



Analisi del contenuto, con evidenza delle modifiche apportate, del Documento *“Guidance for implementation of the LEADER cooperation activities in rural development programmes 2014-2020”* della Commissione Europea

Febbraio 2015

Cooperazione
tra aree rurali

A decorative graphic element consisting of a horizontal brushstroke in shades of green and brown, resembling grass or a field, positioned below the text.

Premessa

Il presente Documento riporta un'analisi delle *"Guidance for implementation of the LEADER cooperation activities in rural development programmes 2014-2020"* diffuse, nel novembre 2014., dalla DG Agri della Commissione Europea. L'analisi delle Linee Guida è stata sviluppata comparando il suo contenuto con le precedenti versioni diffuse dalla Commissione.

Nello specifico il Documento è suddiviso in tre parti.

La prima parte riporta una rivisitazione del Documento che il Mipaaf ha inviato alla Commissione Europea alla fine del 2013 contenente le osservazioni sulla versione delle linee guida cooperazione dell'ottobre 2013. Per facilitare la lettura di quanto delle osservazioni fatte a suo tempo è stato recepito o meno dalla Commissione e inserito nell'attuale e definitiva versione delle Linee Guida Cooperazione, sono stati riportati, per le singole osservazioni, dei commenti (in rosso) volti appunto a evidenziare se quanto osservato dal nostro Paese è stato recepito o meno.

La seconda parte, partendo dal testo dell'attuale versione delle Linee Guida Cooperazione (novembre 2014), riporta – in forma tabellare, un'analisi puntuale delle modifiche al testo derivante dal confronto con la vecchia versione (draft ottobre 2013).

La terza ed ultima parte, attraverso l'ausilio dei colori e sempre in forma tabellare, mette in evidenza gli spostamenti e le modifiche dei e nei sottoparagrafi tra la versione draft e quella aggiornata. In particolare, nell'evidenziare le parti che sono state cambiate, si precisa quanto segue:

- i colori celeste, grigio, verde e giallo evidenziano gli spostamenti del testo all'interno degli stessi sotto-paragrafi a livello integrale, anche se lievemente modificati ma senza cambiare il senso
- i colori rosso e fucsia evidenziano gli spostamenti dei testi tra i diversi sotto-paragrafi a livello integrale, anche se lievemente modificati, ma senza cambiare il senso
- il formato rosso ed in grassetto del testo evidenzia l'inserimento, nella nuova versione, di un nuovo testo
- il formato rosso ed in grassetto del testo ed ulteriormente evidenziato con un colore, rappresenta una modifica sostanziale dello stesso nella nuova versione rispetto a quello della versione draft.

Per eventuali chiarimenti si può contattare il Dott. Giuseppe Gargano (gargano@inea.it), il quale ha curato la stesura del presente Documento; oppure la Dott.ssa Catia Zumpano (Zumpano@inea.it).

Si ringrazia Anna Lapoli (INEA), la quale ha curato l'editing del Documento.

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PRIMA PARTE

Rilettura delle osservazioni inviate dal Mipaaf alla Commissione Europea
alla luce della nuova versione (novembre 2014) delle Linee Guida
Cooperazione diffuse dalla CE



*Ministero delle politiche agricole
alimentari e forestali*

Roma.

DIPARTIMENTO DELLE POLITICHE EUROPEE ED
INTERNAZIONALI E DELLO SVILUPPO RURALE
DIREZIONE GENERALE DELLO SVILUPPO RURALE
DISR II

Alla

Commissione europea
Direzione G. Aspetti orizzontali per lo sviluppo r
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E per c. Regioni e PP AA
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E per c. Agea Coordinamento
Propria sede
(c.c. Dr. F. Martinelli)

Oggetto: Programmazione dello sviluppo rurale 2014-2020. Proposta di linee guida per l'attuazione della cooperazione leader nelle attività dello sviluppo rurale 2014-2020: primo gruppo di osservazioni

Si fa riferimento al documento "*Guidance for implementation of the leader cooperation activities in rural development programmes 2014 -2020*" illustrato nel corso del Comitato per lo sviluppo rurale del 16 ottobre scorso.

Al riguardo, a seguito dei lavori di concertazione con le Autorità regionali, con le Province autonome e con l'Agenzia di coordinamento degli organismi pagatori, si trasmette in allegato un primo gruppo di osservazioni.

Come prassi consolidata dei lavori del Comitato, si chiede cortesemente che le risposte dei Servizi della Commissione ai quesiti degli Stati membri possano essere inserite nell'aggiornamento del documento di lavoro "Domande e risposte".

IL DIRETTORE GENERALE
(Giuseppe Cacopardi)

Allegato: primo gruppo di osservazioni

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

PRIMO GRUPPO DI OSSERVAZIONI

Commenti generali

Le Autorità italiane ringraziano i Servizi della Dg Agri per avere reso disponibile il documento in quanto esso rappresenta un ottimo punto di partenza per fornire chiarimenti su un tema così specifico come la cooperazione nell’ambito delle attività Leader.

Di seguito si riportano alcuni temi che, ad avviso della scrivente Amministrazione, potrebbero essere ulteriormente sviluppati nelle *guidelines*.

- 1) Si riterrebbe utile che il documento puntualizzasse ulteriormente alcuni aspetti operativi, soprattutto in relazione ai progetti di cooperazione transnazionale. A titolo di esempio, andrebbero indicati i requisiti minimi di partecipazione ad un progetto di cooperazione, le principali categorie di spesa e delle azioni ammissibili (capitalizzando l’esperienza del Focus Group 3);

La versione aggiornata delle linee guida riporta soltanto una riformulazione delle principali categorie di spesa nell’ambito del supporto tecnico preparatorio e nulla rispetto ai requisiti minimi di partecipazione e alle azioni ammissibili.

così come andrebbe sviluppata una sessione relativa al ruolo svolto dal GAL capofila e dagli altri partner di progetto, nonché alla eventuale creazione di una struttura comune (quali ad esempio il GEIE).

A pagina 6 della versione aggiornata, è stato inserito un sottoparagrafo “The lead partner” che evidenzia la non obbligatorietà della presenza del capofila all’interno di un progetto di cooperazione, anche se altamente raccomandata, a condizione che vi sia una “chiara suddivisione dei ruoli fra i partner” ed un “alto ed equilibrato livello di impegno” da parte di ognuno. Il sottoparagrafo riporta un’elencazione delle funzioni del lead partner e della relativa copertura finanziaria:

The lead partner

It is not compulsory for co-operation projects to designate a lead partner (sometimes referred to as the coordinating local action group), but it is highly recommended. If there is no lead partner there has to be an extremely clear division of tasks between the partners and a very high and equal level of commitment.

The roles and responsibilities of the lead partner should normally include:

- **Steering and coordinating the design of the project** - including the preparation of the co-operation agreement between the partners;
- **Coordinating and monitoring the applications for finance** by each partner;
- **Steering and coordinating the implementation of the project** and the tasks to be carried out by each partner (the organisation of exchanges, joint outputs and so on);
- **Monitoring and communicating achievements and financial progress**.

Other roles and responsibilities can be added according to the needs of each co-operation project.

The responsibilities of the lead partner need to be covered by a higher project budget than the other partners. This can either be financed: from the LAG or programme budget for co-operation of the partner concerned; or by a contribution from the other project partners.

Nulla è riportato sulla eventuale creazione di una struttura comune (es. GEIE).

Inoltre, andrebbe richiamato con forza il valore aggiunto delle azioni comuni nel progetto di cooperazione.

La nuova versione non riporta nulla in merito.

- 2) Si ritiene, inoltre, che il documento potrebbe dedicare maggior spazio agli accorgimenti da adottare per favorire l'inserimento della cooperazione Leader nell'architettura procedurale dei CLLD ed alle potenziali sinergie fra la cooperazione Leader e la "Cooperazione territoriale europea".

La nuova versione non riporta nulla in merito.

- 3) Per quanto riguarda il modello di selezione diretta dei progetti da parte dei GAL, sarebbe auspicabile che il documento fornisse un maggior dettaglio in merito. A tal proposito, si evidenzia come, per le ragioni richiamate al punto 4.2.1 del documento, nella formulazione del suo PSL il GAL non può che indicare un progetto di cooperazione di massima (idea progettuale);

Nella nuova versione viene riportato come ulteriore elemento di dettaglio che i GAL devono prevedere la cooperazione nel proprio action plan e nel piano finanziario. In questo caso le risorse destinate alla cooperazione sono allocate insieme a quelle per l'implementazione del PSL. "The LAG makes provision for co-operation in its action plan and financial plan (which can be adjusted as a result of a monitoring and evaluation procedure where necessary). In this case, the cooperation budget is allocated to the LAG together with the allocation for the implementation of the LDS.

sarebbe, quindi, utile chiarire quali dovrebbero essere gli step successivi che porteranno alla formulazione e condivisione del progetto esecutivo e quale ruolo dovrebbero svolgere le Autorità di Gestione.

