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Partnership in Cohesion Policy

Member State perspective regarding European legislation on Partnership in Cohesion Policy

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Legal and political basis for the participation of environmental partners

➤ EU regional policy regulation 2007 – 2013

- In 2007-2013, sustainability became a central element in the implementation of the Lisbon and Gothenburg strategies.
- Article 11 of Regulation (EC) No 1083/2006 stresses the importance of involving environmental partners in the partnership. The regulation gave more emphasis than previously by adding a whole section that refers to environmental partners and sustainable development:
 - *“Each Member State shall designate the most representative partners at national, regional and local level and in the economic, social, environmental or other spheres (hereinafter referred to as partners), in accordance with national rules and practices, taking account of the need to promote equality between men and women and sustainable development through the integration of environmental protection and improvement requirements.”*

Legal and political basis for the participation of environmental partners

➤ Draft of the common regulation of the CSF Funds 2014 - 2020 Art. 5 by EC

1. For the Partnership Contract and each programme respectively, a Member State shall organise a partnership with the following partners:
 - a) competent regional, local, urban and other public authorities;
 - b) economic and social partners; and
 - c) bodies representing civil society, including environmental partners, nongovernmental organisations, and bodies responsible for promoting equality and non-discrimination.
2. In accordance with the multi-level governance approach, the partners shall be involved by Member States in the preparation of Partnership Contracts and progress reports and in the preparation, implementation, monitoring and evaluation of programmes. The partners shall participate in the monitoring committees for programmes.
3. The Commission shall be empowered to adopt delegated acts in accordance with Article 142 to provide for a European code of conduct that lays down objectives EN 34 EN and criteria to support the implementation of partnership and to facilitate the sharing of information, experience, results and good practices among Member States.
4. At least once a year, for each CSF Fund, the Commission shall consult the organisations which represent the partners at Union level on the implementation of support from the CSF Funds.

Legal and political basis for the participation of environmental partners

➤ Draft of the common regulation of the CSF Funds Art. 5 by MS

1. For the Partnership Agreement and each programme respectively, a Member State shall **in accordance with national rules and practices** organise a partnership with the following partners:
 - a) competent regional, local, urban and other public authorities;
 - b) economic and social partners; and
 - c) **concerned** bodies representing civil society, including environmental partners, nongovernmental organisations, and bodies responsible for promoting equality and non-discrimination.
2. In accordance with the multi-level governance approach, the partners **referred to in paragraph 1** shall be involved by Member States in the preparation of Partnership Agreements and progress reports and in the preparation **and** implementation [...] of programmes, **including** participation in the monitoring committees for programmes.
3. ...
4. At least once a year, for each CSF Fund, the Commission shall consult the organisations which represent the partners at Union level on the implementation of support from the CSF Funds.

What does this mean:

- **EC proposal:** The partnership was wider as before (the addition “where appropriate” is no longer hemming the inclusion of environmental partners). This inclusion should have been secured also by some provisions regarding the technical assistance and the payments for participation for NGOs.
- **MS (partial general approach):**
 - re-introducing national rules and practices,
 - Differentiate between economic, social and environmental partners
 - Exclude the partners from monitoring and evaluation

What does it mean in reality:

