associate – on a voluntary basis – the "partner regions of the EU" in the negotiation process on the PAs. In the future, the latter would thus to be signed off and agreed upon by partner regions, the Member States and the Commission. Partner regions would furthermore be entitled the right to be directly consulted by the Commission and would be structurally involved in preparatory meetings with the Commission services.<sup>48</sup>

In order to allow for a more inclusive process, no distinction, as said before, should be made between constitutional regions, regions with legislative powers or other regions. "Partner regions of the EU" can in my view be broadly identified according to each Member State's constitutional system and the distribution of competences among the different levels of government.

### *Regional Partnership Agreements*

Besides the conclusion of PAs at Member State level, in the future the Regulation governing the ESI Funds could also provide for the possibility for RLAs to elaborate their own "Regional" PA as an integrated part of the general PA (cf. the current practise in Belgium to have regional NRPs as an inherent part of the Belgian NRP under the European Semester reporting). In this way, the Commission gives full recognition to Article 4 TEU respecting the internal constitutional order of Member States, whilst giving maximum effect to the subsidiarity principle as political representatives of the RLAs would also be able to fully assume their responsibility in an EU context.<sup>49</sup>

The conclusion of Regional PAs could be made optional in the Regulation. Secondly, any Regional PA should generate added value on the ground, providing for the justification of the potential additional administrative burden it might bring along.

Following the MLG paradigm, regions themselves should also be urged to fully associate cities, other local authorities and socio- economic partners at regional level in both the design and implementation of their Regional PA.

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<sup>47</sup> Lamassoure A, draft report on the division of competences between the EU and the Member States; See also Declaration of the REGLEG-network, November 2007.

<sup>48</sup> See also European Parliament Resolution of 14 December 2010 on *Good Governance with regards to the EU regional policy, procedures of assistance and control by the European Commission*, ref. 2009/2231.

<sup>49</sup> See European Parliament, draft report of rapporteur MEP Salvador Garriga on *Investing in the future: a new Multiannual Financial Framework (MFF) for a competitive, sustainable and inclusive Europe*, § 66, 3 March 2011. See also the White Paper on the future of Cohesion policy of the Assembly of European Regions, December 2010.

In general, a particular concern for any PA is the need for enhanced urban mainstreaming and greater local ownership, whilst reducing the administrative burden as far as possible.

*Strengthening the role of metropolitan and functional areas in the shared management of cohesion and urban policy*

In my view EU politicians at all levels of government need to further pool their actions in order to incorporate the specificities of the local dimension with economies of scale and scope in a cross-border and trans-national dimension. Strict administrative boundaries may no longer be the sole reference, whereas functional collaborative areas are emerging and are not always fitting with those administrative boundaries. This is the time to bring new forms of contracts for functional areas, and ensure compliance with the subsidiarity principle, the smart integration of policies, territorial cooperation and territorial dialogue.

In the Fifth Cohesion Report greater recognition is given to the role of urban and metropolitan areas. This is a vital evolution. Consequently, the role of urban actors is to be stepped up in the future governance of cohesion policy.<sup>50</sup> Hence, in line with the partner region concept, the notion of "partner cities of the EU" could be introduced in the cohesion policy lexicon. Representatives of European Groupings for Territorial Cooperation (EGCTs) could thus be given a formal role under the management of cohesion policy.

I would also recommend reflecting about the possibility of introducing a new NUTS 4-classification for EGCTs<sup>51</sup>.

*Functional Partnership Agreements*

Finally, in the same vein the feasibility to devise a specific (pilot) category of 'Functional' PAs complementing PAs at Member State level could be explored. In addition to the Member States concerned the respective EGTC-representatives would sign-off the 'functional' PA at the political level.

### **5.3. Towards a MLG and Partnership Based European Union**

*Implementation of the Charter for MLG in Europe at all levels of governance*

Following the adoption of its White Paper on MLG, the CoR drew up – in partnership with the Congress of Local and Regional authorities of the Council of Europe – a *Charter for MLG in Europe*. The Charter spells out the (minimum) MLG practices parties should respect and adhere to in order to deliver better policies on the ground.

Signatory parties to the Charter are invited to respect the fundamental processes that shape MLG practices in Europe by:

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<sup>50</sup> See also Barca, F, "An Agenda for a reformed Cohesion Policy, a place-based report to meeting European Union problems and expectations", April 2009.

<sup>51</sup> New (informal) territorial cooperation arrangements between various partners at different levels of governance have been set up across Europe e.g. the INNO-Cité partnership involving nine partners from five Member States or the experience gained by the working community of the Pyrenees, a unique example in the EU of a cross-border entity managing a cooperation program, POCTEFA, the French-Spanish-Andorran Territorial Programme could also be referred to.

- developing a transparent, open, and inclusive policy-making process;
- promoting participation and partnership involving relevant public and private stakeholders throughout the policy-making process, including through appropriate digital tools, whilst respecting the rights of all institutional partners;
- fostering policy efficiency, policy coherence and promoting budget synergies between all levels of government;
- respecting subsidiarity and proportionality in policy making;
- ensuring maximum fundamental right protection at all levels of government.

Moreover, signatories should commit themselves to making MLG a reality in day-to-day policy-making and delivery, including through innovative and digital solutions. To this end, they should:

- promote citizen participation in the policy cycle;
- cooperate closely with other public authorities by thinking beyond traditional administrative borders, procedures and hurdles;
- foster a European mind-set within our political bodies and administrations;
- strengthen institutional capacity building and invest in policy learning amongst all levels of governance;
- create networks between our political bodies and administrations from the local to the European levels and vice-versa, whilst strengthening transnational cooperation.

It would be certainly a step forward to set up a monitoring system/committee once, for example, the first 300 responsible actors have subscribed to the Charter<sup>52</sup>.

#### *Strengthening the scope for strategic guidance on cohesion policy/Europe 2020 within the Council*

The General Affairs Council is the proper format to debate – at least once a year – the implementation of cohesion policy, focusing on progress and persisting bottlenecks in the delivery of OPs on the ground. It would be advisable that also the CoR would be invited for these meetings, notably when the implementation of cohesion policy and its relation to the implementation of the Europe 2020 Strategy is debated.

#### *Towards a European inter-institutional cooperation agreement promoting MLG and partnership*

Pursuant the MLG philosophy, a "European inter-institutional cooperation agreement" could be envisaged with a twofold objective: 1/ policy scrutiny and monitoring relating to the implementation of the Europe 2020 strategy at RLA level and; 2/ in terms of inclusive governance, the exchange of good/bad practices and communication.

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<sup>52</sup> The MLG Charter is available at: <http://cor.europa.eu/en/news/Pages/mlg-charter-opens.aspx>

### *Financing institutional MLG-arrangements and reinforced partnerships*

Both institutional capacity building and investment in skills necessary to manage the ESI Funds need to be supported by the EU. This is the qualitative aspect of building a common governance culture. Learning, training, exchange of good/bad practices should all be supported by future cohesion policy. The new legal framework is promising in this respect as it allows for wider support to capacity building. It would be important to monitor whether appropriate use is made of these tools, notably by the less developed regions.

### *Establishment of a pilot-group of MLG regions*

On a voluntary basis, a pilot-group of regions could be established to experiment with innovative MLG-arrangements (cf. the "MLG label"). At a (bi-annual) institutional conference innovative practices could be discussed and disseminated.

### *Coordination platforms*

One lesson that comes out most clearly from OECD country feedback is that regular dialogue and genuine consultation are generally considered the most effective coordination tools.<sup>53</sup>

The establishment of "coordination platforms" within a Member State could be helpful in order to structurally organise the follow-up on the implementation of shared priorities defined in the PA.<sup>54</sup>

The EU might thus further urge Member States to set up coordination platforms, if needed. However, the decision to do so should eventually be left to the public actors within the Member State as this may increase the administrative burden.

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<sup>53</sup> OECD, GOV/TDPC(2010)20, "Regions and Innovation Policy", 24th Session of the Territorial Development Policy Committee, 1-2 December 2010, p 123.

<sup>54</sup> Cf. the line of thought Commissioner Johannes Hahn developed during the Commission Conference on the closure of the consultation on the 5<sup>th</sup> Cohesion Report.

## EPILOGUE

In a world that is becoming increasingly interdependent and competitive, governments – together with socio-economic and civil society actors – at all levels have to seize opportunities *together*. A paradigm shift towards interrelated, interacting and collaborative partnership, based on each other's competences, is highly needed leading towards “contractualised” ownership. It is vital for the European Union to be in a position to put forward, defend and flexibly adapt its unique development model in the changing multi-polar and multi-actor networked world we are living in.

At the dawn of a new legislative mandate, the EU therefore has a real chance to make the case for a strong European Union based on an intelligent system of MLG and a shared partnership culture. Cohesion policy has developed over time into a policy that is owned by all actors involved. Anchoring MLG and reinforced partnership in the CPR for the ESI Funds was therefore a courageous, decisive and yet a necessary step towards the joint delivery of the Europe 2020 strategy and tangible results for EU citizens.

