

**GUIDANCE FOR IMPLEMENTATION OF THE LEADER COOPERATION
ACTIVITIES IN RURAL DEVELOPMENT PROGRAMMES 2014-2020**

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(Draft version)

Table of Contents

1. Rationale of cooperation under LEADER/CLLD	3
2. Legal basis	4
3. Eligibility conditions under the EAFRD	5
3.1. General principles.....	5
3.2. Types of support.....	6
3.2.1. Preparatory technical support	6
3.2.2. Support for the cooperation project	6
3.3. Financial scope of the support to cooperation:.....	7
4. Selection of cooperation activities.....	7
4.1. Technical preparatory support:	7
4.2. Selection of projects:	7
4.2.1 Selection by local action groups.....	8
4.2.2. Selection by Managing Authorities	8
4.2.3. Enhancing the effectiveness	8
5. Specific provisions for transnational cooperation (TNC):	9
6. The role of the ENRD and the National Rural Networks for LEADER cooperation.....	10
7. Final recommendations	10
Annex 1. Reference documents (2017-2020 period).....	11
ANNEX 2. Section 8.4 of the CLLD Guide.....	11
ANNEX 3. Information exchange form	14

This guide aims at clarifying the role of cooperation activities under LEADER in the rural development programmes 2014-2020. The document is complementary to the Guidance on the Community-led Local Development (CLLD) issued by the four Directorates- General (DGs) responsible for the ESI-Funds¹, which already illustrates CLLD cooperation activities as provided for in the Common Provisions Regulation (CPR) and in the fund-specific regulations for the EAFRD² and the EMFF.³

This guide should be regarded as an indicative reference document and does not create any new legislative rules. It should be noted that, in any event, interpretation of Community law is ultimately the role of the European Court of Justice.

1. Rationale of cooperation under LEADER/CLLD

Cooperation of a LAG area with other geographical areas can be **a key component of the CLLD/LEADER local development strategy (LDS)** or an **additional asset to this strategy**. It can evolve in stages from exchange of experience, to the transfer of promising practice to a common activity. Cooperation with other territories implementing CLLD/LEADER can also be a **strategic tool which the LAG can use to reach the critical mass needed for some projects or to pool complementary resources and expertise**.

In addition to inter-territorial cooperation (within a Member State), **transnational cooperation gives supplementary European added value to local development**. Moreover, cooperation is a **way to widen local views in order to improve local strategies and to bring new knowledge to the area**. It can at the same time **boost the innovative character of local development actions** and contribute to increased competitiveness through capacity building and new business partners; diffusion of innovation, know-how and new skills.

During the period 2014-2020, the EAFRD will support transnational and inter-territorial co-operation projects carried out by local action groups (LAGs) as part of the implementation of local development strategies selected under CLLD/LEADER. The support to co-operation is a mandatory element of the LEADER measure in the Rural Development Programs (RDPs).

¹ European Structural and Investment Funds

² European Agricultural and Rural Development Fund

³ European Maritime and Fisheries Fund

2. Legal basis

The cooperation under LEADER is based on different legal texts. **(to be confirmed!)**

Common Provisions Regulation (CPR):

Art. 28 *Community-led local development*

(2) Community-led local development shall be:

(d) designed taking into account local needs and potential, and include innovative features in the local context, networking and, where appropriate, cooperation.

Art. 30 *Local action groups*

(3) The tasks of local action groups shall include the following:

(f) selecting operations and fixing the amount of support and, where relevant, presenting the proposals to the responsible body for final verification of eligibility before approval;

(5) In case of cooperation activities of local action groups as referred to in Art. 31 (1) (c), the tasks set out in Art. (30) (3) (f) may be carried out by the responsible managing authority.

Art. 31 *Support from the European Structural and Investment Funds for community-led local development*

(1) Support for community-led local development shall include:

(c) preparation and implementation of cooperation activities of the local action group;

EAFRD Regulation:

Art. 44 LEADER co-operation activities

(1) The support referred to in [Article 31(1) (c) of Regulation (EU) No [CSF/2012]] shall be granted to:

(a) co-operation projects within a Member State (inter-territorial cooperation) or cooperation projects between territories in several Member States or with territories in third countries (transnational cooperation),

(b) preparatory technical support for inter-territorial and transnational cooperation projects, on condition that local action groups can demonstrate that they are envisaging the implementation of a concrete project.