Per quanto riguarda gli step successivi, la nuova versione ulteriormente amplia quanto riportato al quarto capoverso della versione precedente del sotto-paragrafo

4.2.1 “ The role of the involved authorities is consequently also the same as for any other project although there are likely to be more steps as the partners of the project may depend upon the approval of another authority” . Ma nulla viene riportato al fine di chiarire quali siano gli steps successivi.

- 4) Si condivide l'introduzione dell'obbligatorietà del riconoscimento delle spese per il supporto tecnico preparatorio, svincolando le stesse dall'esito favorevole o meno.
- 5) Al fine di rendere più fluido ed efficace il flusso di informazioni tra i soggetti coinvolti, soprattutto in riferimento ai progetti di cooperazione transnazionale, potrebbe essere utile allegare al documento un *template* che riporti, in maniera omogenea, le informazioni minime e funzionali all'implementazione delle azioni del progetto e, in particolare, di quelle comuni. Naturalmente, tale *format* andrebbe condiviso preventivamente con gli Stati Membri.

La nuova versione non riporta nulla in merito.

- 6) In merito alla necessità, richiamata nel documento, di adottare maggiori accorgimenti per evitare la disomogeneità delle procedure di selezione ed approvazione dei progetti, nonché il non allineamento delle tempistiche di approvazione, sarebbe assolutamente gradito che il documento fornisse ulteriori indicazioni operative sui ruoli che dovrebbero ricoprire le Amministrazioni nazionali, regionali ed i Servizi della Commissione stessi. A tale proposito, sarebbe molto gradito un ruolo più operativo – e costante nel tempo – da parte dei Servizi della Commissione (ad esempio, la creazione di una cabina di regia) nel proporre soluzioni a problematiche legate all'approvazione e attuazione dei progetti di cooperazione transnazionale. Ciò, ad esempio, consentirebbe una condivisione della definizione delle azioni comuni e, di riflesso, la loro gestione.

La nuova versione non riporta nulla in merito agli accorgimenti da adottare per evitare la disomogeneità delle procedure di selezione ed approvazione. Per quanto riguarda le tempistiche di approvazione, è stato riportato il testo dell'Art. 44(3) regolamento n. 1305/2013 sul sostegno allo sviluppo rurale da parte del FEASR secondo cui l'approvazione dei progetti di cooperazione da parte delle autorità competenti deve avvenire entro quattro mesi dalla data di presentazione delle proposte progettuali.

Par. 3. Eligibility conditions under the EAFRD

3.1 General principles

- Type of partners

Seconda frase del primo capoverso: *“They should also not exclude cooperation between LAGs and other LAG partnerships”*

Si chiede di chiarire meglio cosa si intende per *“other LAG partnership”*.

Nella nuova versione questa frase è stata così riformulata: *“In particular, they should not exclude co-operation between LAGs and partnerships other than LAGs”*. Questo significherebbe che le Autorità di Gestione, non dovrebbero escludere la cooperazione tra GAL e altri partenariati non GAL.

Par. 3.2. Types of support

3.2.1 Preparatory technical support

Primo punto elenco del secondo capoverso: si propone di modificare la seguente frase *“costs related to exchange of experience (e.g. meetings with potential partners, travel, accommodation, and interpreter's fees)”* in: *“costs related to meetings with potential partners (e.g., travel, accommodation, and interpreter's fees)”*.

La proposta di modifica è stata recepita.

Secondo punto del secondo capoverso: si propone di modificare la frase: *“project pre-development cost (e.g. project feasibility study, consulting for specific issues, translation costs, additional staff costs)”* con la seguente: *“project pre-development cost (e.g. participation at events, project feasibility study, consulting for specific issues, translation costs, additional staff costs)”*

La proposta di modifica è stata recepita.

Terzo capoverso: *“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”*

Potrebbero i Servizi della DG Agri inserire ulteriori indicazioni sulle modalità di rimborso delle spese, tenendo presente i diversi modelli di selezione dei progetti?

La nuova versione non riporta nulla in merito.

4.2.1 Selection by local action groups

Prima frase, quarto capoverso: *“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.”*

Si propone di riformulare la frase tenendo conto del fatto che quanto riportato nei PSL per i progetti di cooperazione necessita di ulteriori step prima di giungere alla formulazione del progetto esecutivo, nonché alla sua realizzazione.

Per quanto riguarda gli ulteriori step, la nuova versione ulteriormente amplia quanto riportato al quarto capoverso della versione precedente del sotto-paragrafo 4.2.1 “ *The role of the involved authorities is consequently also the same as for any other project although there are likely to be more steps as the partners of the project may depend upon the approval of another authority*”. Ma nulla viene riportato al fine di chiarire quali siano gli steps successivi.

4.2.2. Selection by Managing Authorities

Primo capoverso: *“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).”*

Considerando la complessità di attuazione dei progetti di cooperazione, si suggerisce di indicare una scadenza ultima per la selezione dei progetti, alla luce del tempo massimo previsto per i relativi impegni di spesa.

La nuova versione rimanda tale indicazione alle Autorità di Gestione con la seguente frase: “Given the time taken to select co-operation projects, MAs are encouraged to find ways of harmonising the closure of the selection process at the end of the programme”.

4.2.3. Enhancing the effectiveness

Questo sottoparagrafo è stato eliminato nella nuova versione e i suoi contenuti, lievemente riformulati, sono stati collocati nei sottoparagrafi 4.2 e 4.2.2

Primo capoverso, seconda frase: *“the obligation for the Managing Authority to decide on the allocation of funding should take place within 4 months after the date of submission of the project (Art. 44 (3) 3rd sentence EAFRD Reg.).*

Tale aspetto andrebbe verificato anche nel caso della selezione dei progetti da parte del GAL, in funzione del ruolo svolto dall’Autorità di Gestione.

La nuova versione non riporta nulla in merito.

Secondo capoverso, prima frase: *“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.”*

Poiché la comunicazione dell’approvazione finale del progetto vincola l’avvio del progetto nel suo complesso, sarebbe opportuno dare enfasi a questo passaggio, attribuendo maggiore responsabilità alle Autorità di Gestione. Ciò dovrebbe essere acquisito sia nel caso della selezione diretta da parte dei GAL che delle Autorità di Gestione.

La nuova versione recepisce tale osservazione attribuendo la responsabilità della comunicazione dell’approvazione finale del progetto alle sole Autorità di Gestione *“The MA should also communicate whether a project has been approved or not to the partners and other Mas”* (sottoparagrafo 4.2.2, terzo capoverso).

Terzo capoverso, seconda frase: *“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.*

Al fine di garantire un allineamento delle tempistiche di approvazione dei progetti di cooperazione transnazionale fra differenti Stati Membri - ed in considerazione del fatto che il tempo massimo proposto per l’approvazione finale dei progetti è di 4 mesi - sarebbe opportuno proporre delle soluzioni operative condivise.

La nuova versione non propone alcuna soluzione operativa condivisa limitandosi a riformulare ed ulteriormente precisare nei sottoparagrafi 4.2 (seconda frase, quarto capoverso), 4.2.2 (quarto capoverso) e paragrafo 5 (terzo capoverso del secondo punto elenco) quanto riportato nella versione precedente, raccomandando alle Autorità di gestione

“... to find ways for giving provisional approval to co-operation projects in their own territory, subject to the approval of the partners by other MAs within a reasonable timeframe”.

Par. 5. Specific provisions for transnational cooperation (TNC)

Elenchi puntati, relativamente agli obblighi da parte delle Autorità di Gestione, così come anche della Rete Rurale europea e delle Reti Rurali nazionali:

- *“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.)”, “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”.*

Pur condividendo lo scambio di informazioni sulle differenti procedure adottate dai diversi Stati Membri, si ritiene opportuno utilizzare dei *format* di raccolta più snelli e puntuali, da verificare e aggiornare periodicamente, così da rendere più funzionale l'attività di raccolta e di diffusione da parte della ENRD.

La nuova versione non riporta nulla in merito.