In anchoring MLG and partnership as guiding principles, cohesion policy will in my view thus pave the way for other EU policies/strategies (with a strong territorial dimension), such as the (successor to) Europe 2020 Strategy, the EU's climate and energy policy, development cooperation, neighbourhood policy, the implementation of the Stockholm programme, the consolidation of fundamental rights, the deepening of the Single Market Act,... to become truly EU-wide and owned at all levels.

## **ACKNOWLEDGMENTS**

I wish to sincerely thank European Commissioner Johannes Hahn for his dedication to a results-oriented cohesion policy enhancing collective commitment and ownership at all levels and for having achieved a political consensus on the introduction of the MLG principle and a strengthening of the partnership principle within the new CPR for the ESI Funds. Within his cabinet I would like to thank in particular, Mr. Hubert Gambs and Mr. Nicola De Michelis for our various (hopefully mutually) enriching exchanges of views and Ms. Myriam Lemahieu for her excellent support. I am also most grateful to Ms. Kadri Uustal and the country desk coordinators of DG REGIO for sharing their experiences and providing me with sound and detailed suggestions.

I am also specially grateful to Ms. Béatrice Taulègne, Deputy-director at the CoR, who was from 2009 on, inspiring me and contributing to the MLG concept and to Prof. dr. Antonio Papisca for his fundamental contributions to build up a European “Nova Civitas” and Prof. dr. Léonce Bekemans, focussing on the "Human-Centric" value of MLG, both from the University of Padua.

Above all, I would like to express a special word of thanks to the various representatives of regional and local authorities, the representatives of the EU Territorial Associations, and the representatives of the EU social partners who provided me with the necessary insights and valuable hand-on expertise. Their contributions have helped me to better understand the reality on the ground.

Last but not least, very special and warm thanks to Mr. Hendrik Theunissen, member of the Cabinet of the CoR’s president, who was helping me, more than ever, in analysing, cross-checking and formatting this report.

## ANNEX

### AUSTRIA

Topic/question	Comments/additional info
<p>Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?</p>	<ul style="list-style-type: none"> <li>• The process named "STRAT.AT.2020" was launched in April 2012.</li> <li>• The (expert) public was consulted on a first "expert paper" between July-September 2012.</li> <li>• 15 thematic "focus-groups" were set up and discussed possible funding areas between November 2012 and February 2013, establishing a broad partnership approach.</li> <li>• A forum in June 2013 made public the first draft PA, followed by a public consultation over 6 weeks.</li> <li>• Focus-groups and forums are open to all relevant partner organisations.</li> <li>• During the STRAT.AT 2020 process, two online consultation procedures were carried out, in summer 2012 on the "expert paper" and in summer 2013</li> </ul>
<p>Are partners well involved throughout the drafting process?</p>	<ul style="list-style-type: none"> <li>• The first consultation on the expert paper took place in summer 2012.</li> <li>• 29 partners (whereof 11 governmental bodies, 13 interested parties, NGOs and other non-public partners) submitted comments.</li> <li>• These were all assessed, categorized for further discussion and published in a report of November 2012.</li> <li>• All documents/comments can be downloaded</li> </ul>
<p>Do the partners consider their first and subsequent involvement sufficient?</p>	<ul style="list-style-type: none"> <li>• Although compared to the previous programming period more partners were involved, the association of RLA reports to have been only 'partially' involved.</li> <li>• When at Member State level meetings with the European Commission took place during the drafting process of the PA, it seems feedback on the results of these meetings was not shared with the partners.</li> <li>• Participation in focus-groups of, inter alia: BAK, ÖGB (employees' organisations), IV, WKÖ, LKÖ, UNIKO, FWF, FHK (employers' and science/research organisations), etc.</li> </ul>
<p>Further clarifications required? Comments</p>	<ul style="list-style-type: none"> <li>• It would be interesting to know whether at the political level the Länder's endorsement was eventually required before the final draft PA could be officially submitted to the European Commission.</li> </ul>

## BELGIUM

Topic/question	Comments/additional info
Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?	<ul style="list-style-type: none"> <li>• At the launch event of the position paper in December 2012, it was ensured that partners were consulted</li> <li>• The process was transparent, open and publicised</li> <li>• There was a possibility for partners to provide their comments in electronic form</li> <li>• Feedback is given for comments and it seemed that - at least for some key issues - comments by stakeholders have been taken on board in the final text of the PA</li> <li>• Several information sessions were organised across the country to present the state of play on the negotiations, including at the (beginning of the) final drafting stage.</li> </ul>
Are partners well involved throughout the drafting process?	<ul style="list-style-type: none"> <li>• The regional governments have determined the global framework for the preparation of the PA and OPs.</li> <li>• Also the regions were responsible for ensuring the overall coordination of the drafting of the PA, both at the administrative and political level.</li> <li>• All relevant departments and at all levels of government were involved throughout the process in order to foster overall coherence</li> <li>• Associations representing RLAs were consulted</li> <li>• The Managing Authority (MA) of every region organised various consultation meetings with the social partners and (fund-specific) relevant societal organisations.</li> <li>• The Belgian Permanent Representation has been actively informing partners about the state of play on the negotiation of the new general and fund specific Regulations for the 2014-2020 programming period and the MFF.</li> </ul>
Do the partners consider their first and subsequent involvement sufficient?	<ul style="list-style-type: none"> <li>• At least some local partners do not consider their subsequent involvement and possibility to influence the final version of the PA as sufficient.</li> <li>• Association of RLAs reports to have been unsatisfactory involved, i.e. 'responsiveness' could be improved.</li> </ul>
Further clarifications required? Comments	<ul style="list-style-type: none"> <li>• Is there a coordination mechanism/forum to try to reconcile diverging interests between the regional level and key representatives of the local/city level?</li> </ul>

## BULGARIA

Topic/question	Comments/additional info
<p>Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?</p>	<ul style="list-style-type: none"> <li>• A January 2012 Council of Ministers decree stipulates that PA and OPs are to be prepared by Working Groups (WGs), which have to include representatives of the central level, RLAs, socio-economic partners, NGOs, the academic community, the Commission for Protection against Discrimination, etc.</li> <li>• All comments, proposals, draft documents received are sent/distributed to all WG members. Tables are distributed to the WG members indicating whether comments have been taken into account or not.</li> <li>• There have been more public consultations, including online consultations for the PA.</li> <li>• The Council for Coordination of EU Funds' management, composed of the heads of MAs, Central Coordination Unit (CCU), Certification Authority (CA), Audit Authority (AA) and Intermediate Body (IB), discusses all major issues related to the EU funds' management, thus ensuring the coordination and synergies among programmes.</li> <li>• A number of high-level political meetings have been held to ensure coordination of the preparation of the strategic documents.</li> <li>• With legislative amendments from February 2014 the Council for Coordination of the EU Funds management was transformed into a decision-making body at Ministerial level in order to strengthen coordination, complementarity and synergy of the different EU and national instruments.</li> <li>• According to the newly adopted Decree for establishing the Monitoring Committees of the PA and ESI-funded OPs, representatives of socio-economic partners, NGOs, the academic society, anti-discrimination bodies, regional and local authorities are voting members of all Monitoring Committees (MCs).</li> </ul>
<p>Are partners well involved throughout the drafting process?</p>	<ul style="list-style-type: none"> <li>• The role of partners has increased with representatives of socio-economic, civil society, academic society, local authorities, etc., being members of the WGs that prepare the strategic documents. They are involved at an early stage, with the opportunity to influence the drafting of documents.</li> <li>• All decisions regarding the PA and OPs have been discussed in respective WGs.</li> <li>• The CCU elaborated a mechanism for selecting NGOs for each of the WGs.</li> <li>• The Ministry of education and science proposed the representatives of the academic community.</li> <li>• Employers' and employees' organisations, organisations of people with disabilities, the six regional development councils and the National Association of Municipalities are represented in the WGs.</li> </ul>
<p>Do the partners consider their first and subsequent involvement</p>	<ul style="list-style-type: none"> <li>• Regional authorities (NUTS II), through six Regional Development Councils seem to have limited influence as they are not very well established in the administrative system</li> </ul>

sufficient?	<ul style="list-style-type: none"> <li>• Several CCU projects support capacity building of local authorities (mobile units, distance learning, etc.)</li> <li>• Ministry of Regional Development provides support to urban authorities for the preparation of integrated development plans.</li> <li>• The Association of Municipalities reports to have been partially involved and only at the beginning of the process</li> <li>• In 2012 the Minister for EU funds management initiated a Strategy for the development of the NGO sector up until 2015. Special training for beneficiaries and socio-economic partners is provided through the technical assistance components of OPs and the coming OP Good Governance.</li> </ul>
Further clarifications required? Comments	<ul style="list-style-type: none"> <li>• A late start to involve partners was avoided.</li> <li>• The administrative capacity and built-up experience in EU funds management helped to better prepare.</li> <li>• The PA and OPs preparation processes run in parallel and mutually reinforce each other,</li> <li>• Partners have had early access to information and have been pro-actively involved in drafting, albeit some seem not to have been involved until the final drafting stage.</li> </ul>