(2) Apart from other local action groups, the partners of a local action group under the EAFRD may be:

(a) a group of local public and private partners in a rural territory that is implementing a local development strategy within or outside the Union

(b) a group of local public and private partners in a non-rural territory that is implementing a rural development strategy.

(3) In cases where cooperation projects are not selected by the local action groups, Member States shall establish a system of ongoing application.

They shall make public the national or regional administrative procedures concerning the selection of transnational cooperation projects and a list of eligible costs at the latest two years after the date of the approval of their rural development programmes.

Approval of co-operation projects by the competent authority shall take place no later than four months after the date of submission of the project.

(4) Member States shall communicate to the Commission the approved transnational cooperation projects.

Art. 52 *European network for rural development*

(3) The tasks of the network shall be to (...)

(f) support the national networks and transnational co-operation initiatives and the exchange on actions and experience in the field of rural development with networks in third countries;

(g) specifically for local action groups: (...)

(ii) cooperate with the networking and technical support bodies for local development set up by the ERDF, the

ESF and the EMFF as regards their local development activities and transnational co-operation.

Art. 55 National rural network

(3) EAFRD support under Art. 51 (3) should be used: (...)

(b) for the preparation and implementation of an action plan containing at least the following: (...)

(iii) provision of training and networking activities for local action groups and in particular technical assistance for inter-territorial and transnational co-operation, facilitation of co-operation among local action groups and the search of partners for the measure referred to in Article 36; (...)

3. Eligibility conditions under the EAFRD⁴

3.1. General principles

- Geographical scope:

The range of the geographical scope of possible cooperation partners of EAFRD/LEADER LAGs are listed in Art. 44 (2) of the EAFRD Regulation. When defining the rules for cooperation, Managing Authorities should opt for a wide scope to the extent found appropriate, taking into account the different forms of existing partnerships of rural areas with other geographical areas within and outside the Union.

Only operations concerning LDS/LAGs selected for support under CLLD/ LEADER under a rural development programme will be eligible for funding from the EAFRD. The principles on the eligibility of operations depending on location laid down in the CPR for the ESI-Funds have to be respected (see Art. 60 CPR), specially as regards expenditure in third countries.

- Type of partners

In order to fully maximise the potential benefits of cooperation, Managing Authorities should avoid limiting unnecessarily the geographical scope of cooperation. They should also not exclude cooperation between LAGs and other than LAG partnerships.,

A cooperation project partner of a LEADER LAG which is not another LAG has to be a "group of local public and private partners (...) that is implementing a local development strategy". This means that the scope of action of this group has to be similar to that of a LAG, but does not have to comply with all the features stipulated in Art. 29 CPR.

- Beneficiaries of cooperation projects:

Cooperation projects require a higher degree of coordination. In many cases they also have a strong collective or territorial dimension. In those cases it makes sense that the final

⁴ The ENRD has developed under the "LEADER Gateway" a comprehensive "LEADER Transnational Cooperation [TNC] Guide" which can be a useful tool for helping to develop a specific approach for programming cooperation. It has also published fact sheets with Member State specific information on TNC rules and procedures in 2007-13: http://enrd.ec.europa.eu/leader/leader/en/transnational-cooperation_en.cfm

Moreover, the Report of ENRD LEADER Focus Group 3 ("Implementation of the LEADER cooperation measure") contains valuable elements of analysis and recommendations:
http://enrd.ec.europa.eu/leader/leader/focus-groups/en/focus-group-3_en.cfm

beneficiary of the support to a cooperation project can also be the LAG itself (which is also explicitly allowed by Art. 30 (4) CPR).

3.2. Types of support

3.2.1. Preparatory technical support⁵

A preparatory technical support element should be introduced in all programmes for the whole programming period, as a pre-development support. This has already been the case in many programmes during 2007- 2013 or even during Leader+, but has now become a mandatory element of the support to cooperation, in order to boost the uptake of cooperation activities of LAGs⁶.

The costs made eligible under preparatory technical support can be:

- costs related to exchange of experience (e.g. meetings with potential partners, travel, accommodation, and interpreter's fees);
- project pre-development cost (e.g. project feasibility study, consulting for specific issues, translation costs, additional staff costs).

It is strongly recommended not to be too restrictive in the description of the eligible costs in the RDP in order to meet the individual needs of LAGs for this preparatory phase.