- *“The obligation of Member State to communicate the approvals of TNC projects (Art. 44 (4) EAFRD Reg.)... 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.....these approvals has to be done for each individual approval” e “The notification has to be done via SFC 2014”.*

Alla luce dell'esperienza dell'attuale programmazione, andrebbe valutata l'opportunità di accompagnare il sistema SFC con una piattaforma informativa *on line* (ad esempio, sistema PRESAGE nei programmi di cooperazione territoriale europea), che permetta uno scambio attivo fra le Autorità di Gestione, nonché un'attività di “monitoraggio” da parte delle Reti.

La nuova versione non riporta nulla in merito.

Par. 7. Final recommendations

Primo capoverso: *“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.”*

Al riguardo, sarebbe opportuno chiarire se il criterio prioritario (*“could give priority in the LDS selection procedure to LAGs which have integrated cooperation into their local development strategies.”*) valga a prescindere dal modello di selezione dei progetti di cooperazione che sarà adottato dalle singole Autorità di Gestione.

Inoltre, si presume che tutti i GAL interessati a cooperare, nel predisporre il loro Piano, indicheranno come la cooperazione si integra con la strategia di sviluppo locale da loro adottata; a tale proposito si chiede di chiarire con che livello di dettaglio ciò debba avvenire.

La nuova versione non riporta nulla in merito ma. Inoltre, fermo restando che gli stati membri possono dare priorità nelle procedure di selezione ai GAL che hanno inserito la cooperazione nei rispettivi PSL, fornisce un’indicazione secondo la quale gli stessi “... could, for example, make the quality of LAG proposals for co-operation a criterion for selecting their strategies.

SECONDA PARTE

Confronto fra la versione di ottobre 2013 e novembre 2014 delle
“Guidance for implementation of the LEADER cooperation activities in
rural development programmes 2014-2020”: analisi puntuale delle
modifiche

Versione Linee Guida cooperazione dell'11/10/2013 versus versione 19/11/2014: che cosa è cambiato	Testo integrale della versione delle Linee Guida Cooperazione del 19/11/2014
<p>Rispetto alla versione precedente, nella nuova versione la premessa e il paragrafo 1 (pag.3) sono confluiti in un unico paragrafo “1. Introduction” il quale è stato a sua volta suddiviso in tre sotto-paragrafi:</p> <p>1.1 Introduction to the guide: riporta in maniera integrale le finalità delle linee guida della versione precedente.</p> <p>1.2 Introduction to LEADER/CLLD in the EAFRD 2014-2020: riporta integralmente il quarto capoverso del paragrafo 1 della versione precedente e un nuovo capoverso il quale chiarisce che <u>il sostegno alla cooperazione (supporto tecnico preparatorio e supporto ai progetti di cooperazione) è un elemento obbligatorio nell’ambito della misura LEADER a livello dei PSR ma facoltativo a livello dei GAL.</u></p> <p>1.3 Rationale of cooperation under LEADER/CLLD: riporta integralmente, in ordine variato e lievemente riformulato ma lasciando inalterato il senso, il terzo, il secondo ed il primo capoverso della versione precedente.</p>	<p>1. Introduction (pagina 3)</p> <p>1.1. Introduction to the guide This guide aims to clarify the role of co-operation activities under LEADER in the rural development programmes 2014-2020. This guide should be regarded as an indicative reference document and does not create any new legislative rules. In any event, interpretation of Community law is ultimately the role of the European Court of Justice. This document is complementary to the Guidance on Community-led Local Development (CLLD) - issued by the four Directorates-General (DGs) of the European Commission responsible for the ESI-Funds¹ - which already illustrates CLLD co-operation activities as provided for in the Common Provisions Regulation (CPR) and in the fund-specific regulations for the EAFRD² and the EMFF³.</p> <p>1.2. Introduction to LEADER/CLLD in the EAFRD 2014-2020 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 (LDS) selected under CLLD/LEADER. <u>Support for co-operation is a mandatory element of the LEADER measure. Both the preparatory support for co-operation and support for co-operation projects must be included in the Rural Development Programmes (RDPs).</u> However, <u>although recommended, it is not mandatory at the LAG level.</u> Individual LAGs may be free to decide whether or not to use the support for co-operation available.</p> <p>1.3. Rationale of co-operation under LEADER/CLLD Co-operation is a way to widen local views and bring new knowledge to the area in order to improve local strategies. It can boost the innovative character of local development actions and contribute to increased competitiveness of the area through: capacity building and bringing in new</p>

¹ European Structural and Investment Funds

² European Agricultural Fund for Rural Development

³ European Maritime and Fisheries Fund

	<p>business partners; and diffusion of innovation, know-how and new skills.</p> <p>In addition to the potential benefits of inter-territorial co-operation (within a Member State), transnational co-operation gives supplementary European added value to local development.</p> <p>Co-operation of a LAG area with other geographical areas can be a key component of any 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. Co-operation with other territories implementing CLLD/LEADER can 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.</p>
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<p>2. Legal basis</p> <p>Il testo aggiornato riporta la versione definitiva e consolidata dei Regolamenti comunitari di riferimento della cooperazione in ambito LEADER.</p>	<p>2. Legal basis of LEADER co-operation activities (pagina 4)</p> <p>Co-operation under LEADER is based on different legal texts.</p> <p>Regulation 1303/2013 (CPR):</p> <p><u>Art. 32 Community-led local development</u></p> <p>(2) Community-led local development shall be:</p> <p>(d) designed taking into account local needs and potential, and include innovative features in the local context, networking and, where appropriate, cooperation.</p> <p><u>Art. 34 Local action groups</u></p> <p>(3) The tasks of local action groups shall include the following:</p> <p>(f) selecting operations and fixing the amount of support and, where relevant, presenting the proposals to the body responsible for final verification of eligibility before approval;</p> <p>(5) In case of cooperation activities of local action groups as referred to in point (c) of Art. 35(1), the tasks set out in point (f) of paragraph 3 of this Article may be carried out by the responsible managing authority.</p> <p><u>Art. 35 Support from the European Structural and Investment Funds for community-led local development</u></p> <p>(1) Support from the ESI Funds concerned for community-led local</p>
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development shall cover:
(c) preparation and implementation of the local action group's cooperation activities;

Regulation 1305/2013 (EAFRD Regulation):

Art. 44 LEADER co-operation activities

(1) The support referred to in point (c) of Article 35(1) of Regulation (EU) No 1303/2013 shall be granted to:

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

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

In particular, this article states that LAGs may co-operate with partners from countries within and outside the European Union. Partners from within the European Union may be located in both rural and urban areas. However, partners from outside the European Union can only be located in rural areas.

(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 local development strategy.

(3) In cases where co-operation 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 co-operation projects and a list of eligible costs at the latest two years after the date of the approval of their

	<p>rural development programmes.</p> <p>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 application.</p> <p>(4) Member States shall communicate to the Commission the approved transnational co-operation projects.</p> <p><i>Art. 52 European network for rural development</i></p> <p>(3) The tasks of the network shall be to (...)</p> <p>(g) support the national networks and transnational co-operation initiatives and the exchange concerning actions and experience in the field of rural development with networks in third countries;</p> <p>(h) specifically for local action groups: (...)</p> <p>(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.</p> <p><i>Art. 54 National rural network</i></p> <p>(3) EAFRD support under Art. 51 (3) should be used: (...)</p> <p>(b) for the preparation and implementation of an action plan covering at least the following: (...)</p> <p>(iii) activities regarding the provision of training and networking 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 35 (...).</p>
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<p>3. Eligibility conditions under the EAFRD</p> <p>3.1. General principles</p> <p><u>Geographical scope:</u></p> <p>Rispetto alla prima versione:</p> <ul style="list-style-type: none"> • il primo capoverso è stato riportato nella versione aggiornata senza subire alcuna variazione • il secondo capoverso è stato spostato al sotto-paragrafo “Type of partners”, primo capoverso • il terzo capoverso è stato riportato integralmente nella versione aggiornata • è stata aggiunta una versione sintetica, più discorsiva ed esplicativa dell’Art. 44(2) del Reg. (UE) n. 1305/2013 sul sostegno allo sviluppo rurale da parte del FEASR. 	<p>3. Eligibility conditions under the EAFRD⁴ (pagina 5)</p> <p>3.1. General principles</p> <p><u>Geographical scope:</u></p> <p>The geographical scope of possible co-operation partners of EAFRD/LEADER LAGs are listed in Art. 44(2) of the EAFRD Regulation. In particular, this article states that <u>LAGs may co-operate with partners from countries within and outside the European Union. Partners from within the European Union may be located in both rural and urban areas. However, partners from outside the European Union can only be located in rural areas.</u></p> <p>To fully maximise the potential benefits of co-operation, Managing Authorities (MAs) should avoid limiting the geographical scope of co-operation unnecessarily. While LAGs may co-operate with partnerships in urban areas or areas outside the EU, only operations concerning LDS/LAGs selected for support under a CLLD/ LEADER measure of a rural development programme will be eligible for funding from the EAFRD. The provisions on the “Eligibility of operations depending on location” laid down for the ESI-Funds have to be respected (see Art. 70 CPR), especially as regards expenditure in third countries.</p>
<p><u>Type of partners</u></p> <p>Rispetto alla versione precedente:</p> <ul style="list-style-type: none"> • il primo capoverso è stato spostato al terzo capoverso del sotto-paragrafo <i>Geographical scope</i> • il secondo capoverso non ha subito variazioni • il terzo capoverso è stato lievemente riformulato alla luce della versione definitiva dell’articolo 33 del Reg. (UE) n.1303/2013 recante disposizioni comuni e generali sul FESR, FSE, FC, FEASR e FEAMP • è stata inserita una frase secondo la quale i partner, al momento dell’avvio di un progetto di cooperazione, devono firmare un accordo in cui devono essere chiaramente indicati i ruoli di ciascuno di essi • sono state aggiunti il quinto ed il sesto capoverso del paragrafo 3.2.2. 	<p><u>Type of partners</u></p> <p>When defining the rules for co-operation, MAs should provide for a wide scope of potential partners to take account of the different forms of partnerships found in geographical areas within and outside the Union. In particular, they <u>should not exclude co-operation between LAGs and partnerships other than LAGs</u></p> <p>Article 44(2) of the EAFRD regulation states that <u>a co-operation 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"</u>. 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. 33 CPR (on “Community-led local development strategies”).</p>