## CROATIA

Topic/question	Comments/additional info
<p>Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?</p>	<ul style="list-style-type: none"> <li>• A Coordination Committee is in charge of the preparation of programming documents for the 2014-2020 period and of determining the responsibilities and tasks of the bodies involved in its work. All ministries and a representative of the Prime Minister's Office are included in the work of the Committee.</li> <li>• Thematic working groups are established involving national administration, representatives of the regional administration and NGOs at official level. The list of the participants is publicly and online available.</li> <li>• The general public is informed on the programming period 2014-2020 through a specialised web site: <a href="http://www.strukturnifondovi.hr">www.strukturnifondovi.hr</a> .</li> <li>• The process seems partially transparent. Access to all relevant comments and feedback provided can be improved.</li> </ul>
<p>Are partners well involved throughout the drafting process?</p>	<ul style="list-style-type: none"> <li>• The six thematic working groups involving the partners are established since December 2012 and meet on a monthly basis. The civil society organisations and NGOs were selected through an open call for nominations. Representatives of social partners have been included and actively participated in the work of the Thematic Working groups.</li> <li>• Large national information/consultation events were organised involving a broader range of partners such as academic experts, research institutes etc. All materials discussed are available online with the possibility for the public at large to fill out an online survey.</li> <li>• At regional level as well a series of information events “Regional Days of the EU funds” were and will continue to be organised. Interestingly also lectures are part of the series.</li> <li>• In addition workshops were organised with prominent experts in nine different areas.</li> </ul>
<p>Do the partners consider their first and subsequent involvement sufficient?</p>	<ul style="list-style-type: none"> <li>• RLA partners consider they have not sufficiently been involved throughout the drafting process as a whole</li> <li>• Large cities report only to have been involved in the middle of the preparations</li> </ul>
<p>Further clarifications required?</p>	<ul style="list-style-type: none"> <li>• It seems that substantial improvement is being made, but the baseline is a very different one (IPA context)</li> <li>• It is interesting to notice that more than 52% of the replies to the consultation came from the private sector. Where special actions made to attract such a large amount of private sector contributions? Vice-versa, maybe more efforts could be undertaken to ensure a greater participation rate of RLAs to the consultation.</li> </ul>

## CYPRUS

Topic/question	Comments/additional info
Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?	<ul style="list-style-type: none"> <li>• A public consultation process involving social and economic partners was in place during the drafting of the PA and is in progress for the preparation of the OPs.</li> <li>• To ensure MLG, a "Consultative" Programming Committee was established comprising representatives of all involved partners in the programming, implementation and monitoring process, such as local authorities, social and economic partners, NGOs.</li> <li>• For the programming and monitoring of programmes for 2014-2020, new collective bodies have been created to improve coordination and synergies.</li> <li>• Cyprus has set up an Internal Joint Task Force between the Directorate-General for European Programmes, Coordination and Development the Ministry of Agriculture and the Fisheries department to coordinate the preparation of the period 2014-2020.</li> <li>• A Coordination Committee has been set up to coordinate the effective implementation of the whole programming process for 2014-2020, from the preparation of the programming documents to the strategic monitoring of their implementation.</li> </ul>
Are partners well involved throughout the drafting process?	<ul style="list-style-type: none"> <li>• The process was launched in February 2012, at a workshop where the new legislative framework of the ESIF was presented by a representative of the European Commission to which representative of Ministries, local governments and economic and social partners participated.</li> <li>• The whole consultation process was officially launched in the second quarter of 2013 with the transmission of the draft National Development strategy and the main provisions of the new legislative framework of the Funds to the Ministries and all involved partners for comments and proposals.</li> </ul>
Do the partners consider their first and subsequent involvement sufficient?	<ul style="list-style-type: none"> <li>• For the preparation of the new programming period the responsible authority, the Directorate-General for European Programmes, Coordination and Development ensured that the principle of partnership is strengthened in relation to the previous period.</li> <li>• All partners at all levels have been actively involved through the participation to the newly set up committee already mentioned above and through regular meetings.</li> <li>• In general consultations were open to public and partners have the possibility to access the development of planning documents online and submit proposals.</li> <li>• Association of RLA reports however to have been unsatisfactory involved</li> </ul>
Further clarifications required?	<ul style="list-style-type: none"> <li>• Can partners submit comments also electronically?</li> </ul>

	<ul style="list-style-type: none"><li>• Are there risks of slow decision-making process for ESF interventions, and possible risk of delays in areas such as R&amp;D, innovation linked to accommodating procedures/arrangements for a strengthened partnership?</li><li>• Are procedures in place ensuring partners are involved going beyond consultation practices?</li></ul>
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## CZECH REPUBLIC

Topic/question	Comments/additional info
Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?	<ul style="list-style-type: none"> <li>• A national guidance document was issued.</li> <li>• It seems that sound procedures and working platforms are in place to ensure continuous involvement of partners throughout the drafting process.</li> <li>• The public access to information on the drafting process can vary depending on the stage of preparation.</li> </ul>
Are partners well involved throughout the drafting process?	<ul style="list-style-type: none"> <li>• In general, partners are involved from the first stages of the PA and OPs creation.</li> <li>• Overall the city level was relatively well consulted, although some municipalities report to have been only consulted in the beginning of the process.</li> <li>• Note that due to the fact that it has its own OP (and the fact that it is a MA) 'the Prague Growth Pole' was invited to working groups of other relevant OPs and has generally had very good access to information which has been helpful in avoiding undesired duplication.</li> </ul>
Do the partners consider their first and subsequent involvement sufficient?	<ul style="list-style-type: none"> <li>• The Association of RLA reports to have been partially involved.</li> <li>• Some partners raised complaints on very short deadlines and insufficient time-track for treating their comments.</li> <li>• Also a number of involved stakeholders report they did not receive any feedback on their submitted comments from the public authorities.</li> <li>• In some cases NGOs complained that public authorities select themselves NGOs they want to cooperate with and not those selected by associations of NGOs to represent them.</li> </ul>
Further clarifications required?	<ul style="list-style-type: none"> <li>• Overall improvement has been made since working platforms for PA and OPs have been introduced where all relevant partners are members. These platforms have regular meetings discussing the documents.</li> </ul>

## DENMARK

Topic/question	Comments/additional info
Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?	<ul style="list-style-type: none"> <li>• A small task force at ministerial level was set up in the middle of 2012 involving the Ministries of Finance, Foreign Affairs, Food, Agriculture and Fisheries, and Business and Growth. Consequently a group of 10 key ministries was set up to support the process.</li> <li>• Through sound internal coordination procedures, line ministries are now better aware of the rationale and working of ESI Funds other(s) than the ones they were used to deal with.</li> <li>• Consultations are governed by the legislation on public administration, which imposes an obligation to reply to all enquiries/comments.</li> </ul>
Are partners well involved throughout the drafting process?	<ul style="list-style-type: none"> <li>• Partners have been explicitly involved as from 27 September 2012.</li> <li>• Two big consultation events were organised – one in the beginning and one at the end of the process – in which about 100 participants from business, and academic organisations, ministries, regions, municipalities and NGOs participated introducing them the draft regulations, the growth challenges for Denmark and having a discussion on the strategic approach.</li> <li>• In between, informal bilateral meetings with several partners including business and green organisations, NGOs and RLAs in order to discuss the approach and the common strategy for the four funds resulting in a discussion on the contents of the programmes.</li> <li>• Also workshops/events on the OPs, including introductions to issues related to the PA were organised.</li> <li>• Good use was made of the Commission's expertise through informal exchanges of views on key topics.</li> </ul>
Do the partners consider their first and subsequent involvement sufficient?	<ul style="list-style-type: none"> <li>• All relevant partners are involved, either directly "ad personam" or indirectly via an "umbrella" representation</li> <li>• The involvement in the discussion of the new programming period has been ensured for all social partners on equal footing.</li> <li>• The Association of RLA reports to have been 'fully' involved in the drafting of the PA</li> </ul>
Further clarifications required?	<ul style="list-style-type: none"> <li>• The process has timely started. It seems to be open, flexible, dialogue oriented and transparent.</li> </ul>