- The support for preparatory technical support can only be granted under the condition that a LAG can demonstrate that it is envisaging the implementation of a concrete project. This means that it should at least identify the objectives and the character of a planned project. Still, receiving preparatory technical support does not imply an obligation to later on carry out such a project. (LAGs should not be obliged to reimburse the funding.)
- It is recommended that the technical preparatory support should not finance expenditure once a cooperation partnership has been finally established on the basis of an agreement, as it precedes the cooperation project.
- Managing Authorities might adopt an upper limit for preparatory technical support, being free to choose the appropriate approach and criteria (per LAG or per application etc.)

3.2.2. Support for the cooperation project⁷

The cooperation project can be described as a concrete activity with clearly identified deliverables producing benefits for the territories.

Projects might also be focused capacity building and transfer of experience on local development through e.g. common publications, training seminars, twinning arrangements (exchange of programme managers and staff) leading to the adoption of common methodological and working methods or to the elaboration of a joint or coordinated development work.

⁵ Art. 44.1 (b) EAFRD Reg.

⁶ Art. 31 (1) (c) CPR

⁷ Art. 44 (1) (a) EAFRD Reg.

In all types of cooperation projects, it is recommended that partners pre-define/agree the key criteria related to the activities to be selected and carried out. It is also important that the cooperation partners keep each other informed about progress with the project and any changes to its implementation, in order to allow for necessary adjustments that ensure the achievement of mutually agreed project objectives.

Eligibility criteria can be set in the LDS or on programme level, according to the selection system chosen (see below 4.2.1 and 4.2.2). The criteria should follow the same approach used for projects implemented under the local development strategy ("local projects")⁸.

3.3. Financial scope of the support to cooperation:

It is recommended to reserve a specific amount of the budget for the LEADER measure in each RDP for cooperation activities as it is important that the LAGs get assurance as regards the feasibility of the implementation of such types of projects. Experience has shown that the development of cooperation projects needs time. That is why it is recommended to secure a budget for national co-financing for cooperation throughout the funding period.

Cost categories:

Apart from costs incurred individually by each cooperation partner also the share in common costs incurred within the cooperation activities should be eligible. Common costs are costs, which have to be shared by the partners (for example for a website or a brochure).

In order to avoid unnecessary obstacles for the LAGs, efforts on national level for harmonisation should be made to identify the possible cost categories and to pre-define them in the form of legislation or national guidance documentation, or to list non-eligible cost categories.

4. Selection of cooperation activities

4.1. Technical preparatory support:

To facilitate the start of cooperation work, it is recommended to have a procedure distinct from the project selection procedure. The preparatory technical support is either implemented via an administrative selection procedure (the grant is delivered to the selected local activity groups following a file submission) or via a local selection procedure by the local action groups using a part of the budget allocated to implement its local development strategy.

4.2. Selection of projects:

According to Art 30 (CPR), it is up to the LAG to select projects to be implemented under the local development strategy. By way of derogation to Article 30(3)(f) CPR, co-operation projects may be selected by the Managing Authority, so that there are two ways of selecting project(see below).

Ideally, and to remain as close as possible to the principles of CLLD/LEADER, it is highly recommended that LAGs can include cooperation activities in their local development strategies. This can reach from specific activities to a more comprehensive cooperation strategy, depending on the needs identified in the SWOT analysis.

⁸ Art. 31 (1) (b) CPR

The reason for the possibility for derogation is rooted in the assumption that cooperation projects are not merely local projects, but have a wider territorial impact. It might be found important, that there is an interest of the Managing Authority to steer the process by issuing calls for projects and setting up a selection board for cooperation projects, defining uniform criteria including a thematic approach for all the LAGs in the programme area. This is already being handled in this way in many Member States throughout several generations of LEADER (see examples of the current period⁹). The decision for this option should in any case not prevent a LAG to choose cooperation projects that are in line with its strategy. It should moreover not eliminate or weaken the bottom-up character of the projects.

4.2.1 Selection by local action groups

In this implementation model, the bottom up approach also applies to cooperation.

Cooperation can be integrated in a LAG's local development strategy as being one of its priorities. In this case the LAG declares its intention to cooperate in domain(s) covered by its strategy but the exact partners are not necessarily identified (as for example these might still have to be selected for LEADER funding under their RDPs, too). In the programmes opting for this model cooperation projects are selected by the LAGs.