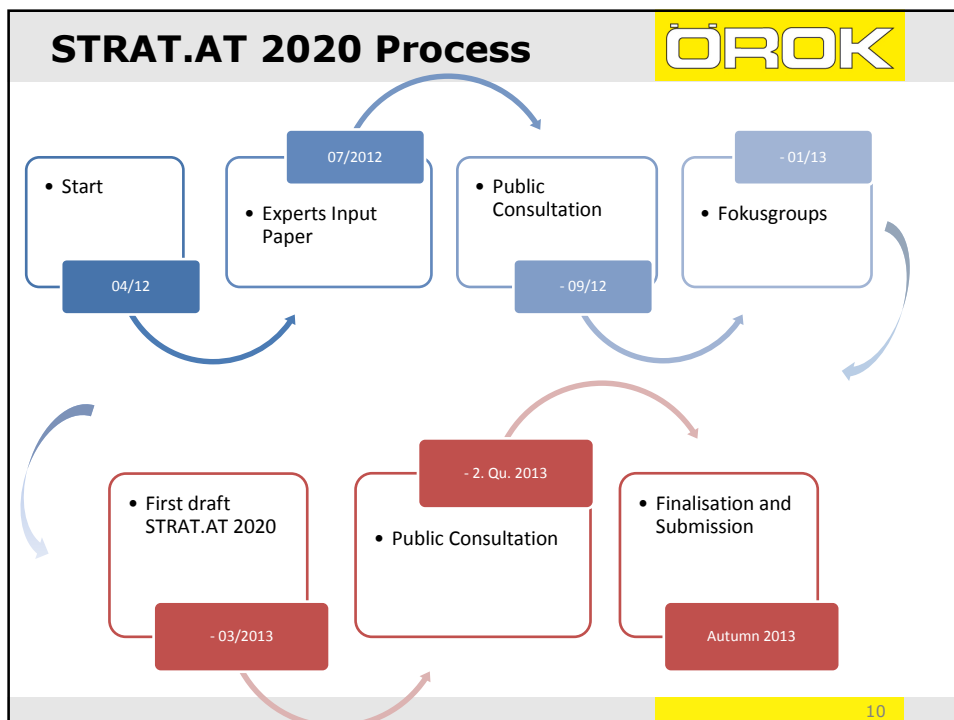
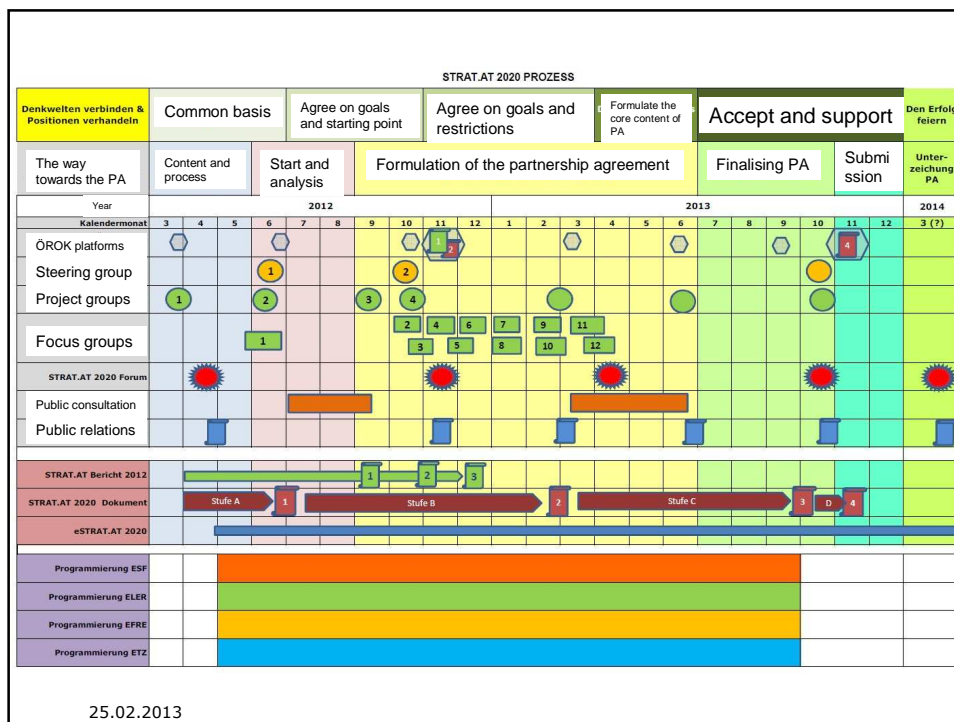
- **Partnership is referred back to national rules.**
 - MS with traditional wide participation of (environmental) partners will include them anyway
 - MS with traditional poor inclusion will refuse the participation because of their „national practices“
 - MS authorities have to decide which organisation is „concerned“ – whereas this question is not relevant for economic or social partners. Therefore the social partners are able to delegate, the environmental partners are picked by the authorities.
 - Monitoring – and more important – evaluation are no topic for discussion with partners.

Why do we think that a partnership improves a programme:

- The broad involvement of stakeholders lead to clear goals which **make programmes more sustainable and effective.**
- Better-informed applicants mean **better applications.**
- If managed properly, partnership improves the **democratic decision-making process.**
- Partnership can **link different** funding programmes.
- **Transparency**, openness and prevention of misuse and corruption in the project **selection process** support the **smooth implementation** of the programme.
- Partnership leads to **better absorption** of funds.

Examples for partnership in the programming phase

- **Appoint a partnership manager** responsible for organising the input of partners into the programme development process.
- Develop a **detailed participation plan**, so that the team writing the programme and partners understand how they will be involved and at which stage. Link the participation plan to a **publicity plan** that supports the dissemination of information about the programme to key stakeholders and the general public. Make both plans available to the general public.
- Include representatives of the social, economic and environmental partners in the team writing the programme.
- Publicise, evaluate and **record every comment** gathered during the consultations. If relevant, incorporate the comment in the document. Arguments on how the comment was taken into account by the team writing the programme should be made publicly available.
- Select the **representatives** of the team writing the programme and the Monitoring committee in a transparent and non –discriminatory way, ideally through elections.
- Apply the partnership principle when **smaller working groups** are set up to target specific issues within programme development.
- Organise **public meetings** to allow broader public discussion of drafts of the documents in key stages of the programme development process.



Focus Groups

- Important element of the partnership principle
- Result of the first strat.at forum (appr. 500 participants)
- Upon request of stakeholders to discuss important questions
- Accepted by steering group
- Invitation to stakeholders (as NGO, interest groups)



Examples for partnership in the implementation phase

- Set up an **interdisciplinary “project evaluation committee”** and include environmental partners as well as social, economic and regional partners selected on the basis of their professional expertise.
- Have an **advocate for environmental sustainability** on the Programme Steering Committee.
- The implementing Authority should provide **environmental expertise** to ensure that appropriate guidance is available for those responsible for delivering the programme and project applicants. Use these experts to build environmental capacity with other delivery partners.
- Give the environmental advisor access to a range of **environmental expertise**, drawn from statutory agencies, NGOs and environmental businesses, to help inform the development and implementation of the programme.