## ESTONIA

Topic/question	Comments/additional info
<p>Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?</p>	<ul style="list-style-type: none"> <li>• The drafting of the PA was coordinated by the Ministry of Finance and the Ministry of Agriculture in cooperation with all other ministries and the Government Office.</li> <li>• A Task force of relevant Deputy Secretary Generals was set up to ensure overall coordination.</li> <li>• Inter-ministerial sub-level task forces could meet upon need.</li> <li>• Various seminars were organised targeting partners. Strategic discussions with key partners were organised on issues such as the development needs and the resulting funding priorities.</li> <li>• A transparent public e-consultation was organised.</li> <li>• Feedback is given individually or collectively during or after seminars and strategic discussions.</li> <li>• Comments received after consultation rounds and feedback are shared with all partners involved.</li> <li>• No public hearing was organised on the PA, however the comments received from public hearings on various programmes affected (indirectly) the PA.</li> </ul>
<p>Are partners well involved throughout the drafting process?</p>	<ul style="list-style-type: none"> <li>• The selection criteria of the social partners are stipulated in the “Involvement Plan for partners”, which is accessible online for all interested parties</li> <li>• The involvement of non-governmental partners in discussions on the PA and the OPs was coordinated by the Ministry of Finance.</li> <li>• The partners were divided into two groups: (1) umbrella organisations and (2) sectoral organisations.</li> <li>• The planning process was divided into stages, and partners from different levels were involved in each stage.</li> <li>• Each ministry participating in the development of the PA prepared its list of partners and stakeholders with whom they cooperated during the process. The partners included advocacy organisations, supporting and funding organisations, professional organisations, expert organisations and service providers.</li> <li>• The list of sectoral partners is given in the Involvement Plan published on the website of the structural funds and includes a total of 284 different organisations that were directly involved in the preparatory work.</li> <li>• Other interested organisations could request their addition to the list of partners.</li> <li>• Organisations and individuals which were not included in the list of partners were able to submit their written proposals and views during public consultations.</li> </ul>
<p>Do the partners consider their</p>	<ul style="list-style-type: none"> <li>• The Association of RLAs reports to have been unsatisfactory involved.</li> </ul>

first and subsequent involvement sufficient?	<ul style="list-style-type: none"> <li>• Responses from RLAs suggest that they have only been involved at the beginning of the process, although it is recognised that the possibility existed to provide input.</li> </ul>
Further clarifications required?	<ul style="list-style-type: none"> <li>• It seems good progress has been made. The approach of involving partners was systematically planned for this period.</li> <li>• It seems that the various partners were, however, all dealt with in the same way not making any difference between RLAs and all other stakeholders</li> </ul>

## FINLAND

Topic/question	Comments/additional info
<p>Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?</p>	<ul style="list-style-type: none"> <li>• The preparation of the PA and the OP is governed both by the administrative tradition that emphasises consultation and by the legislation in force regulating regional development and activities under Structural funds which define the participation of partners in the preparation and the implementation.</li> <li>• The rules state that programmes are prepared in collaboration with the national authorities, regional councils, local authorities and other legal persons and organisations incorporated under public or private law that are participating in implementation of the projects.</li> <li>• The Ministry of Employment and the Economy is responsible for preparing the future PA as the ministry responsible for regional development and as the national chief negotiator.</li> <li>• The Regional and Structural Policy Advisory Council deals with the preparation of the PA and the OPs. The Advisory council includes representatives of most of the labour-market and industry organisations; environmental organisations, and organisations that promote gender equality.</li> <li>• Preparatory papers are available on the internet. In principle all documents in Finland are public.</li> </ul>
<p>Are partners well involved throughout the drafting process?</p>	<ul style="list-style-type: none"> <li>• Partners have been involved from the beginning (end 2011) of the process.</li> <li>• Under the direction of the Ministry of Employment and the Economy a joint working group was established to prepare the implementation of the EU's regional policy in the 2014-2020 period that includes all partners and relevant ministries.</li> <li>• A transparent and open selection criteria is in place for the selection of the relevant partners in all the key stages of the relevant OP.</li> <li>• All recognised social partners were involved in all the key stages of preparation of the PA/OPs.</li> <li>• Equal representation of employers/employees is guaranteed at all levels of government.</li> </ul>
<p>Do the partners consider their first and subsequent involvement sufficient?</p>	<ul style="list-style-type: none"> <li>• In terms of regional preparations, the MLG and partnership principles have been adhered to, both through the Regional Management Committees and through public consultation, information and dialogue events in the provinces and major areas.</li> <li>• Some partners and some regions consider that they are not sufficiently consulted (e.g. not invited to informal dialogue meetings)</li> <li>• The largest cities were involved in drafting the implementation plans of the national OP. Only in the final phase of the drafting process of the OP it seems city representatives were excluded.</li> <li>• Cities were also heard in the legislation process concerning the national governance of regional development (incl. the national governance of structural funds).</li> </ul>

	<ul style="list-style-type: none"><li>• The particular status of the province of Aland has been taken into consideration when preparing the PA.</li><li>• The Association of RLA reports to have been 'fully' involved in the drafting of the PA</li></ul>
Further clarifications required?	<ul style="list-style-type: none"><li>• The country has set in place a well perceived 'competition model' for all cities that would like to influence the drafting process. Possibly this is a model that could also work in other countries.</li></ul>

## FRANCE

Topic/question	Comments/additional info
Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?	<ul style="list-style-type: none"> <li>• The PA is coordinated and drafted by ‘la Délégation interministérielle à l'Aménagement du Territoire et l'Attractivité Regionale (DATAR).</li> <li>• Sound procedures are in place for the PA preparation ensuring all relevant Ministries, the Secretariat for European Affairs and ‘l'Association des Régions de France’ are involved throughout the process.</li> <li>• A specifically dedicated website was launched allowing for a territorial dialogue along the drafting process of the PA.</li> <li>• Whereas the timetable was clear and communicated in advance to the partners, deadlines were often too short to ensure a qualitative input.</li> </ul>
Are partners well involved throughout the drafting process?	<ul style="list-style-type: none"> <li>• A working committee brings together representatives of the Member State and of the regional and local levels (including the association of regions).</li> <li>• RLAs were associated from the moment the first SWOT analyses were prepared. Afterwards, specific thematic workshops were organised along certain clusters of priority-topics.</li> <li>• The role of the Association of French Regions during the drafting process of the PA/OP seems to be well appreciated by its members.</li> <li>• It has been reported that responsiveness to comments made could have been more thorough at times.</li> <li>• Eventually, the PA has been validated by the Member State and endorsed by the regional level.</li> </ul>
Do the partners consider their first and subsequent involvement sufficient?	<ul style="list-style-type: none"> <li>• The Associations representing the regions, departments and cities/towns were (at times partially) involved throughout the entire process.</li> </ul>
Further clarifications required?	<ul style="list-style-type: none"> <li>• The process seems to have been well progressed for the PA. This is promising for the preparation of the OPs.</li> </ul>

## GERMANY

Topic/question	Comments/additional info
Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?	<ul style="list-style-type: none"> <li>• Sound procedures are in place for the PA at federal level and for OPs at Bundesländer level. A strong coordination and cooperation model is established between the federal and Länder level.</li> </ul>
Are partners well involved throughout the drafting process?	<ul style="list-style-type: none"> <li>• As from mid-2012, a first workshop was organised with all actors and the Commission to set the agenda and agree on the work plan.</li> <li>• Overall, the partners have been involved in the subsequent discussions about the strategy for the new programming period.</li> <li>• Three workshops were organised, fund specific meetings were organised involving all relevant partners.</li> <li>• Also at Länder level various round tables were organised. Some Länder organised conferences where results of the consultations were discussed directly with stakeholders.</li> <li>• A working group in Brussels of the German Länder Offices helped in sharing information and gaining a good understanding of the new regulations.</li> </ul>
Do the partners consider their first and subsequent involvement sufficient?	<ul style="list-style-type: none"> <li>• The Association of RLA reports to have been partially involved</li> <li>• At times the timetable was considered too strict to ensure a qualitative contribution.</li> <li>• It has been reported that the PA has been revised at a certain stage in order to take account of the viewpoints of the local authorities.</li> <li>• It seems the final draft of the PA has not been circulated in advance to stakeholders before the approval of the European Commission.</li> <li>• In general, the process at Länder level seems to be more open and transparent compared to the previous period, whilst more information sharing events were organised.</li> <li>• Some OPs at Länder level allow for limited involvement and possibility at city level to influence the eventual choice of strategic priorities. Also, at times too little information was available on the status of programming</li> <li>• Some cities complain about not being granted membership status in the OP monitoring committee.</li> <li>• Full positive experience reported by all social partners.</li> </ul>

Further clarifications required?

- Is there a coordination mechanism/forum to try to reconcile diverging interests between the regional level and key representatives of the local/city level?

## GREECE

Topic/question	Comments/additional info
Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?	<ul style="list-style-type: none"> <li>• The competent authority for the preparation of the PA is the new Ministry of Development and Competitiveness. The central development authority of the Ministry of Development ensures coordination with all Ministries and regional authorities.</li> <li>• Working Groups have been set up per Ministry and Region.</li> <li>• Info days and meetings take place where the responsible stakeholders/partners are invited to participate.</li> <li>• Specific thematic groups are set up.</li> <li>• Think tank studies have been carried out and consulted with stakeholders (i.e. IOVE, KEPE)</li> <li>• An intranet «Διάλογος» among involved stakeholders and the Central Coordination has been set up.</li> <li>• More transparency is introduced since all programming documents are uploaded to the website of each operational programme but also at central level <a href="http://www.espa.gr">www.espa.gr</a>. The website provides for the option to accept/receive proposals, suggestions, comments and questions.</li> <li>• The possibility exists to submit electronically questions and proposals.</li> </ul>
Are partners well involved throughout the drafting process?	<ul style="list-style-type: none"> <li>• Since the 1st Circular of Planning for Development Programming for 2014-2020, May 2012, the partners have also the possibility to make comments and submit questions and proposals.</li> </ul>
Do the partners consider their first and subsequent involvement sufficient?	<ul style="list-style-type: none"> <li>• A parallel multi-level public consultation process was organised and all partners, social and economic, had the possibility to access all support documents concerning the development planning which are uploaded on the 2014-2020 programming period relevant websites of all line Ministries and of Regions.</li> <li>• The Central union of Municipalities of Greece reports Municipalities were not invited to get involved in the progress.</li> <li>• Social partners seem to have been well involved.</li> </ul>
Further clarifications required?	<ul style="list-style-type: none"> <li>• It would be interesting to assess the effectiveness and lessons learned of the parallel MLG-public consultation.</li> </ul>