In this case it is recommended that LAGs can secure, when the LDS are selected, pre-allocated appropriations for cooperation projects (whether credited to its own budget or not).

The LAG selects its cooperation projects like any other project within the LDS implementation. The role of the involved authorities is consequently also the same as for any other project.

4.2.2. Selection by Managing Authorities

In the case where Managing Authorities take care of the selection of cooperation projects an 'ongoing' application should be established (Art. 44 (3) 1st sentence EAFRD Reg.). This obligation should be understood in a way that, if the selection of projects is organised through calls, there should be at least three to four calls a year in order to guarantee continuous access to this type of support. In any case calls should be organised often enough to not hinder the implementation of projects involving partners stemming from different programme areas (see also CLLD Guide, section 8.4)

It is also possible to use both ways of selecting cooperation projects (selection by the LAG and through the MA) simultaneously within one programme.

4.2.3. Enhancing the effectiveness

The responsible authorities should contribute pro-actively to the reduction of delays in the decision-making process. As the success of cooperation projects clearly depends on a swift treatment of approvals by the Managing Authorities of the different cooperation partners, the obligation for the Managing Authority to decide on the allocation of funding should take

⁹ See "TNC Member States rules & procedures 2007-2014 on the ENRD website:

http://enrd.ec.europa.eu/leader/tnc_guide/member-states-tnc-rules-and-procedures/en/member-states-tnc-rules-and-procedures_en.cfm

place within 4 months after the date of submission of the project (Art. 44 (3) 3rd sentence EAFRD Reg.).

It should moreover be communicated to the partners/other Managing Authorities by the LAG or the Managing Authority if a project has been approved or not. This information exchange is required since project implementation (e.g. payments) can only start if all relevant procedures have been completed.

Moreover, in order to facilitate the implementation of projects involving the approval of different national or regional administrations, Member States should ensure a quick decision-making process, so as the differences in selection procedures and deadlines do not discourage LAGs from cooperation. It is recommended to find ways for giving for instance provisional approval waiting for the approval of other Managing Authorities with a reasonable time frame.

5. Specific provisions for transnational cooperation (TNC):

The EAFRD Regulation contains provisions which should specifically enhance the implementation of TNC projects and to reduce known bottlenecks, which are linked to the fact that each project needs the approval of several Managing Authorities from different Member States. These consist both of obligations of Managing Authorities in the management of transnational cooperation as well as obligations for both the European Network for Rural Development and the National Rural Networks as regards the technical support for TNC:

- The obligation to make public the national or regional administrative procedures concerning the selection of transnational cooperation projects and a list of eligible costs at the latest two years after the date of the approval of their rural development programmes (Art. 44 (3) 2nd sentence EAFRD Reg.) should help to provide an publicly accessible overview of these items to all interested parties. This is especially important for LAGs who in order to establish a TNC project have to get a clear view about the rules for TNC corresponding to their RDP, but as well to get informed about the rules which apply to the cooperation partner. In this respect it is also recommended to exchange experience between the different types of rules in order to achieve similar approaches, especially when Member States can expect to see TNC projects emerging with particular other Member States on the basis of the experience in the 2007-13 period. An inspiration can be in this respect the TNC fiches per MS published on the ENRD 2007-2013 website. It is expected that for 2014-2020 the ENRD will collect and publicise the information in a similar way.
- The obligation of Member State to communicate the approvals of TNC projects to the Commission (Art. 44 (4) EAFRD Reg.) has two objectives: to ensure a follow-up of TNC on European level (the Commission providing consolidated information on the approvals) as well as to offer a platform for exchange of information between Member States involved in the same TNC project:
 - Due to the lack of a coordinated approval procedure the obligation for notification of these approvals has to be done for each individual approval. NRNs can help the Managing Authorities in gathering the necessary

information and dealing with the follow-up. The ENRD will in the scope of its tasks (Art. 52 (3) (f) EAFRD Reg.¹⁰) assist in this procedure.

- The notification has to be done via SFC 2014. A draft form is annexed (ANNEX 3) More detailed information on this procedure will be made available in due time. As regards the periodicity of the notifications it is recommended that these are made in regular intervals (not more than three months). The experience in 2007-2013 that some MS are reluctant to submit the notifications if they are not in possession of all data requested in the form. But as one of the main aims is to allow for a rapid exchange of information, MS are invited to notify the approvals even if the form is not fully completed. The fact that the form is submitted though SFC does not imply any negative consequences for the Member State in case it is not completely filled in. Any remaining information can be informally exchanged between the MS (if wanted with the assistance of the MS) and the Commission at a later stage.