Examples for partnership in the evaluation phase

- Consider the involvement of local and regional **environmental authorities** in monitoring committees of programmes as an **obligatory minimum**.
- Include local or regional stakeholders in the **evaluation team** whenever possible. Workshops and conferences, multi-stakeholder working groups may be used to organise the partnership within the evaluation phase.
- **Evaluate the quality of the partnership** itself in the programme's ex-ante, mid-term and ex-post evaluation.

Minimum participation in the ex-ante evaluation is the SEA

- Necessary on OP level but not obligatory for the partnership agreement.
- Involvement of the broad public
- Chance for environmental NGOs
- Last opportunity for improvements of the programmes
- EC doesn't comment the results but has a close look on the procedure

Thank you for your attention

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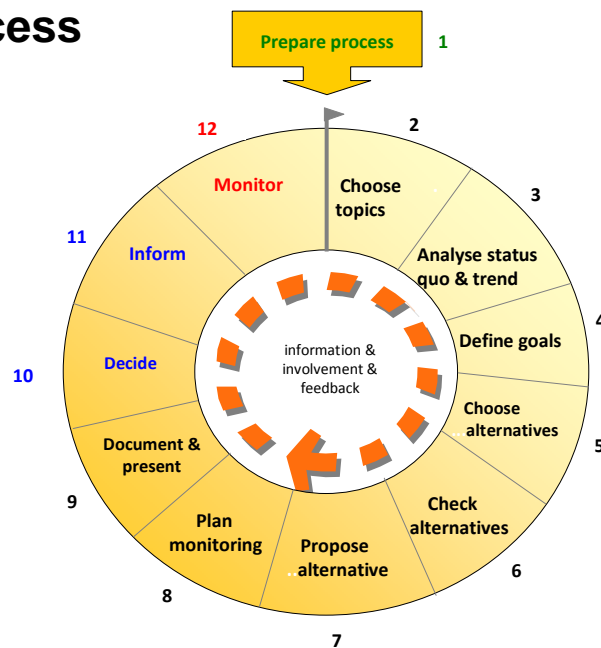
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If possible – extend the SEA to a sustainability assessment

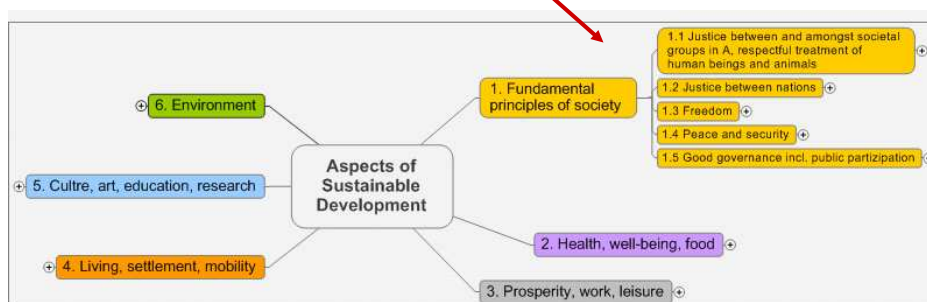
- Is a tool for developing policies and legislation in accordance with sustainable development
- Is a process of 12 steps in which new policies and legislation are elaborated
- Is a participative process covering all relevant aspects of sustainable development

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12 process steps



Mindmap for aspects of sustainable development



Step 6: Check alternatives

- How do the alternatives affect sustainable development aspects → table to check alternatives.

Affects on aspects of sustainable development		Alternatives		
		A1	A2	A3
1. Fundamental principles of society		++ / - / ? in how far?		
1.1	Justice between and amongst societal groups in A, respectful treatment of human beings and animals			
1.1.1	Die Politik oder der Rechtsakt unterstützt die Chancengleichheit der Menschen, sodass sie ihre persönlichen Fähigkeiten frei entwickeln können.			
1.1.2	Die Politik oder der Rechtsakt fördert die Gleichstellung von Frauen und Männern.			
1.1.3	Die Politik oder der Rechtsakt fördert die Integration und Solidarität zwischen und innerhalb verschiedener gesellschaftlicher Gruppen.			
1.1.4	Die Politik oder der Rechtsakt fördert den sozialen Zusammenhalt.			
1.1.5	Die Politik oder der Rechtsakt trägt zum respektvollen Umgang mit Menschen und Tieren und zum Tierschutz bei.			
1.1.6	Ziel (ggf. einfügen aus Schritt 4): Die Politik oder der Rechtsakt soll ...			

Table for strengths, weaknesses and optimising

Strengths	Weaknesses	Ways to optimise
Alternative 1		
++ : ... + : ...	- :
Alternative 2		
Alternative 3		

With the optimisation potential you can go back into the definition of goals