## HUNGARY

Topic/question	Comments/additional info
Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?	<ul style="list-style-type: none"> <li>• The established procedures are in line with the Government decree 1113/2013.</li> <li>• The PA is coordinated and drafted by the Ministry for National Economy with contributions from all relevant ministries. All ministries are represented in the planning coordination body.</li> <li>• Working committees were set-up to tackle comments received from the partners.</li> <li>• There was a special web page dedicated to the consultation of the OPs. Here all comments given by different stakeholders could have been consulted. However, it seems not all the feedback given to the comments was uploaded.</li> </ul>
Are partners well involved throughout the drafting process?	<ul style="list-style-type: none"> <li>• Partners have been involved as from March 2013 to summer 2013 for the PA and OP drafts.</li> <li>• Partners were already involved at the stage of the preparation of the sectorial strategies during the previous couple of years. These provide the basis for programming.</li> <li>• Open public consultation for the PA started in July 2013. For the first OP drafts, there was an open, wide-ranging consultation starting in October 2013.</li> <li>• During the planning there were consultations with the Commission, including three formal consultations. In parallel regular inter-ministerial consultations took place as well as other consultation involving partners such as NGOs, local governments, business.</li> <li>• Finally the draft PA has undergone a public consultation complemented by organized information events involving a wide range of beneficiaries and partners.</li> </ul>
Do the partners consider their first and subsequent involvement sufficient?	<ul style="list-style-type: none"> <li>• Some partners gather there's only limited possibility to influence the process.</li> <li>• Social partners report unsatisfactory involvement.</li> </ul>
Further clarifications required?	<ul style="list-style-type: none"> <li>• Compared to the previous drafting process apparent improvement has been made. It seems that substantive debates have taken place between professional and political representatives of the ministries involved in the planning and the partners. It seems however that there was a move to a more administrative approach at the detriment of the political role of the RLAs.</li> </ul>

## IRELAND

Topic/question	Comments/additional info
<p>Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?</p>	<ul style="list-style-type: none"> <li>• The process is based on long-established institutional arrangements: social partnership in 1987 and requirements stemming from draft regulatory framework and Freedom of Information requirements.</li> <li>• The Department of Public Expenditure and Reform is responsible for the preparation of the PA.</li> <li>• Along the drafting process three extensive consultations have been organised with partners.</li> <li>• Providing feedback is an obligation under Freedom of Information legislation. Feedback for the initial public consultation of the PA has thus been posted on the web-site of the department of Public Expenditure and Reform. This includes the names of those who submitted responses.</li> <li>• Subject to Freedom of Information legislation and to the agreement of individuals/organisations also (key) comments could be publicised on the web site.</li> <li>• The PA was discussed at the National Strategic Reference Framework MC meeting, membership of which are representatives of the partners outlined in art 5 of Council Regulation 1303/2013.</li> </ul>
<p>Are partners well involved throughout the drafting process?</p>	<ul style="list-style-type: none"> <li>• The two ERDF MAs already conducted in spring 2013 a public consultation process (e.g. testing/identifying investment possibilities/priorities) prior to the preparation of the draft OP. The names of respondents and submissions have been published on the respective ERDF web-sites.</li> <li>• Informal discussions between MAs and IBs and social partners including non-governmental bodies took place.</li> <li>• The draft regional OPs are subject to public consultation. Social media tools (Facebook, Twitter) are being used to engage stakeholders in the consultations on the OPs.</li> <li>• In relation to the PA, the co-ordinating Department launched a public consultation exercise on 11 March 2013 (closing on 12 April). The objective was to identify: (1) key investment opportunities and problem areas to be addressed by ESIF funds, (2) the four principal thematic objectives to be pursued by ESIF funds, (3) details of any projects already in mind, and (4) scope for reducing the administrative burden. The results of this exercise were posted on the Public Expenditure and Reform departmental web-site in July. 34 organisations responded.</li> <li>• The draft PA has been made available for a further round of public consultation in November 2013. This will provide an opportunity for provision of electronic comments.</li> </ul>
<p>Do the partners consider their first and subsequent involvement sufficient?</p>	<ul style="list-style-type: none"> <li>• Local government and urban bodies generally have the necessary experience in terms of project and programme management. Whereas regional assemblies (as the ERDF MAs) were fully involved in the preparation of the PA, involvement of local authorities was more limited.</li> </ul>

	<ul style="list-style-type: none"> <li>• The objective of social partnership arrangements and public consultation exercises is ensure the necessary consultation of relevant partners and the examination of opinions/information derived from such arrangements/exercises.</li> <li>• There are no selection criteria as such. The Social Partnership arrangements in place for many years pre-define the partners required for ERDF programmes.</li> <li>• Social partnership arrangements foresee the participation of both union and employee representative bodies. Social partners report however unsatisfactory involvement.</li> </ul>
Further clarifications required?	<ul style="list-style-type: none"> <li>• Although all relevant partners have been involved in all key stages of preparation, it seems the partner focus was more on civil society partners than social partners and RLAs. Did the well-established information/consultation practices eventually resulted into a genuine dialogue with partners on strategic issues?</li> </ul>

## ITALY

Topic/question	Comments/additional info
Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?	<ul style="list-style-type: none"> <li>• The Department for development and economic cohesion is in charge of the programming process.</li> <li>• Four "working groups", bringing together all ministerial departments concerned, regional authorities and institutional stakeholders, have been set up on the following topics: innovation, environment, social inclusion, and education.</li> <li>• Working groups operated both at the administrative and the political level</li> </ul>
Are partners well involved throughout the drafting process?	<ul style="list-style-type: none"> <li>• On 27 December 2012, the then Ministry of Territorial Cohesion launched a web based consultation open to stakeholders. The consultation closed on 15 February 2013.</li> <li>• Discussions on the first draft PA were organised bringing in the Member State, the regional level on the one hand, and experts of the Commission on the other.</li> <li>• Hearings were organised in which all partners could participate. Period meetings were also organised with social partners, including three meetings with the forum of economic and social partnership.</li> <li>• Following up on several meetings with the regions, the final version of the PA was politically endorsed by both the Member State and the Regional Presidents.</li> </ul>
Do the partners consider their first and subsequent involvement sufficient?	<ul style="list-style-type: none"> <li>• In general feedback by partners is positive. Information seems to have been well shared in a constant dialogue with the Member State level.</li> <li>• Much attention has been given to governance issues, with reference to both the size (national/regional/local), and the arrangements for supporting the integration of the funds.</li> <li>• Timing seems at times to be problematic since the timetable leaves ample room for ensuring a good quality of responsiveness.</li> <li>• Some complaints regarding the lack of transparency around both the national OP for metropolitan cities and the ERDF regional OP.</li> <li>• Partial involvement of Small and Medium Enterprise association's and Trade Unions, but good involvement of business partners.</li> <li>• EGTC contributions could be better reflected in the PA.</li> </ul>
Further clarifications required?	<ul style="list-style-type: none"> <li>• Italy seems to have a well-structured partnership approach in place resulting in active participation of all partners.</li> <li>• An important issue however regards the differences between national and regional OPs and the need to avoid possible overlapping of activities. This will require a more intense institutional cooperation.</li> </ul>

## LATVIA

Topic/question	Comments/additional info
<p>Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?</p>	<ul style="list-style-type: none"> <li>• A cross-sectoral coordination centre (under the Prime Minister responsible for National Development Plan) is involved in an informal dialogue process.</li> <li>• A Temporary Monitoring Committee for 2014-2020 is operating. It involves social partners and NGO representatives</li> <li>• Consultative committees are in place with the line ministries helping to prepare dialogue meetings with the Commission.</li> <li>• More than 30 public topical discussions on the PA a have taken place and results have been integrated.</li> <li>• Most informal dialogue materials are available online.</li> <li>• Comments are included in online materials.</li> </ul>
<p>Are partners well involved throughout the drafting process?</p>	<ul style="list-style-type: none"> <li>• The Temporary MC was established in September 2012.</li> <li>• Interested parties could apply for participation in the Temporary MC, these rules are set in a code of conduct.</li> <li>• Planning region representatives and municipalities, as well as the active involvement from the civil society and social partners was ensured though the process through platforms such as the national Tripartite Cooperation Council, the Working Group for Management of Reforms, and the Council for implementation of NGOs.</li> </ul>
<p>Do the partners consider their first and subsequent involvement sufficient?</p>	<ul style="list-style-type: none"> <li>• The association of RLA reports to have been partially involved. RLA report they could participate in hearings/meetings and submit their comments.</li> </ul>
<p>Further clarifications required?</p>	<ul style="list-style-type: none"> <li>• It seems Latvia could have better used the opportunity of the new programming period to further strengthen the involvement of partners throughout the process and to differentiate more amongst RLA and other partners.</li> </ul>

