

FOCUS GROUP 3 (FG3):
IMPLEMENTATION OF THE MEASURE "COOPERATION" IN LEADER

**SUMMARY NOTE UPDATING THE FG3 BACKGROUND PAPER
(Results of the 2nd Focus Group meeting, Viimsi, Estonia, 16/02/09)**

The aim of Focus Group 3 is to gather information and look for possible solutions to the following questions:

1. Different timing in decision-making and different administrative rules;
2. Different expectations towards beneficiaries in different programmes (definition of common action, partner contribution to the project budget);
3. Information needs (identifying emerging projects, procedures and eligibility rules, running projects);
4. What are the key areas in which cooperation projects are most needed - what issues and how would that fit or contribute to the regional/national EU strategy?
5. Other problems/ proposals taken up.

Proposed ideas for approaches to solutions:

- A. Solutions that could be implemented during the current programming period
- B. Solutions that could be implemented in the next programming period (by harmonising the rules in all Member States)
- C. Issues that require solutions at national level in the respective Member State

Classification by impact and feasibility

- *Green script:* These proposals are considered to have highest priority: They were regarded to have both high impact and high feasibility.
- *Blue script:* These proposals are considered to have the second highest priority. They were regarded to have either: (1) high impact/medium feasibility; (2) medium impact/medium feasibility or (3) medium impact/high feasibility.

1. Different timing in decision-making and different administrative rules

1.1. Different timing in decision-making

Problem:

Two types of decision-making procedures are used: ongoing application or periodical calls, followed with time-bound provisional approval or definite approval. This leads to delays in start of projects due to the fact that several approvals are needed for each project. Each Member State follows its national rules and regulations and it is not possible to change that.

Proposed ideas for approaches to solutions:

- A. Better cooperation between national authorities responsible for taking official decisions, as well as between LAGs and national authorities, e.g. a updated contact list of responsible national authorities could be made available on the internet (ENRD website). All responsible parties should be pro-actively

contributing to the reduction of delays in the decision-making process: each Member State could set a deadline, by which the MA has to take a decision, e.g. within 3 months. In case the MA decision has not been taken within a given timeframe, the project should be considered as approved (problem: a written decision is needed in any case, e.g. in order to define the content of the project, the eligible costs etc.)

- B. Harmonisation of the application system throughout the EU. **Either on-going or synchronised periodical calls for applications throughout the EU should be applied for TNC projects, in order to minimise the delays in the decision-making process.** The ongoing application process option might be more efficient and may cause less delay in the decision-making process.

1.2. Absence of preparatory technical support

Problem:

Not all Member States do follow the Commission's recommendation to include preparatory technical support for transnational cooperation projects into their programmes. However, preparatory technical support is especially important when a TNC project is started with a new partnership that has not worked together earlier on. Building of trust between the partners as well as jointly agreeing on objectives of the project and division of tasks is essential for the success of any TNC project. Nevertheless, each Member State is entitled to follow its national rules and practises.

Proposed ideas for approaches to solutions:

- A. Those Member States that do not allow preparatory technical support could amend and include it into their programmes still during this programming period. **In cases where no option for a preparatory project exists, provision should be made to allow for travel and negotiation costs for such purpose.**
- B. **The standards for preparatory technical support should be similar in all Member States.** The preparatory phase could be included to become a part of the TNC projects in the future. At the same time, the maximum duration of the TNC projects could be set longer than the duration of national projects, e.g. five years. This would be justified, as a common problem of TNC projects has been a too short implementation period. A more complex structure of the TNC projects, as well as the issue of partners originating from different countries and cultures, require more time for successful implementation.

1.3. Differences in the maximum level of funding

Problem:

Maximum level of funding in TNC projects might vary considerably in different Member States. In addition, most probably the LAGs from Member States that have low level of total LEADER funding cannot contribute high amounts in one TNC project.

Proposed ideas for approaches to solutions:

- A. Concentration in small-scale TNC projects in order to avoid big differences in the contributions of different partners. Small-scale projects also fit well with the basic LEADER idea that is local level, bottom-up and people to people.
The requirements for funding must be defined properly for TNC projects, e.g. by writing down examples of eligible or non-eligible costs.
- B. More flexibility in TNC funding, e.g. no minimum or maximum levels of funding should be used in the future. Money has a "different value" in different countries.