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

	<p><u>At the beginning of a co-operation project, the partners should sign an agreement clearly specifying the tasks of each partner.</u></p> <p>It is recommended that <u>partners pre-define/agree the key criteria related to the activities to be carried out. They might also agree on the types of operation falling outside the scope of the project.</u></p> <p>It is also important that the co-operation <u>partners keep each other informed about progress with the project and any changes to its implementation,</u> in order to allow for necessary adjustments to ensure the achievement of mutually agreed project objectives.</p>
<p><u>Beneficiaries of cooperation projects</u> Rispetto alla prima versione, il sotto-paragrafo è stato modificato alla luce della versione definitiva dell'art. 34(4) del Reg. (UE) n. 1303/2013, ex art. 30(4).</p>	<p><u>Beneficiaries of cooperation projects (pagina 6):</u> <u>Co-operation projects require a higher degree of coordination than ordinary local projects.</u> In many cases they also have a strong collective or territorial dimension. In those cases it makes sense that the final beneficiary of the support to a co-operation project can also be the LAG itself. This is explicitly allowed by Art. 34(4) CPR.</p>
<p>E' stato aggiunto un ulteriore sotto-paragrafo riguardante il ruolo del lead partner.</p>	<p><u>The lead partner (pagina 6)</u> <u>It is not compulsory for co-operation projects to designate a lead partner</u> (sometimes referred to as the coordinating local action group), but it is highly recommended. <u>If there is no lead partner there has to be an extremely clear division of tasks between the partners and a very high and equal level of commitment.</u></p> <p>The <u>roles and responsibilities of the lead partner</u> should normally include:</p> <ul style="list-style-type: none"> • <u>Steering and coordinating the design of the project</u> - including the preparation of the co-operation agreement between the partners; <u>Coordinating and monitoring the applications for finance</u> by each partner; • <u>Steering and coordinating the implementation of the project</u> and the tasks to be carried out by each partner (the organisation of exchanges, joint outputs and so on); • <u>Monitoring and communicating achievements and financial progress.</u> <p><u>Other roles and responsibilities can be added</u> according to the needs of each co-operation project.</p> <p><u>The responsibilities of the lead partner need to be covered by</u> a higher project budget than the other partners. This can either be financed: from <u>the</u></p>

	<p><u>LAG or programme budget for co-operation</u> of the partner concerned; <u>or by a contribution from the other project partners.</u></p>
<p>3.2. Types of support 3.2.1. Preparatory technical support Rispetto alla versione precedente:</p> <ul style="list-style-type: none"> • è stato riportato al primo capoverso il testo dell'art. 35 (1)(c) del Reg. (UE) n. 1303/2013 • il primo capoverso è stato riportato nella nuova versione in maniera leggermente riformulata ma lasciando inalterato il senso • il secondo capoverso, relativo ai costi ammissibili nel supporto tecnico preparatorio, è stato rielaborato: in particolare, i costi relativi agli "scambi di esperienze" sono stati modificati in "costi relativi ad incontri con i potenziali partner" e relativamente ai costi di "pre-sviluppo dei progetti", è stata aggiunta a titolo esemplificativo, la partecipazione ad eventi <p>il terzo, il quarto ed il quinto capoverso sono stati integralmente riportati nella nuova versione, lievemente rielaborati, lasciando inalterato il senso.</p>	<p><u>3.2. Types of support (pagina 7)</u> <u>3.2.1. Preparatory technical support⁵</u> Art 35 (1)(c) CPR states that "Support from the ESI Funds concerned for community-led local development shall cover:... preparation and implementation of the local action group's co-operation activities." This means that <u>a preparatory technical support element is mandatory and should be introduced in all RDPs for the whole programming period.</u> Such pre-development support had already been provided by many programmes during 2007- 2013 and even during Leader+, but has now been made an obligatory element of the support to cooperation. This aims to boost the uptake of LAG co-operation activities. <u>The costs made eligible under preparatory technical support might include, for example:</u></p> <ul style="list-style-type: none"> • <u>costs related to meetings with potential partners (travel, accommodation, and interpreters' fees etc.);</u> • <u>project pre-development costs (e.g. participation at events, project feasibility study, consulting for specific issues, translation costs, additional staff costs).</u> <p>However, it is difficult to foresee all the activities that may be necessary to meet the individual needs of a LAG in preparing a co-operation project. Therefore, <u>it is strongly recommended not to be too restrictive in the description of the eligible costs in the RDP.</u> <u>Preparatory technical support can only be granted under the condition that a LAG demonstrates it is envisaging the implementation of a concrete project.</u> This means that <u>it should at least identify the objectives and the character of a planned project.</u> However, receiving preparatory technical support does not imply an obligation to later on carry out such a project if, for example, this proves not be viable. <u>The preparatory support is still eligible if the project does not take place</u> and LAGs should not be obliged to reimburse the funding.</p>

⁵ Art. 44(1)(b) Reg. n. 1305/2013.

	<p><u>Technical preparatory support should not finance expenditure after a co-operation partnership has been established on the basis of an agreement, as preparatory support by definition must precede the co-operation project itself.</u></p> <p><u>MAAs may decide to adopt an upper limit for preparatory technical support, and are free to choose the appropriate approach and criteria (for example a fixed amount per LAG or per application etc.)</u></p>
<p>3.2.2. Support for the cooperation project</p> <p>Rispetto alla versione precedente, nella nuova versione vengono riportati integralmente ma lievemente riformulati senza modificare il senso, il primo, il secondo ed il quarto capoverso.</p> <p>Il terzo capoverso, così come precedentemente riportato, è stato spostato al sottoparagrafo 'Type of partners' (quarto capoverso, pagina 5).</p>	<p>3.2.2. Support for the co-operation project⁶ (pagina 7)</p> <p><u>EAFRD support can also be used to fund the activities of the co-operation project itself.</u></p> <p><u>The co-operation project should be a concrete activity with clearly identified deliverables or outputs producing benefits for the territories concerned.</u></p> <p><u>Projects can be focused on a broad range of actions. They can, for example, cover capacity building and transfer of experience on local development through, for example, common publications, training seminars and twinning arrangements (such as exchanges of programme managers and staff) which lead to the adoption of common or similar methodological and working methods or to joint or coordinated development work.</u></p> <p><u>Eligibility criteria can be set in the LDS or at programme level, according to the selection system chosen (see 4.2.1 and 4.2.2 below). The criteria should follow the same approach used for projects implemented under the LDS ("local projects").</u></p>
<p>3.3. Financial scope of the support to cooperation</p> <p>Rispetto a quella precedente, nella nuova versione sono stati riportati integralmente e rielaborati senza modificare il senso, il primo ed il secondo capoverso nonché il sottoparagrafo 'Cost categories'.</p> <p>Inoltre, nella nuova versione è stata aggiunta (secondo capoverso) un'indicazione secondo cui:</p> <ul style="list-style-type: none"> • le risorse destinate alla cooperazione devono essere riportate nelle tabelle finanziarie del PSR • nel caso in cui i progetti sono selezionati dai GAL, le relative risorse finanziarie devono essere da questi riportate insieme a quelle allocate per l'implementazione dei rispettivi PSL 	<p>3.3. Financial scope of the support to co-operation (pagina 8)</p> <p><u>Within each RDP, a specific amount of the budget for the LEADER measure must be reserved for co-operation activities. This is to guarantee to LAGs the feasibility of implementing such projects.</u></p> <p><u>The budget for co-operation must appear in the financial output tables of the RDP.</u></p> <p><u>Where the selection of co-operation projects is carried out by the LAGs, the related budget should be pre-allocated to the LAGs together with the allocation for the implementation of local projects. If, on the contrary, the co-operation activities are centrally managed, LAGs do not have any pre-allocated budget for those activities and apply for support on a project basis in the framework of calls organised by the MA.</u></p>