## LITHUANIA

Topic/question	Comments/additional info
Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?	<ul style="list-style-type: none"> <li>• Wide consultations were carried out while preparing the National progress programme which is the basis for the preparation of OPs and the PA.</li> <li>• A Special commission for 2014-2020 EU funds is set up where socio-economic partners have 50% of places/votes. The commission debates investment priorities, prepares programming documents, and discusses management and controls systems.</li> <li>• Nine specific round table discussions were organized to identify the investment priorities (at expert level).</li> <li>• All the minutes of the meetings and outcomes of round table discussions are available on internet</li> </ul>
Are partners well involved throughout the drafting process?	<ul style="list-style-type: none"> <li>• Following a strategic discussion in March 2012 involving social partners and representatives from bodies responsible for the administration of the ESI Funds , a ‘Partnership Standard’ was prepared defining the minimum requirements for the application of the partnership principle in the planning and programming of the ESI Funds financed programmes.</li> <li>• Consequently in July 2012 Guidelines on the application of the partnership principle were issued by the MA of the ESI Funds. The document is available at <a href="http://www.esparama.lt">www.esparama.lt</a>.</li> <li>• On 20th July 2012 a public consultations event was held (around 200 citizens participated). Participants had the possibility to provide inputs which were taken into account.</li> </ul>
Do the partners consider their first and subsequent involvement sufficient?	<ul style="list-style-type: none"> <li>• The association of RLA reports to have been fully involved in the drafting of the PA</li> </ul>
Further clarifications required?	<ul style="list-style-type: none"> <li>• It seems Lithuania has benefited from the organisation of more expert level discussions. Also the partners’ involvement seems to have been well and efficiently organised via the new ‘Partnership Standard’ and ‘Guidelines on the application of the partnership principle’ and consistent feedback was ensured to partners throughout the process. However, possibly greater differentiation between RLA and the various relevant partners could be made.</li> </ul>

## LUXEMBOURG

Topic/question	Comments/additional info
Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?	<ul style="list-style-type: none"> <li>• All the ministries have been contacted and informed through inter-ministerial coordination meetings which resulted in the establishment of a "Comité de concertation" ensuring overall coordination amongst the funds in the PA and the OPs.</li> <li>• Several meetings together with detailed orientation presentations with the representatives took place.</li> </ul>
Are partners well involved throughout the drafting process?	<ul style="list-style-type: none"> <li>• The association of partners started when the Position Paper was presented on 14 December 2012.</li> <li>• Consequently several meetings with representatives of the social partners as well as the professional organizations (chambres professionnelles), the research community, NGOs, agriculture and farm organisations, and the cities and villages (Syndicat des villes et communes) were held.</li> </ul>
Do the partners consider their first and subsequent involvement sufficient?	<ul style="list-style-type: none"> <li>• The Luxembourg chamber of commerce and craftsmanship confirmed they were well involved in the preparation process</li> <li>• The orientation discussion has been recorded; presentation and minutes of the presentation are available.</li> <li>• Also feedback to partners is ensured.</li> <li>• All the partners were consistently invited for information/dialogue meetings, contacted and sent the necessary information</li> <li>• All the professional organizations (chambres professionnelles) were represented, the employees included via the "chambre des salariés".</li> </ul>
Further clarifications required?	<ul style="list-style-type: none"> <li>• Although partners are still the same as the ones under the previous programming period, the Luxembourg approach the MLG and partnership is a good example of a comprehensive and interrelated 'bottom-up' and 'top-down' process, integrated and well-structured process.</li> </ul>

## MALTA

Topic/question	Comments/additional info
<p>Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?</p>	<ul style="list-style-type: none"> <li>• An Inter-Ministerial Committee (IMC) on Programming 2014-2020, supported by seven Sectoral Sub-Committees, was set up for preparing the new programming period. Each Sub Committee tackled different policy areas in line with the thematic objectives under Article 9 of the General Regulation.</li> <li>• Minutes of the Sub-Committees were drawn up and the outcome of the discussions was reported to the IMC.</li> <li>• The Office of the Permanent Secretary within the Ministry for European Affairs &amp; Implementation of the Electoral Manifesto (MEAIM) is entrusted with the coordination process. The MA, falling within the remit of this Office, is consulted on a daily basis on any possible issues in terms of the implementation process.</li> <li>• During the Public Consultation carried out between July – September 2013, a dedicated web link providing background information on the programming process and the public consultation document was set up (<a href="http://www.eufunds20142020.gov.mt">www.eufunds20142020.gov.mt</a>).</li> </ul>
<p>Are partners well involved throughout the drafting process?</p>	<ul style="list-style-type: none"> <li>• Public consultation was carried out between July-September 2013. The key stakeholders/management departments were represented as core members on the IMC on Programming, thereby ensuring maximum coordination and synergy in the programming process.</li> <li>• Partners also actively participated through both verbal and written comments in the Sectoral Sub-Committees and the issues raised were discussed during meetings held between November 2012 and February 2013.</li> <li>• Participants in the consultation process were also encouraged to make written submissions by email.</li> <li>• During the public consultation process, feedback was given to questions or remarks put forward by participants directly in session. The public consultation sessions were advertised in the media and were very well attended by the general public and civil society.</li> </ul>
<p>Do the partners consider their first and subsequent involvement sufficient?</p>	<ul style="list-style-type: none"> <li>• The key formal structures within which social dialogue and public consultations take place in Malta were used as the basis for selecting the stakeholders that would participate in the Sectoral Sub-Committees, notably the Malta Council for Economic and Social Development (MCESD) and the Malta EU Steering and Action Committee (MEUSAC).</li> <li>• MCESD is composed of the main socio-economic partners representing the main employer bodies, the main trade unions, civil society as well as the Government. Similarly, MEUSAC facilitates discussion between Government and civil society on draft EU legislation and policies, as well as on the</li> </ul>

	<p>transposition of EU directives.</p> <ul style="list-style-type: none"> <li>• The constituted bodies represented on the MCESD and at MEUSAC Core Group level were represented in all Sectoral Sub-Committees.</li> <li>• All the interested relevant social partners have been fully involved in the programming process, through their participation in the Sectoral Sub-Committees.</li> </ul>
Further clarifications required?	<ul style="list-style-type: none"> <li>• The process undertaken has mirrored the 2007-2013 processes. Yet, some adjustments have been undertaken to reflect the requirements of the Regulation, whilst allowing for wider consultation with a greater number of stakeholders. However, the process seems to a large extent ‘top-down’, whereas genuine involvement of RLAs could be reinforced.</li> </ul>

## THE NETHERLANDS

Topic/question	Comments/additional info
<p>Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?</p>	<ul style="list-style-type: none"> <li>• ERDF, EAFRD and EMFF are managed and from the Ministry of Economic Affairs. ESF is managed from the State Secretary for social Affairs and employment.</li> <li>• There are formalized working groups between the different directorates, with the inclusion of the Ministry of Social Affairs. Representatives of the four funds meet on a monthly basis.</li> <li>• Regular administrative consultations have taken place and are still foreseen.</li> <li>• The setup of the process was reassuring from the outset. Minutes of the administrative consultations have been distributed and during the larger stakeholder consultations, questions and suggestions were commented during the sessions.</li> <li>• The process is transparent. However, comments made during the internet consultation are not made public.</li> </ul>
<p>Are partners well involved throughout the drafting process?</p>	<ul style="list-style-type: none"> <li>• Partners have already been involved through the regular administrative consultations since the publication of the draft Regulation. An additional broad stakeholder meeting was held on 4 June 2013.</li> <li>• An internet consultation was held throughout September 2013. There are no specific criteria for selection. The consultation is open to everybody. Relevant partners were designated from regional, urban and other public authorities, but also economic and social partners and civil society.</li> <li>• Equal representation of employers/employees guaranteed and the responsible Ministries monitor equal representation closely.</li> </ul>
<p>Do the partners consider their first and subsequent involvement sufficient?</p>	<ul style="list-style-type: none"> <li>• Apparently regions have been full partners in drafting the PA. RLAs reported they have been involved through all possible means (participation in decisions on strategic choices, involvement in drafting the document, attendance at consultation meetings at which they could provide input and; membership of joint working groups with the ministries responsible.</li> <li>• The Association of RLA reports to have been fully involved in the drafting of the PA</li> <li>• According to partners feedback the drafting process of the PA has been characterised by unrealistic deadlines.</li> <li>• Social partners reported a full positive experience concerning their involvement in the drafting process</li> </ul>
<p>Further clarifications required?</p>	<ul style="list-style-type: none"> <li>• The Netherlands have set in place a very structured and significantly bottom-up process in which all relevant partners seem to be well involved and which allows to take good account of all relevant view points and of the different territorial needs. The partners have played a major role in the establishment of the PA and OPs.</li> </ul>