6. The role of the ENRD and the National Rural Networks for LEADER cooperation

The legal text lists the tasks which the ENRD and the national rural networks should fulfil. Both have a specific stake as regards the general support and specific technical support to LAGs in the domain of LEADER cooperation:

As regards the ENRD there is a clear mandate to support both transnational initiatives and the national rural networks in this respect. Moreover, the ENRD will cooperate with the networking and technical support bodies for CLLD set up by the other ESI-Funds, also specially as regards transnational cooperation (see Art. 52 (3) (f) and (g) (ii)).

As for the tasks of the NRNs regarding cooperation there is a very specific focus on the provision of technical assistance and facilitation of cooperation activities of LAGs. This can be done through different training and technical tools, but can also include the provision of individual or collective consultancy or mentoring (see Art. 55 (3) (b) (iii) EAFRD Reg).

7. Final recommendations

In order to pay attention to the importance of cooperation in the CLLD context, MS could give priority in the LDS selection procedure to LAGs which have integrated cooperation into their local development strategies.

Having in mind that in the system of shared management not all rules can be harmonised on a European level, it is moreover recommended to make efforts to harmonise the procedures and definitions for LEADER cooperation as far as possible on the level of the MS. This is especially valid as regards interterritorial cooperation in MS with regional RDPs, but also between MS in view of transnational cooperation. The reference documents listed below can provide help in this aspect.

It should be taken into account that LEADER cooperation is a distinctive tool for LAGs that are implementing a LDS. The use of other tools for territorial cooperation offered by the ESI-Funds, notably the ETC programmes financed by the ERDF (INTERREG), can be a

¹⁰ Art. 52 (3). The tasks of the network shall be to... (f) support the national networks and transnational co-operation initiatives and the exchange on activities and experience in the field of rural development with networks in third countries; (...)

complementary asset and create synergies, always having in mind the different scope and size of projects implemented.

Annex 1. Reference documents (2017-2020 period)

Reference documents (2014-20 period):

- **COMMON GUIDANCE OF THE EUROPEAN COMMISSION'S DIRECTORATES—GENERAL AGRI, EMPL, MARE AND REGIO ON COMMUNITY--LED LOCAL DEVELOPMENT IN EUROPEAN STRUCTURAL AND INVESTMENT FUNDS (version from 29 April 2013):** section 8.4 (Cooperation projects), http://ec.europa.eu/regional_policy/what/future/experts_documents_en.cfm#3 (under "Seminar on Community-led local development (CLLD) in ESI Funds 2014-2020, 6 February 2013")
- **Draft Measure Fiche on LEADER, version presented to the RDC in May 2013**

Reference documents (2007-13 period):

- Guide for the implementation of the Measure Cooperation under the LEADER axis of Rural Development Programmes 2007-2013 (It also includes methodological elements.). Available at: http://enrd.ec.europa.eu/leader/leader/en/transnational-cooperation_en.cfm
- ENRD Focus Group 3: "Implementation of the cooperation measure in LEADER", Report to the LEADER subcommittee of 20 May 2010: http://enrd.ec.europa.eu/leader/leader/focus-groups/en/focus-group-3_en.cfm
- On methodological aspects of transnational co-operation (TNC), please see the LEADER TNC section on the ENRD website ("Practical information and tools on how to set-up and to implement Transnational cooperation projects"): http://enrd.ec.europa.eu/leader/leader/en/transnational-cooperation_en.cfm

ANNEX 2. Section 8.4 of the CLLD Guide

"8.4. Cooperation projects

Under CLLD the Funds may finance the preparation and implementation of co-operation activities of local action groups.

The EAFRD and the EMFF proposals specifically define the scope and rules of co-operation for LEADER LAGs and EMFF FLAGs. As in the current period, support will be available for implementation of inter-territorial and transnational projects. In addition preparatory technical support can be supported (e.g. costs for meetings between potential partners, studies etc.), if the LAGs demonstrate that they are preparing the implementation of a cooperation project.

For the sake of simplification and consistency, it is highly recommended to use the same rules for the ERDF and the ESF.