⁶ Art. 44(1)(a) Reg. (EU) N. 1305/2013

<ul style="list-style-type: none"> • se i progetti sono selezionati a livello centrale, i GAL non devono pre-allocare le risorse finanziarie ma devono essere previste nelle proposte progettuali presentate nell’ambito dei bandi pubblicati dalle Autorità di gestione. 	<p><u>Experience has shown that the development of co-operation projects needs time. That is why it is also recommended to secure a budget for national co-financing for co-operation throughout the funding period.</u></p> <p><u>Cost categories:</u></p> <p><u>In addition to the costs incurred individually by each co-operation partner, the share in common costs incurred within the co-operation activities should also be eligible. Common costs are those that have to be shared by the partners (for example for a joint website or brochure).</u></p> <p><u>To avoid unnecessary obstacles for the LAGs, efforts should be made on a national level to harmonise the possible cost categories in national guidance or legislation and, above all, to clearly identify non-eligible cost categories.</u></p>
<p>4. Selection of cooperation activities</p> <p>4.1. Technical preparatory support:</p> <p>Rispetto a quella precedente, la nuova versione riporta integralmente ma lievemente rielaborato, senza modificare il senso, l’intero sotto-paragrafo.</p>	<p>4. Procedures for the selection of co-operation activities (pagina 8)</p> <p>4.1. The selection of technical preparatory support for co-operation</p> <p><u>To facilitate the start of cooperation work, it is recommended to have a separate procedure for technical preparatory support distinct from the selection procedure for co-operation projects themselves.</u></p> <p><u>Selection of preparatory technical support can be undertaken either:</u></p> <p><u>a) via an administrative selection procedure - the grant is delivered to the selected LAGs following the submission of an application to the Managing Authority; or</u></p> <p><u>b) via a local selection procedure conducted by the LAGs using part of the budget allocated to implement their LDS.</u></p>
<p>4.2. Selection of projects:</p> <p>Rispetto a quella precedente, nella nuova versione:</p> <ul style="list-style-type: none"> • il primo capoverso è stato riportato integralmente e lievemente rielaborato senza modificare il senso • il secondo capoverso è stato spostato al sotto-paragrafo 4.2.1 • il terzo capoverso è stato spostato al sotto-paragrafo 4.2.1 e lievemente rielaborato senza modificare il senso • è stato aggiunto un terzo capoverso proveniente dal primo capoverso dal sotto-paragrafo 4.2.3, integralmente riportato anche se lievemente riformulato senza modificare il senso • è stato aggiunto un quarto capoverso proveniente dal sotto-paragrafo 4.2.3. “Enhancing the effectiveness”, integralmente riportato anche se 	<p>4.2. Selection of co-operation projects themselves (pagina 8)</p> <p><u>According to Art. 34 (CPR), it is up to the LAG to select projects to be implemented under the local development strategy (LDS). On the other hand, by way of derogation to Article 34(3)(f) CPR, cooperation projects may in some cases be selected by the Managing Authority (MA).</u></p> <p><u>Thus, there are two ways of selecting projects: selection by the LAG; and through the MA (see 4.2.1 & 4.2.2 below). It is also possible to use both ways of selecting co-operation projects simultaneously within one programme.</u></p> <p><u>The responsible authorities should contribute pro-actively to the reduction of delays in the decision-making process; the success of cooperation projects clearly depends on a swift treatment of applications from the different cooperation partners. The decision on the allocation of funding should take place within four months of the date of submission of the project (third</u></p>

lievemente rielaborato senza modificare il senso.

paragraph of Art. 44(3) EAFRD Regulation.).This time limit should also apply to co-operation projects selected by LAGs.

Member States should ensure that differences in selection procedures and deadlines do not discourage LAGs from co-operation. As well as a quick decision-making process, for example, **MA**s are recommended to find ways for giving provisional approval to co-operation projects in their own territory, subject to the approval of the partners by other MAs within a reasonable timeframe. This should facilitate the implementation of projects involving the approval of different national or regional administrations.

4.2.1 Selection by local action groups

Rispetto a quella precedente, nella nuova versione:

- il primo capoverso è stato riportato integralmente
- il secondo capoverso è stato riportato integralmente e lievemente riformulato senza modificare il senso
- al terzo capoverso è stata aggiunta un'ulteriore indicazione secondo la quale i GAL devono prevedere la cooperazione nel proprio *action plan* e nel piano finanziario. In questo caso le risorse destinate alla cooperazione sono allocate insieme a quelle per l'implementazione del PSL
- al quarto capoverso è stata aggiunta un'ulteriore indicazione secondo la quale nell'ambito della selezione dei progetti di cooperazione vi sono ulteriori *steps* in quanto occorre l'approvazione anche da parte delle altre Autorità di gestione
- come precedentemente riportato sono stati aggiunti un quinto ed un sesto capoverso proveniente dal terzo capoverso del sottoparagrafo 4.2.

4.2.1 Selection by local action groups (LAGs) (pagina 9)

Where co-operation has been integrated into a LAG's local development strategy (LDS) as one of its priorities, co-operation projects are selected by the LAG. In this implementation model, **the bottom up approach also applies to cooperation.**

Ideally, and to remain as close as possible to the principles of CLLD/LEADER, **it is highly recommended that LAGs include co-operation activities in their LDS.** This can take the form of specific co-operation activities or a comprehensive co-operation strategy, depending on the needs identified in the SWOT analysis.

The LAG declares its intention to co-operate in domain(s) covered by its strategy; but the exact partners are not necessarily identified (since, for example, these might still have to be selected for LEADER funding under their RDPs). **The LAG makes provision for co-operation in its action plan and financial plan** (which can be adjusted as a result of a monitoring and evaluation procedure where necessary).

In this case, **the cooperation budget is allocated to the LAG together with the allocation for the implementation of the LDS. The LAG selects its cooperation projects like any other project within the LDS.** The role of the involved authorities is consequently also the same as for any other project although there are likely to be **more steps** as the partners of the project may depend upon the approval of another authority.

However, **it is also possible to derogate the LAG's right to select co-operation projects to MAs because they are not merely local projects, but have a wider territorial impact. The MA may, therefore, find it important to steer the process by issuing calls for projects, setting up a selection board for co-operation projects, and defining uniform criteria including a thematic approach for all the LAGs in the programme area.**

Many Member States have handled things in this way throughout several generations of LEADER (see examples of the current period8). Such an option should, however, not prevent LAGs from choosing cooperation projects that are in line with their strategy. Nor should it eliminate or weaken the bottom-up character of the projects.