## POLAND

Topic/question	Comments/additional info
Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?	<ul style="list-style-type: none"> <li>• The PA has been thoroughly consulted, both at the regional and the Member State level.</li> <li>• Internal cooperation structures in the government and regional administration have been set up (working groups, conferences) and tend to be more extensive than in the previous period.</li> <li>• Each OP undergoes public online consultations. Thematic workshops on OPs are organised every 2-3 weeks. All consultations were published online.</li> <li>• Not always there is access to comments and feedback.</li> </ul>
Are partners well involved throughout the drafting process?	<ul style="list-style-type: none"> <li>• Consultation on the future PA was launched on 15 October 2012.</li> <li>• The process of selection of social partners is quite formalised (criteria for selection set up in the national law and partners are often chosen on the basis of a competition).</li> <li>• At the very late stage, a coordination meeting involving the Convention of Marshals had been organised in view of the finalisation of the PA.</li> </ul>
Do the partners consider their first and subsequent involvement sufficient?	<ul style="list-style-type: none"> <li>• Consultation with the regions is mixed. Some report that no feedback was provided to those that participated in the consultation process.</li> <li>• Whether consultations involve and reach the most relevant stakeholders which could bring the highest value added of EU funds remains an open question.</li> <li>• Some RLAs report that, in general, adequate time has been given to formulate qualitative contributions to the drafting process of the PA. However, the timetable could have been too tight for influencing the drafting process of OPs.</li> <li>• The work of the Union of Polish Metropolises has been positively assessed.</li> <li>• Social partners are consulted and are being reactive to the PA/OP proposals. However, it seems that social partners are more effectively involved in the preparation of OPs than the PA. In general, feedback from the social partners on their involvement on the PA is rather negative.</li> </ul>
Further clarifications required?	<ul style="list-style-type: none"> <li>• The cooperation between government administrations seems to be working quite well.</li> <li>• Notwithstanding the involvement of the regions has been considerably improved, there is still room for a greater involvement and partnership with RLAs.</li> <li>• Since there is a risk of overlaps of programmes at regional and national levels, it might be advisable to improve coordination.</li> </ul>

## PORTUGAL

Topic/question	Comments/Additional info
Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?	<ul style="list-style-type: none"> <li>• An inter-ministries structure (Comissão Interministerial para os Assuntos Europeus) has been put in place to coordinate the informal negotiation as well as a sub-commission for the negotiation and preparation of the PA; these are also responsible to lead the process of involvement and consultation of partners</li> <li>• Anybody could access to the site of the public consultation (Jacques Delors European Information Center - CIEJD)</li> </ul>
Are partners well involved throughout the drafting process?	<ul style="list-style-type: none"> <li>• From the outset there has been the intention to reinforce the involvement of partners, in particular the Assembly of the Republic (through hearings), the Economic and Social council and the Standing Committee for social dialogue (regular joint meetings), and a more privileged role for the Association of Portuguese Municipalities.</li> <li>• In addition, exchanges with (a committee of) experts and civil society were organised. The latter meetings were important in gathering input for the PA.</li> <li>• A specific questionnaire was also developed to guide discussions with partners and allow better clearance of proposals of the partners.</li> </ul>
Do the partners consider their first and subsequent involvement sufficient?	<ul style="list-style-type: none"> <li>• At national level, a public consultation was open on the site of CIEJD between June and August 2013. Some regions have published consultation on the internet open for contributions.</li> <li>• RLAs reported to have only been consulted at the beginning of the process. RLAs consider to have been not adequately involved throughout the process.</li> <li>• In principle the involvement of social partners and societal partners is good. Even at the regional level a good involvement of social partners is reported.</li> </ul>
Further clarifications required?	<ul style="list-style-type: none"> <li>• The process seems to be rather centralised and top-down with limited opportunities for RLAs to influence the process beyond the consultation/listening stage.</li> <li>• At the regional level there has been a wider partnership exercise, it remains to be seen what will be the result.</li> </ul>

## ROMANIA

Topic/question	Comments/additional info
<p>Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?</p>	<ul style="list-style-type: none"> <li>• Clear partnership structures with a consultative role at national and regional level have been established: (1) the Inter-institutional Committee for the Partnership Agreement (CIAP) includes 21 representatives (out of a total 61) of the NGOs, trade and employers union representatives at national level, but also some sectorial ones, Bank Association, consultants association, etc.; 12 Consultative Committees organized as sections of CIAP (10 thematic; 2 on territorial dimension) each with 28 to 60 members; ad hoc working groups are set up as required for the five funding priorities.</li> <li>• The draft PA has been posted on the internet site of the Ministry for EU funds with possibility to comment.</li> </ul>
<p>Are partners well involved throughout the drafting process?</p>	<ul style="list-style-type: none"> <li>• The partnership structures became functional in July 2012. Partners have been consulted on the first draft of the partnership agreement in early May 2013.</li> <li>• However, partnership consultations are not limited to the meetings mentioned in the roadmap and are to be organised during the entire programming process.</li> <li>• For the selection of social partners involved in the working groups and thematic committees, the line ministries responsible with their coordination, published on the website the selection criteria for the partners that submitted a letter of intention.</li> <li>• In order to ensure a wider consultation framework on the programming documents both at national and regional level several focus-groups were organised. These meetings were attended especially by representatives of civil society, the academic and cultural world.</li> </ul>
<p>Do the partners consider their first and subsequent involvement sufficient?</p>	<ul style="list-style-type: none"> <li>• RLAs and RLA associations report a diverse perception of the level of involvement depending on the level of government/regional administrative division. The Association of Communes in Romania report that it has been involved through all possible means (participation in decisions on strategic choices, involvement in drafting the document, attendance at consultation meetings at which they could provide input and membership of joint working groups with the ministries responsible).</li> <li>• Local authorities perceive the drafting process of the PA as 'top-down'.</li> </ul>

Further clarifications required?	<ul style="list-style-type: none"><li>• Romania showed determination to strengthen the effectiveness of MLG and partnership taking into account lessons learned from the previous period. Notwithstanding the promising actions taken so far there is however still scope to differentiate more between RLAs and the other relevant partners.</li><li>• Cooperation between departments remains difficult. It will thus be good if political commitment and ownership from the ministers involved would be strengthened in order for "political" coordination to be able to genuinely steer the programming and dialogue process</li></ul>
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## SLOVAKIA

Topic/question	Comments/additional info
<p>Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?</p>	<ul style="list-style-type: none"> <li>• Coordination/preparation bodies are in place: the Government Office of the Slavic Republic is responsible for the coordination of the use of the funds. The preparation of the PA is ensured by the Central Coordination Body, falling under the authority of the Deputy Prime Minister for Investments.</li> <li>• The Government Office engages relevant partners in the preparation of the PA through 5 working groups.</li> <li>• A dedicated webpage is in place for partners and the wider public to be informed on the progress in negotiations: <a href="http://www.nsr.sk">www.nsr.sk</a>.</li> <li>• Moreover the Information Centre ‘Structural funds for Slovakia’ sends out newsletters to registered persons.</li> <li>• For each comment, a feedback is provided. The overall table of comments and reactions is also published.</li> <li>• Cooperation with partners will continue by involving relevant partners in the Working Group on Communication.</li> </ul>
<p>Are partners well involved throughout the drafting process?</p>	<ul style="list-style-type: none"> <li>• A first meeting of the Government Council for PA working group took place in September 2012. In addition, the Central Coordination Body issued guidance for MA on the obligatory participation and selection of relevant partners (including Roma, NGOs and representatives and civil society actors) into their working groups involved in the preparation of OPs.</li> <li>• The selection of NGO partners is done by the Government Council for PA.</li> <li>• The list of partners attached to the PA suggests that employers/employees are represented</li> <li>• The PA provides a description of involvement of all partners in all key stages of preparation of the PA/OPs</li> </ul>
<p>Do the partners consider their first and subsequent involvement sufficient?</p>	<ul style="list-style-type: none"> <li>• First informal feedback from some partners suggests that their involvement has improved over the past year and that the PA was positively accepted.</li> </ul>
<p>Further clarifications required?</p>	<ul style="list-style-type: none"> <li>• The PA states that experience of 2007-2013 have been used in involving partners. It would be interesting to know how efficient this is compared to the past.</li> <li>• Partners seem to have been genuinely involved throughout the entire process. There is however still room to differentiate more between RLAs and other actors.</li> </ul>

## SLOVENIA

Topic/question	Comments/Additional info
<p>Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?</p>	<ul style="list-style-type: none"> <li>• The preparation of the PA is coordinated by the Government Office for Development and European Cohesion Policy together with the Ministry of Agriculture and Environment and in cooperation with other competent ministries.</li> <li>• Working groups for the preparation of key programming documents were established at ministerial level.</li> <li>• A joint process of consultation on national priorities and on PA was initially set up, followed by a more focussed consultation on the PA and OP.</li> <li>• Partners could provide comments during a public consultation on draft PA in summer 2013.</li> <li>• A public consultation event has been organised during which feedback was given. Partners were informed on which of their comments were taken into account and which ones were not.</li> </ul>
<p>Are partners well involved throughout the drafting process?</p>	<ul style="list-style-type: none"> <li>• An ad hoc working group was established in the framework of the Economic and Social Council (ESC) for the preparation of the strategic documents. Members of the working group were proposed by the ESC.</li> <li>• All social partners were included in the public consultation and special rounds of discussion.</li> <li>• A second ad hoc working group comprises NGOs. The selection of NGO representatives was led by the NGO umbrella organisation.</li> <li>• Cooperation with representatives of the regions was likewise established. The content of the PA and OPs was coordinated with regional development agencies which are responsible for the preparation of the regional OPs.</li> <li>• The development councils of the cohesion regions were especially involved in the process.</li> <li>• The EGTC GO had the occasion to participate in the drafting process.</li> <li>• A partnership meeting on 10 April 2013 with participation of the Commission was organised.</li> </ul>
<p>Do the partners consider their first and subsequent involvement sufficient?</p>	<ul style="list-style-type: none"> <li>• The Association of RLA reports to have been unsatisfactory involved</li> </ul>
<p>Further clarifications required/interesting points</p>	<ul style="list-style-type: none"> <li>• Various rounds of consultations at ministerial and at administrative level had been organised. Yet, it might be useful to strengthen the role of the overall coordinating body in order to ensure coherence and effectiveness.</li> <li>• Slovenia had taken a very good start. Improvement can be noted in comparison with the 2007-2013 period, although some partners seem to have been consulted sometimes at the last moment.</li> </ul>