1.4. Differences in documentation requirements

Problem:

Some Member States ask for signed cooperation agreements to be annexed in the application while others only ask for letter of intent from the project partners.

Proposed ideas for approaches to solutions:

- A. It is probably not practical to require agreements signed by all partners and countries at a time when no final decision for funding has been obtained yet. Therefore, **letters of intent/commitment should be considered sufficient**. The respective Rural Development Programmes could be amended already during this programming period.

- B. Basic documentation requirements should be defined in EU regulations/ COM rules in the future. This would guarantee basic rules similarly applied in all Member States.

Firstly, this should concern at least the letter of intent from the project partners (considered sufficient by the time of the decision-making).

Secondly, **the basic requirements for the partnership agreement** (to be signed after the official decision on funding has been taken) should be **the same in all countries**. To be discussed still: What kind of requirements should be included in the agreement?

Thirdly, a common application form has been proposed. In practice the current decision-making system, where each MA takes a separate decision, does not allow for a joint application form, as each MA has to follow the respective national/regional legislation and rules and as each MA is also responsible for the use of funding towards the Commission. A single application form could only be applied in case the responsibility for decision-making about the whole transnational project had been delegated to one authority in one Member State. However, **basic information required in the application form should be similar throughout all Member States and this information could be further reported to the eventual ENRD database**.

There should be at least one common language that every Member State/MA must use besides their national language. Using a common language would include translation of the most relevant national documents, such as the guidelines for TNC projects, into the common language. **The common language should preferably be English** or, in case of two languages, English and French.

There should be a **harmonisation of guidelines between EAFRD and EFF in order to allow for transnational cooperation of/with FLAGs**. **The MAs working with the FLAGs should give priority to cooperation and networking**. The potential of other cooperation programmes should be presented and integration should be promoted at national and European levels.

There should be a database on administrative procedures for implementation. This should contain common basic national information from all Member States and could be placed at the website of the ENRD.

2. Different expectations towards beneficiaries in different programmes (definition of common action; partner contribution to the project budget)

2.1 Definition of "common action"

Background:

MS use different criteria regarding the definition of "common action". The Guide on cooperation measure gives the following common interpretation:

"The cooperation project corresponds to a concrete action with clearly identified deliverables producing benefits for the territories; Expenditure relating to the Leader area does not mean necessarily expenditure located in the area. The action is "joint" in the sense that it is being jointly implemented.

The content of the joint action may cover a whole range of activities eligible under the axis/es implemented through the Leader method.

Joint actions that can be funded might also be focused on capacity building, 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."

Problem:

Different definition or interpretation of common action of TNC in the Member States and even at regional programming level. Different eligible costs.

Proposed ideas for approaches to solutions:

- A.** Provision of detailed information by the Member States about eligible and/or not eligible actions for inclusion into the TNC procedure fiches currently assembled by the ENRD Contact Point. This information shall be based on a list of typical examples, unless eligible actions have been pre-defined in the form of legislation. Focus Group members will pilot this initiative, with the ambition to establish first pieces of information for the next (web) meeting on 08 March 2010.
- B.** Consideration of proposals for the next programming period to [develop a joint list of typical joint actions](#).

2.2. Funding of common costs

Background:

Common costs are cooperation coordination and activities shared among partners. The Guide on the measure cooperation suggests that the funding of these costs is shared among partners on the basis of the cooperation agreement.

An invoice related to common costs is examined by different authorities with a risk of contradictory decisions taken. A simplification proposed during the last Leader sub committee is to attribute the common costs to the programme of the coordinating LAG. This will imply that each type of expenditure is attributed to a single programme with no risk of contradictory decisions taken.

Problem:

Bureaucratic and long period to examine common costs by different MS authorities and to avoid double financing or contradictory decisions are made.

Different definition or interpretation of common costs.