<p>4.2.2. Selection by Managing Authorities</p> <p>Rispetto a quella precedente, nella nuova versione:</p> <ul style="list-style-type: none"> • è stato modificato il primo capoverso secondo cui la modalità ‘a sportello’ di presentazione delle proposte progettuali, oltre ad essere prevista con chiamate ogni tre o quattro volte durante l’anno, potrà avvenire anche a livello permanente per tutto il periodo di programmazione • al secondo capoverso è stata aggiunta una frase secondo la quale le Autorità di Gestione sono incoraggiate ad stabilire individuare in maniera omogenea, il termine ultimo per la selezione dei progetti a fine programmazione • il terzo capoverso è stato modificato restringendo la responsabilità della comunicazione dell’approvazione finale del progetto alle sole Autorità di Gestione, e non più anche ai GAL • il secondo ed il terzo capoverso del sotto-paragrafo 4.2.3 “ Enhancing the effectiveness” sono stati qui riportati in maniera integrale anche se lievemente riformulati ma senza modificare il senso • l’ultimo capoverso riguardante l’utilizzo di entrambe le modalità di selezione dei progetti di cooperazione (da parte dei GAL e attraverso le Autorità di gestione) è stato spostato integralmente al sotto-paragrafo 4.2. 	<p>4.2.2. Selection by Managing Authorities (pagina 10)</p> <p><u>In the case where MAs take care of the selection of cooperation projects, an ‘ongoing’ application should be established</u> (Art. 44(3) EAFRD Regulation). This obligation should be understood in a way that, if the selection of projects is organised <u>through calls</u>, these should either be <u>permanently open for the duration of the entire period or there should be at least three to four calls a year</u> in order to guarantee continuous access to this type of support.</p> <p>In any case, calls should be organised often enough not to hinder the implementation of projects involving partners stemming from different programme areas (see Section 5 below and also Annex 2: CLLD Guide, section 8.4). Given the time taken to select co-operation projects, <u>MAs are encouraged to find ways of harmonising the closure of the selection process at the end of the programme.</u></p> <p><u>The MA should also communicate whether a project has been approved or not to the partners and other MAs.</u> This information exchange is required since project implementation (e.g. payments) can only start if all relevant procedures have been completed.</p> <p>As stated above, MAs should ensure a quick decision-making process and are encouraged to find ways for giving provisional approval to co-operation projects in their own territory subject to the approval of the partners by other MAs within a reasonable timeframe. Such measures should facilitate the implementation of projects involving the approval of different national or regional administrations.</p>
<p>4.2.3. Enhancing the effectiveness</p> <p>Rispetto a quella precedente, nella nuova versione questo sotto-paragrafo è stato eliminato ed i suoi contenuti ripartiti nei precedenti sotto-paragrafi come specificato.</p>	

5. Specific provisions for transnational cooperation (TNC):

Rispetto a quella precedente, nella nuova versione:

- sono stati mantenuti integralmente, lievemente riformulati ma lasciando inalterato il senso, il primo, il secondo, il terzo, il quarto ed il quinto capoverso
- è stato aggiunto (sesto capoverso) il testo dell'Art. 44(3) del Reg. (UE) n. 1305/2013 secondo cui l'approvazione dei progetti di cooperazione da parte delle autorità competenti deve avvenire entro quattro mesi dalla data di presentazione delle proposte progettuali.

5. Specific provisions for transnational co-operation (TNC) (pagina 10)

The EAFRD Regulation contains provisions which should specifically enhance the implementation of transnational co-operation (TNC) projects and reduce known bottlenecks, which are linked to the fact that each project needs the approval of several MAs from different Member States.

Article 44 of the EAFRD Regulation contains several important of obligations for MAs in the management of TNC which are set out below. (See also Section 6 for obligations for both the European Network for Rural Development (ENRD) and the National Rural Networks (NRNs) as regards technical support for TNC.)

- **“[Member States] shall make public the national or regional administrative procedures concerning the selection of transnational co-operation projects and a list of eligible costs at the latest two years after the date of the approval of their rural development programmes”** (para. 2 Art. 44(3) EAFRD Reg.)

This should help to provide a 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 understand not only the rules for TNC in their own RDP, but also those which apply to any cooperation partners.

It is also recommended to exchange experience between the different types of rules in order to achieve similar approaches. This is especially important for Member States (MS) between which many TNC projects can be expected – according to the 2007-13 experience. An inspiration can be the TNC factsheets (fiches) for each Member State 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.

- **“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 application.”** (Para 3. Art. 44(3) EAFRD Reg.)

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 that the differences in selection procedures and deadlines do not discourage LAGs from co-operation. Four months is the maximum time delay for making a decision on a co-operation project application seen as acceptable by the regulation.**

	<p>MAs are recommended to find ways for giving provisional approval to co-operation projects in their own territory subject to the approval of the partners by other MAs within a reasonable timeframe.</p> <ul style="list-style-type: none"> • <u>“Member States shall communicate to the Commission the approved transnational co-operation projects.”</u> (Art. 44(4) EAFRD Reg.) <p>This has two objectives: to ensure a follow-up of TNC at European level (the Commission providing consolidated information on the approvals); and to offer a platform for exchange of information between MS involved in the same TNC project:</p> <p>Due to the lack of a coordinated approval procedure, <u>the obligation for notification relates to each individual approval. NRNs can help the Managing Authorities in gathering the necessary information and dealing with the follow-up. The ENRD can assist within the scope of its tasks (Art. 52(3)(g) EAFRD Reg.9) by disseminating and publishing information (see also Section 6 below).</u></p> <p><u>The notification has to be done via SFC 2014.10</u> (For a draft reporting form, see 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 on an ongoing basis.</p> <p>The experience in 2007-2013 has shown 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 through SFC does not imply any negative consequences for the MS if in the first instance it is not completely filled in. Any remaining information should be updated in the SFC when it is available.</p>
<p>6. The role of the ENRD and the National Rural Networks for LEADER cooperation</p> <p>Rispetto a quella precedente, nella nuova versione il testo è stato mantenuto integralmente anche se lievemente riformulato ma lasciando inalterato il senso.</p>	<p>6. The role of the rural networks (ENRD and NRNs) in LEADER cooperation (pagina 12)</p> <p>The EAFRD Regulation lists the tasks which <u>the European Network for Rural Development (ENRD) and the national rural networks (NRNs)</u> should fulfil. Both <u>have a specific stake as regards the general support and specific technical support to LAGs in the domain of LEADER co-operation.</u></p> <p>As regards <u>the ENRD</u>, there is <u>a clear mandate to support both transnational initiatives and the national rural networks in this respect. Moreover, the</u></p>

	<p><u>ENRD will co-operate with the networking and technical support bodies for CLLD set up by the other ESI-Funds, also specially as regards transnational co-operation</u> (see Art. 52(3)(g) and (h)(ii) EAFRD Reg.).</p> <p>As for the tasks of <u>the NRNs</u> regarding co-operation, <u>there is a very specific focus on the provision of technical assistance and facilitation of the cooperation activities of LAGs</u>. This can be done through different training and IT tools, but can also include the provision of individual or collective consultancy or mentoring (see Art. 54(3)(b)(iii) EAFRD Reg).</p>
<p>7. Final recommendations Rispetto a quella precedente, nella nuova versione il testo è stato mantenuto integralmente anche se lievemente riformulato.</p>	<p>7. Final recommendations (pagina 12)</p> <p>To promote cooperation in the community-led local development (CLLD) context, <u>Member States (MS) could give priority in their selection procedure to LAGs which have integrated cooperation into their local development strategies (LDS)</u>. They could, for example, make the quality of LAG proposals for co-operation a criterion for selecting their strategies.</p> <p>Having in mind that, in the system of shared management, not all rules can be harmonised on a European level, <u>it is moreover recommended to make efforts to harmonise the procedures and definitions for LEADER cooperation as far as possible at MS level. This is especially valid as regards inter-territorial co-operation in MS with regional RDPs, but also between MS involved in transnational co-operation (TNC)</u>. The reference documents listed below can provide help in this aspect.</p> <p>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 co-operation offered by the ESI-Funds - notably the European territorial co-operation goal (ETC) programmes financed by the ERDF - can be a complementary asset and create synergies, always having in mind possible different scope and size of projects implemented.</p>

TERZA PARTE

Spostamenti e modifiche dei e nei sottoparagrafi tra la versione draft del 2013 e quella aggiornata

Versione Linee Guida Cooperazione dell' 11/10/2013	Versione Linee Guida Cooperazione del 19/11/2014
<p>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.</p> <p>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.</p> <p>1. Rationale of cooperation under LEADER/CLLD</p> <p>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.</p> <p>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.</p>	<p>1. Introduction</p> <p>1.1. Introduction to the guide</p> <p>This guide aims to clarify the role of co-operation activities under LEADER in the rural development programmes 2014-2020.</p> <p>This guide should be regarded as an indicative reference document and does not create any new legislative rules. In any event, interpretation of Community law is ultimately the role of the European Court of Justice.</p> <p>This document is complementary to the Guidance on Community-led Local Development (CLLD) - issued by the four Directorates-General (DGs) of the European Commission responsible for the ESI-Funds - which already illustrates CLLD co-operation activities as provided for in the Common Provisions Regulation (CPR) and in the fund-specific regulations for the EAFRD and the EMFF .</p> <p>1.2. Introduction to LEADER/CLLD in the EAFRD 2014-2020</p> <p>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 (LDS) selected under CLLD/LEADER.</p> <p>Support for co-operation is a mandatory element of the LEADER measure. Both the preparatory support for co-operation and support for co-operation projects must be included in the Rural Development Programmes (RDPs). However, although recommended, it is not mandatory at the LAG level. Individual LAGs may be free to decide whether or not to use the support for co-operation available.</p> <p>1.3. Rationale of co-operation under LEADER/CLLD</p> <p>Co-operation is a way to widen local views and bring new knowledge to the area in order to improve local strategies. It can boost the innovative character of local development actions and contribute to increased competitiveness of the area through: capacity building and bringing in new business partners; and diffusion of innovation, know-how and new skills.</p> <p>In addition to the potential benefits of inter-territorial co-operation (within a Member State), transnational co-operation gives supplementary European added value to local development.</p> <p>Co-operation of a LAG area with other geographical areas can be a key</p>

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).

component of any 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. Co-operation with other territories implementing CLLD/LEADER can 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.