	<ul style="list-style-type: none"><li>• It will probably take more time to develop real partnership, but overall the improvement made is promising for the future.</li></ul>
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## SPAIN

Topic/question	Comments/Additional info
<p>Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?</p>	<ul style="list-style-type: none"> <li>• The authority that coordinates the preparation of the PA is the ‘Direccion General de fondos Comunicararios’ of the Ministry of Finance and Public Administration, in close cooperation with the representatives of the various ESI Funds, through the ‘Coordination Group’ of funds.</li> <li>• The Group has taken a leading role in the design of the methodology to be used to develop partnership in the programming process, in the preparation of methodological documents to gather the necessary information from different actors and the selection thereof.</li> <li>• Partnership arrangements are extensive and are organised at a three-fold level: vertical (regions, local powers); horizontal (socio-economic partners); and NGOs and cross-cutting issues (environment, non-discrimination, etc.).</li> <li>• Cooperation mechanisms are in general good.</li> <li>• Some 45 meetings with different stakeholders have been organised. Participation takes place in two steps: first, participants were asked to put forward their view on the main challenges of the Cohesion Policy 2014-20 and on how to improve the partnership process; second, stakeholders make observations to the draft OPs.</li> <li>• In addition, a public consultation has been opened in the webpage of the MA.</li> </ul>
<p>Are partners well involved throughout the drafting process?</p>	<ul style="list-style-type: none"> <li>• Partners have first been asked to put forward their views on the main challenges of the Cohesion Policy 2014-20 and on how to improve the partnership process</li> </ul>
<p>Do the partners consider their first and subsequent involvement sufficient?</p>	<ul style="list-style-type: none"> <li>• The Association of RLA reports to have been partially involved.</li> <li>• Some local/city stakeholders would like to be more closely involved throughout the process.</li> <li>• Business partners are positive about involvement in the drafting stages of the PA, whereas trade unions and the association representing SMEs take a negative stand.</li> <li>• Regarding OPs, the business partners and trade unions are both positive about their involvement in the drafting stages of the OPs, whereas the association representing SMEs takes a negative stand.</li> <li>• In general the consultation process was open and transparent, but it has been reported that feedback was at times weak.</li> </ul>
<p>Further clarifications required/interesting points</p>	<ul style="list-style-type: none"> <li>• Partnership arrangements have traditionally been extensive in Spain although the process is initiated and coordinated from the top down. It is promising that the partners' involvement has even increased since for the first time civil society actors have been included along the consultation process.</li> <li>• It is however unclear at what stage(s) the political level of the RLAs has been involved in the process.</li> </ul>

## SWEDEN

Topic/question	Comments/Additional info
<p>Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?</p>	<ul style="list-style-type: none"> <li>• Networks and partnerships for each fund have been established. An important starting point for all work has been to use existing forums as far as possible.</li> <li>• Representatives from the Government offices, both at political and administrative level, hold regular meetings with County administrative Boards, regional authorities, and interest organisations.</li> <li>• The MAs are involved at an early stage by being tasked with preliminary studies (financial instruments, simplification, collaboration between the MAs, evaluations, etc.).</li> <li>• Preparations have intensified in 2012 with the nomination of a government project manager for coordinating the PA process.</li> <li>• Coordination aspects have been reinforced via the nomination of dedicated project managers.</li> <li>• The Government commissioned a Fund Coordination Group bringing together representatives of all funds, to work on issues across the funds that fall under the PA and OPs. The Group must also develop means of collaboration between authorities and partners in order to achieve effective programme implementation.</li> <li>• Two public hearings, despite being oral procedures primarily, allowed for e-communication through Twitter and e-mail. Comments could be submitted at any time in this process and receive either individual replies or grouped replies in policy documents.</li> <li>• There are formal obligations to reply to all serious enquiries/comments made along the process.</li> </ul>
<p>Are partners well involved throughout the drafting process?</p>	<ul style="list-style-type: none"> <li>• A range of new categories of collaboration and meetings has also been set up with stakeholders.</li> <li>• A major event for dialogue took place on 22 February 2013 followed by a similar event on 8 April 2013.</li> <li>• All partners were engaged through a major public hearing on 18 June 2013. This event replaced the traditional, written consultations of stakeholders in Sweden. A second hearing took place at 5 February 2014.</li> <li>• All relevant partners are involved, usually via an "umbrella" representation.</li> <li>• Social partners are informed and prepared.</li> </ul>
<p>Do the partners consider their first and subsequent involvement sufficient?</p>	<ul style="list-style-type: none"> <li>• Regional and municipal representatives have sometime raised discontent.</li> <li>• At city level, the overall process was perceived as not transparent. Cities could –inter alia through the Association of local authorities – effectively give feedback on regional OPs. It seems that the city level was not represented in the drafting process of the national OP. When a region is leading the drafting</li> </ul>

	<p>process, there is a risk that it insufficiently consults/involves the local authorities concerned (e.g. Malmö).</p> <ul style="list-style-type: none"> <li>• The Association of RLA reports to have been only partially involved. In general the cooperation with the Association of RLAs is satisfactory. The organisation's role in the drafting process of the PA/OP seems to be well appreciated by its members.</li> <li>• Social partners report insufficient inclusion of their views</li> <li>• The timing/timetable (e.g. deadlines for replies from 4-14 days) for ensuring a qualitative contribution was at times perceived as too tight.</li> <li>• The feedback given to partners could at times be more responsive to the requests of the contributors.</li> </ul>
Further clarifications required/interesting points	<ul style="list-style-type: none"> <li>• The considerable divergence amongst the territories and the varying institutional capacity of the administrative bodies remains a challenge in an essentially top-down driven drafting process.</li> <li>• Organising just two 'hearings' seems not sufficient to generate real ownership. Also the PA drafting process could be initiated earlier.</li> <li>• The PA should be considered as a chance for regional development and not as an administrative burden. Sweden could capitalise more on the good cooperation mechanisms which are traditionally in place.</li> </ul>

## THE UNITED KINGDOM

Topic/question	Comments/Additional info
<p>Are there any procedures in place in the MS for coordination/discussion with partners to ensure the respect of MLG/partnership in all key stages of the PA/OP preparation?</p>	<ul style="list-style-type: none"> <li>• The Coordination of ESI Funds is ensured by the Secretary of State for Business, Innovation and Skills on behalf of the UK Government.</li> <li>• The UK PA Programme Board, which is made up of senior officials from each of the MA, the Department of Business Innovation and Skills and HM Treasury, has managed the development of the PA. Also the Board ensured regulatory requirements are met and stakeholders' views are properly addressed.</li> <li>• Discussions around the PA include all government departments involved and representatives from all the Devolved Administrations.</li> <li>• Government departments make public the results of the consultations and what they intend to do with the comments received.</li> </ul>
<p>Are partners well involved throughout the drafting process?</p>	<ul style="list-style-type: none"> <li>• The UK conducts a number of legally-required public consultations available online linked in many cases to road shows to present the documents.</li> <li>• There are stakeholder groups actively working on the preparation of the OP and the nation-specific content of the PA.</li> </ul>
<p>Do the partners consider their first and subsequent involvement sufficient?</p>	<ul style="list-style-type: none"> <li>• To some RLAs consultation seemed to have been unsatisfactory, whereas others report to have been fully involved and by all possible means.</li> <li>• Some RLAs report they have not had the chance to comment on the final draft of the PA and report there is little room for adjusting the strategic priorities proposed.</li> <li>• At city level there seemed to have been a meaningful engagement in the design of OPs, but growing concern that the involvement in management and delivery will not be as satisfactory.</li> <li>• The Association of RLA reports to have been partially involved.</li> </ul>
<p>Further clarifications required/interesting points</p>	<ul style="list-style-type: none"> <li>• Overall the process has been top down driven by senior officials at national level and in the devolved administrations. It is unclear to what extent the political level were able to steer and oversee the entire process.</li> <li>• The added value and efficiency gains of the newly established Local Enterprise Partnerships (LEPs) will need to be carefully assessed. It seems the role of the LEPs in the drafting process could be better articulated (other than 'assessing' or mere 'advising' role).</li> </ul>