A feature for the period after 2013 is that rural LAGs and FLAGs in fisheries areas fisheries and coastal areas will be explicitly allowed to co-operate not only with partners

implementing a local development strategy in respectively rural or fisheries areas, as in the current period, but also with local public-private partnerships in other types of areas which are implementing a local development strategy. Cooperation with local public-private partnerships located outside the borders of the EU will also be possible, although the EAFRD restricts this possibility to partners located in rural areas, whilst the EMFF does not limit the type of areas eligible.

This opportunity could e.g. foster synergies between local groups running separate strategies but located in (partly) the same area (e.g. urban-rural or rural-fisheries or urban-fisheries). Apart from the advantage of exchanging experience and mutual learning, LAGs would benefit from developing co-operation around major themes that are better dealt with on a bigger scale.

The experience with LEADER and Axis 4 of the EFF shows that in many cases it is the LAG/FLAG itself who will be beneficiary of the cooperation projects, since they are more complex to design and to manage than local projects.

As regards the management of cooperation projects, there are two possibilities (based on the experience of LEADER):

8.4.1. Selection of cooperation projects by the LAGs

In the first option, cooperation is integrated in the local development strategies and funding for cooperation (covering preparatory support and projects) is allocated at the same time as the local budget. Cooperation projects are selected by the local action groups in the same way as local projects.

8.4.2. Selection of cooperation projects by managing authorities

As cooperation projects are more demanding in their design and management, some Member States may opt to let the Managing Authority select these projects and in addition to organise calls for the preparatory technical support for them . This has to be understood as an exception to the bottom-up approach.

In this case, as regards EAFRD and EMFF, the Managing Authorities must set up a system of on-going applications. Decisions on the allocation of funding should take place within 4 months after the date of submission of the project. If the selection of projects is organised through calls, it is recommended to issue at least three to four calls a year in order to assure a similar pace of approval by all the Managing Authorities concerned by a cooperation project. In any case this should be often enough not to hinder the implementation of projects involving partners stemming from different programme areas.

In order to facilitate the implementation of projects involving the approval of different national or regional administrations, Member States/regions should make appropriate provisions to ensure that differences in selection procedures and deadlines do not discourage LAGs from cooperation.

As regards transnational cooperation, under the EAFRD and the EMFF the following obligations are foreseen for Member States in order to support the overall implementation of those projects:

The administrative procedures have to be made public, including a list of eligible costs.

The Member State also has to communicate the approval of all transnational projects on a regular basis to the Commission, who will set up an information exchange system which will

help the involved authorities to have an overview on the approval process of a project in different Member States."

ANNEX 3. Information exchange form

INFORMATION EXCHANGE FORM FOR TRANSNATIONAL COOPERATION PROJECTS	
1. Basic Information on the project	
1.1. Title of the cooperation project:	
1.2. Duration of activities envisaged under the cooperation project:	
1.2.1. Start date:	
1.2.2. End date:	
1.3. Kind of activity:	
• Preparatory technical support	<input type="checkbox"/>
• Cooperation project	<input type="checkbox"/>
• Preparatory technical support and cooperation project	<input type="checkbox"/>
1.4. Project topics / keywords (up to 5) (<i>e.g. tourism, social inclusion, culture, local products, food products,...</i>)	
1.5. Total cost for the lifetime of the cooperation project (in €):	
1.6. Additional information (or project website):	
2. Information on cooperation partners	
2.1. LAG 1 details:	
2.1.1. Official name of the LAG:	
2.1.2. LAG contact person for cooperation	
2.1.2.1. Name:	
2.1.2.2. Address of contact:	
2.1.2.3. Telephone No:	
2.1.2.4. E-mail:	
2.1.2.5. Languages spoken/understood:	
2.1.3. Date of project approval :	
2.2. LAG 2 details:	
2.2.1. Official name of the LAG:	
2.2.2. LAG contact person for cooperation	
2.2.2.1. Name:	
2.2.2.2. Address of contact:	
2.2.2.3. Telephone No:	
2.2.2.4. E-mail:	
2.2.2.5. Languages spoken/understood:	
2.2.3. Date of project approval :	
2.3. LAG 3 details:	
2.3.1. Official name of the LAG:	
2.3.2. Name of LAG contact person for cooperation	
2.3.2.1. Name:	
2.3.2.2. Address of contact:	
2.3.2.3. Telephone No:	
2.3.2.4. E-mail:	
2.3.2.5. Languages spoken/understood:	
2.3.3. Date of project approval :	