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. Legal basis of LEADER co-operation activities

Co-operation under LEADER is based on different legal texts.

Regulation 1303/2013 (CPR):

Art. 32 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. 34 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 body responsible for final verification of eligibility before approval;

(5) In case of cooperation activities of local action groups as referred to in point (c) of Art. 35(1), the tasks set out in point (f) of paragraph 3 of this Article may be carried out by the responsible managing authority.

Art. 35 Support from the European Structural and Investment Funds for community-led local development

(1) Support from the ESI Funds concerned for community-led local development shall cover:

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

Regulation 1305/2013 (EAFRD Regulation):

Art. 44 LEADER co-operation activities

(1) The support referred to in point (c) of Article 35(1) of Regulation (EU) No 1303/2013 shall be granted to:

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

(b) preparatory technical support for inter-territorial and transnational co-

(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: (...)

operation projects, on condition that local action groups are able to demonstrate that they are envisaging the implementation of a concrete project.

In particular, this article states that LAGs may co-operate with partners from countries within and outside the European Union. Partners from within the European Union may be located in both rural and urban areas. However, partners from outside the European Union can only be located in rural areas.

(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 local development strategy.

(3) In cases where co-operation 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 co-operation 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 application.

(4) Member States shall communicate to the Commission the approved transnational co-operation projects.

Art. 52 European network for rural development

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

(g) support the national networks and transnational co-operation initiatives and the exchange concerning actions and experience in the field of rural

<p>(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; (...)</p>	<p>development with networks in third countries; (h) 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.</p> <p><i>Art. 54 National rural network</i> (3) EAFRD support under Art. 51 (3) should be used: (...) (b) for the preparation and implementation of an action plan covering at least the following: (...) (iii) activities regarding the provision of training and networking 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 35 (...).</p>
<p>3. Eligibility conditions under the EAFRD 3.1. General principles</p> <ul style="list-style-type: none"> • 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. <p>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.</p>	<p>3. Eligibility conditions under the EAFRD 3.1. General principles</p> <ul style="list-style-type: none"> • Geographical scope: The geographical scope of possible co-operation partners of EAFRD/LEADER LAGs are listed in Art. 44(2) of the EAFRD Regulation. In particular, this article states that LAGs may co-operate with partners from countries within and outside the European Union. Partners from within the European Union may be located in both rural and urban areas. However, partners from outside the European Union can only be located in rural areas. <p>To fully maximise the potential benefits of co-operation, Managing Authorities (MAs) should avoid limiting the geographical scope of co-operation unnecessarily. While LAGs may co-operate with partnerships in urban areas or areas outside the EU, only operations concerning LDS/LAGs selected for support under a CLLD/ LEADER measure of a rural development programme will be eligible for funding from the EAFRD. The provisions on the “Eligibility of operations depending on location” laid down for the ESI-Funds have to be respected (see Art. 70 CPR), especially as regards expenditure in third countries.</p>

<ul style="list-style-type: none"> • <u>Type of partners</u> 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. 	<ul style="list-style-type: none"> • <u>Type of partners</u> When defining the rules for co-operation, MAs should provide for a wide scope of potential partners to take account of the different forms of partnerships found in geographical areas within and outside the Union. In particular, they should not exclude co-operation between LAGs and partnerships other than LAGs Article 44(2) of the EAFRD regulation states that a co-operation 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. 33 CPR (on "Community-led local development strategies"). At the beginning of a co-operation project, the partners should sign an agreement clearly specifying the tasks of each partner. It is recommended that partners pre-define/agree the key criteria related to the activities to be carried out. They might also agree on the types of operation falling outside the scope of the project. It is also important that the co-operation partners keep each other informed about progress with the project and any changes to its implementation, in order to allow for necessary adjustments to ensure the achievement of mutually agreed project objectives.
<ul style="list-style-type: none"> • <u>Beneficiaries of cooperation projects:</u> 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 beneficiary of the support to a cooperation project can also be the LAG itself (which is also explicitly allowed by Art. 30 (4) CPR. 	<ul style="list-style-type: none"> • <u>Beneficiaries of cooperation projects:</u> Co-operation projects require a higher degree of coordination than ordinary local projects. In many cases they also have a strong collective or territorial dimension. In those cases it makes sense that the final beneficiary of the support to a co-operation project can also be the LAG itself. This is explicitly allowed by Art. 34(4) CPR.

- The lead partner

It is not compulsory for co-operation projects to designate a lead partner (sometimes referred to as the coordinating local action group), but it is highly recommended. If there is no lead partner there has to be an extremely clear division of tasks between the partners and a very high and equal level of commitment.

The roles and responsibilities of the lead partner should normally include:

- Steering and coordinating the design of the project - including the preparation of the co-operation agreement between the partners;
- Coordinating and monitoring the applications for finance by each partner;
- Steering and coordinating the implementation of the project and the tasks to be carried out by each partner (the organisation of exchanges, joint outputs and so on);
- Monitoring and communicating achievements and financial progress.

Other roles and responsibilities can be added according to the needs of each co-operation project.

The responsibilities of the lead partner need to be covered by a higher project budget than the other partners. This can either be financed: from the LAG or programme budget for co-operation of the partner concerned; or by a contribution from the other project partners.

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 LAGs.

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. Types of support

3.2.1. Preparatory technical support

Art 35 (1)(c) CPR states that "Support from the ESI Funds concerned for community-led local development shall cover... preparation and implementation of the local action group's co-operation activities."

This means that a preparatory technical support element is mandatory and should be introduced in all RDPs for the whole programming period. Such pre-development support had already been provided by many programmes during 2007- 2013 and even during Leader+, but has now been made an obligatory element of the support to cooperation. This aims to boost the uptake of LAG co-operation activities.

The costs made eligible under preparatory technical support might include, for example:

- costs related to meetings with potential partners (travel, accommodation, and interpreters' fees etc.);
- project pre-development costs (e.g. participation at events, project feasibility study, consulting for specific issues, translation costs, additional staff costs).

However, it is difficult to foresee all the activities that may be necessary to meet the individual needs of a LAG in preparing a co-operation project. Therefore, it is strongly recommended not to be too restrictive in the description of the eligible costs in the RDP.

Preparatory technical support can only be granted under the condition that a LAG demonstrates 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. However, receiving preparatory technical support does not imply an obligation to later on carry out such a project if, for example, this proves not be viable. The preparatory support is still eligible if the project does not take place and LAGs should not be obliged to reimburse the funding.

Technical preparatory support should not finance expenditure after a co-operation partnership has been established on the basis of an agreement, as preparatory support by definition must precede the co-operation project itself. MAs may decide to adopt an upper limit for preparatory technical support, and are free to choose the appropriate approach and criteria (for example a fixed amount per LAG or per application etc.)

3.2.2. Support for the cooperation project

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.

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").

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.

3.2.2. Support for the co-operation project⁶

EAFRD support can also be used to fund the activities of the co-operation project itself.

The co-operation project should be a concrete activity with clearly identified deliverables or outputs producing benefits for the territories concerned. Projects can be focused on a broad range of actions. They can, for example, cover capacity building and transfer of experience on local development through, for example, common publications, training seminars and twinning arrangements (such as exchanges of programme managers and staff) which lead to the adoption of common or similar methodological and working methods or to joint or coordinated development work.

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

3.3. Financial scope of the support to co-operation

Within each RDP, a specific amount of the budget for the LEADER measure must be reserved for co-operation activities. This is to guarantee to LAGs the feasibility of implementing such projects. The budget for co-operation must appear in the financial output tables of the RDP.

Where the selection of co-operation projects is carried out by the LAGs, the related budget should be pre-allocated to the LAGs together with the allocation for the implementation of local projects. If, on the contrary, the co-operation activities are centrally managed, LAGs do not have any pre-allocated budget for those activities and apply for support on a project basis in the framework of calls organised by the MA.

Experience has shown that the development of co-operation projects needs time. That is why it is also recommended to secure a budget for national co-financing for co-operation throughout the funding period.