Proposed ideas for approaches to solutions:

- A. Provision of detailed information by the Member States about eligible and/or not eligible costs for inclusion into the TNC procedure fiches currently assembled by the ENRD Contact Point. This information shall be based on a list of typical examples, unless eligible costs have been pre-defined in the form of legislation. Focus Group members will pilot this initiative, with the ambition to provide first pieces of information for the next (web) meeting on 08 March 2010.
- B. Consideration of proposals for the next programming period to develop a joint list of typical common costs.
- B. Alternatively, launch discussion among Member States about the proposal to attribute common costs to the budget of the leading LAG and its MA. A second alternative proposal suggests that common costs remain spread over partnering LAGs, but that the eligibility decision of the MA of the leading LAG will be accepted and applied by the MAs of the partnering LAGs.

3. Information needs of different partners involved in TNC implementation (identifying emerging projects, information about procedures and eligibility rules applied in all programmes, running projects)

3.1. What are the information needs?

Background:

Sharing information could be one possible way for facilitating cooperation, in different phases of the project cycle. It is therefore important to identify which are the needs for information and possible tools for sharing it.

Problem:

Information exchange about TNC projects between MS and regions is not functioning. There is lack of information about different rules, timing of open-calls, approval of projects and the way to monitor the process.

Proposed ideas for approaches to solutions:

- A. With a view to the provision of detailed information about TNC rules to LAGs: Focus Group members agreed to circulate draft TNC procedure fiches assembled by the ENRD Contact Point to three LAGs (experienced and inexperienced, as applicable) LAGs to obtain their feedback.
- A. With a view to inform LAGs specifically about eligible and not eligible actions and costs and the periodicity of calls for applications: introduction of standardised/comparable information in the TNC procedure fiches, gathered as suggested in section 2 above.
- A. Provision of information by Member States enabling the establishment of a joint list of TNC task managers within MAs, PAs, and NRN support units, for publication on the ENRD website. In the same context consideration to organise 'technical meetings' for these TNC task managers (possibly held by the ENRD Contact Point), to stimulate networking, raise awareness about information issues and to develop practical ways simplifying the processes.

3.2. Information exchange between Managing Authorities delivering transnational cooperation grants

Background:

According to Article 39.5 of Regulation (EC) 1974/2006 "Member States shall communicate to the Commission the approved TNC projects in order to facilitate at EU level an exchange of information. It was decided that the notifications should be sent by the MS via SFC 2007.

During Leader+ it could be observed that late approval of TNC projects by some of the Managing Authorities involved postponed the start of the projects. Managing Authorities did in general not exchange information on their approvals bi- or multilaterally or had difficulties to exchange information mainly due to linguistic barriers.

Until now no approved projects have been notified through SFC 2007 using the information exchange form annexed to the Guide for the implementation of the Measure "Cooperation", although we have indications that 36 TNC projects have already been approved (situation on 25 November 2009).

There might be other ways to exchange information between MAs involved or between cooperation partners.

The Focus Group could also explore ways to facilitate the information exchange (e.g. to establish a European list of national coordinators for TNC at MA level)

Problem:

Information exchange about TNC projects between MS and regions is not functioning. There is lack of information about approval of the projects and the way to monitor the process.

Proposed ideas for approaches to solutions:

- A. Provision of information by Member States enabling the **establishment of a list of SFC managers**. This in order to facilitate direct networking/information exchange among SFC managers.
- A. Provision of information by Member States enabling the **establishment of a list of periodicities of call for TNC applications** (where applicable). Consider publication, e.g. on the ENRD website.

4. What are the key areas in which cooperation projects are most needed - what issues and how would that fit or contribute to the regional/national EU strategy?

Background:

- Actions and areas where local level and people to people approach gives better results than top-down approach.
 - Actions in which small-scale and local knowledge is more efficient than huge funding and use of external experts.
 - TNC projects have to meet locally defined needs and objectives. This is not necessarily in contradiction with the regional/national EU strategy but might complement to their objectives.
- A. Projects representing relevant TNC experience should be made available (e.g. via the ENRD website), as there is a shortage of ideas for TNC projects, especially in Member States without previous experience.

- B. Thematic restrictions or fixed ideas for transnational cooperation projects should not be written into the RDPs or local action plans of LAGs. All good ideas cannot possibly be pre-defined; the areas for cooperation should not be limited either.

5. Other problems/ proposals taken up

Transnational cooperation projects would need professional staff. A good practice would be to employ coordinators or other permanent staff to deal with the TNC projects.