Cost categories:

In addition to the costs incurred individually by each co-operation partner, the share in common costs incurred within the co-operation activities should

	<p>also be eligible. Common costs are those that have to be shared by the partners (for example for a joint website or brochure).</p> <p>To avoid unnecessary obstacles for the LAGs, efforts should be made on a national level to harmonise the possible cost categories in national guidance or legislation and, above all, to clearly identify non-eligible cost categories</p>
<p>4. Selection of cooperation activities</p> <p>4.1. Technical preparatory support:</p> <p>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.</p>	<p>4. Procedures for the selection of co-operation activities</p> <p>4.1. The selection of technical preparatory support for co-operation</p> <p>To facilitate the start of cooperation work, it is recommended to have a separate procedure for technical preparatory support distinct from the selection procedure for co-operation projects themselves.</p> <p>Selection of preparatory technical support can be undertaken either:</p> <ul style="list-style-type: none"> a) via an administrative selection procedure - the grant is delivered to the selected LAGs following the submission of an application to the Managing Authority; or b) via a local selection procedure conducted by the LAGs using part of the budget allocated to implement their LDS.

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.

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. Selection of co-operation projects themselves

According to Art. 34 (CPR), it is up to the LAG to select projects to be implemented under the local development strategy (LDS). On the other hand, by way of derogation to Article 34(3)(f) CPR, cooperation projects may in some cases be selected by the Managing Authority (MA).

Thus, there are two ways of selecting projects: selection by the LAG; and through the MA (see 4.2.1 & 4.2.2 below). It is also possible to use both ways of selecting co-operation projects simultaneously within one programme.

The responsible authorities should contribute pro-actively to the reduction of delays in the decision-making process; the success of cooperation projects clearly depends on a swift treatment of applications from the different cooperation partners.

The decision on the allocation of funding should take place within four months of the date of submission of the project (third paragraph of Art. 44(3) EAFRD Regulation.) This time limit should also apply to co-operation projects selected by LAGs.

Member States should ensure that differences in selection procedures and deadlines do not discourage LAGs from co-operation. As well as a quick decision-making process, for example, **MA are recommended to find ways for giving provisional approval to co-operation projects in their own territory, subject to the approval of the partners by other MAs within a reasonable timeframe.** This should facilitate the implementation of projects involving the approval of different national or regional administrations

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.

4.2.1 Selection by local action groups (LAGs)

Where co-operation has been integrated into a LAG's local development strategy (LDS) as one of its priorities, co-operation projects are selected by the LAG.

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

Ideally, and to remain as close as possible to the principles of CLLD/LEADER, it is highly recommended that LAGs include co-operation activities in their LDS. This can take the form of specific co-operation activities or a comprehensive co-operation strategy, depending on the needs identified in the SWOT analysis.

The LAG declares its intention to co-operate in domain(s) covered by its strategy; but the exact partners are not necessarily identified (since, for example, these might still have to be selected for LEADER funding under their RDPs). **The LAG makes provision for co-operation in its action plan and financial plan (which can be adjusted as a result of a monitoring and evaluation procedure where necessary).**

In this case, the cooperation budget is allocated to the LAG together with the allocation for the implementation of the LDS. The LAG selects its cooperation projects like any other project within the LDS. The role of the involved authorities is consequently also the same as for any other project **although there are likely to be more steps as the partners of the project may depend upon the approval of another authority.**

However, it is also possible to derogate the LAG's right to select co-operation projects to MAs because they are not merely local projects, but have a wider territorial impact. The MA may, therefore, find it important to steer the process by issuing calls for projects, setting up a selection board for co-operation projects, and defining uniform criteria including a thematic approach for all the LAGs in the programme area.

Many Member States have handled things in this way throughout several generations of LEADER (see examples of the current period⁸). Such an option should, however, not prevent LAGs from choosing cooperation projects that are in line with their strategy. Nor should it eliminate or weaken the bottom-up character of the projects.

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.

4.2.2. Selection by Managing Authorities

In the case where MAs take care of the selection of cooperation projects, an 'ongoing' application should be established (Art. 44(3) EAFRD Regulation). This obligation should be understood in a way that, if the selection of projects is organised through calls, **these should either be permanently** open for the duration of the entire period or 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 not to hinder the implementation of projects involving partners stemming from different programme areas (see Section 5 below and also Annex 2: CLLD Guide, section 8.4). **Given the time taken to select co-operation projects, MAs are encouraged to find ways of harmonising the closure of the selection process at the end of the programme.**

The MA should also communicate whether a project has been approved or not to the partners and other MAs. This information exchange is required since project implementation (e.g. payments) can only start if all relevant procedures have been completed.

As stated above, **MAs should ensure a quick decision-making process and are encouraged to find ways for giving provisional approval to co-operation projects in their own territory subject to the approval of the partners by other MAs within a reasonable timeframe.** Such measures should facilitate the implementation of projects involving the approval of different national or regional administrations.

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 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

5. Specific provisions for transnational co-operation (TNC)

The EAFRD Regulation contains provisions which should specifically enhance the implementation of transnational co-operation (TNC) projects and reduce known bottlenecks, which are linked to the fact that each project needs the approval of several MAs from different Member States.

Article 44 of the EAFRD Regulation contains several important of obligations for MAs in the management of TNC which are set out below. (See also Section 6 for obligations for both the European Network for Rural Development (ENRD) and the National Rural Networks (NRNs) as regards technical support for TNC.)

- ***“[Member States] shall make public the national or regional administrative procedures concerning the selection of transnational co-operation projects and a list of eligible costs at the latest two years after the date of the approval of their rural development programmes”*** (para. 2 Art. 44(3) EAFRD Reg.)

This should help to provide a 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 understand not only the rules for TNC in their own RDP, but also those which apply to any cooperation partners.

It is also recommended to exchange experience between the different types of rules in order to achieve similar approaches. This is especially important for Member States (MS) between which many TNC projects can be expected – according to the 2007-13 experience. An inspiration can be the TNC factsheets (fiches) for each Member State 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.
- ***“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 application.”*** (Para 3. Art. 44(3) EAFRD Reg.)

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 that the differences in selection procedures and deadlines do not discourage LAGs from co-operation. Four months is the maximum time delay for making a decision

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.

on a co-operation project application seen as acceptable by the regulation.

MA's are recommended to find ways for giving provisional approval to co-operation projects in their own territory subject to the approval of the partners by other MA's within a reasonable timeframe.

• ***“Member States shall communicate to the Commission the approved transnational co-operation projects.”*** (Art. 44(4) EAFRD Reg.)

This has two objectives: to ensure a follow-up of TNC at European level (the Commission providing consolidated information on the approvals); and to offer a platform for exchange of information between MS involved in the same TNC project:

Due to the lack of a coordinated approval procedure, the obligation for notification relates to each individual approval. NRNs can help the Managing Authorities in gathering the necessary information and dealing with the follow-up. The ENRD can assist within the scope of its tasks (Art. 52(3)(g) EAFRD Reg.9) by disseminating and publishing information (see also Section 6 below).

The notification has to be done via SFC 2014.10 (For a draft reporting form, see 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 on an ongoing basis.

The experience in 2007-2013 has shown 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 through SFC does not imply any negative consequences for the MS if in the first instance it is not completely filled in. Any remaining information should be updated in the SFC when it is available.

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).

6. The role of the rural networks (ENRD and NRNs) in LEADER cooperation

The EAFRD Regulation lists the tasks which the European Network for Rural Development (ENRD) and the national rural networks (NRNs) should fulfil. Both have a specific stake as regards the general support and specific technical support to LAGs in the domain of LEADER co-operation.

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 co-operate with the networking and technical support bodies for CLLD set up by the other ESI-Funds, also specially as regards transnational co-operation (see Art. 52(3)(g) and (h)(ii) EAFRD Reg.).

As for the tasks of the NRNs regarding co-operation, there is a very specific focus on the provision of technical assistance and facilitation of the cooperation activities of LAGs. This can be done through different training and IT tools, but can also include the provision of individual or collective consultancy or mentoring (see Art. 54(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 complementary asset and create synergies, always having in mind the different scope and size of projects implemented.

7. Final recommendations

To promote cooperation in the community-led local development (CLLD) context, Member States (MS) could give priority in their selection procedure to LAGs which have integrated cooperation into their local development strategies (LDS). **They could, for example, make the quality of LAG proposals for co-operation a criterion for selecting their 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 at MS level. This is especially valid as regards inter-territorial co-operation in MS with regional RDPs, but also between MS involved in transnational co-operation (TNC). 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 co-operation offered by the ESI-Funds - notably the European territorial co-operation goal (ETC) programmes financed by the ERDF - can be a complementary asset and create synergies, always having in mind possible different scope and size of projects implemented.

