



European Economic and Social Committee

ECO/349
Civil society partnerships
in the Baltic Sea Region

Brussels, 19 September 2013

OPINION

of the

European Economic and Social Committee

on

Enhancing civil society partnerships to deliver the Baltic Sea Region Strategy more effectively
in 2014-2020

(exploratory opinion for the Lithuanian presidency)

Rapporteur: **Mr Smyth**

On 15 April 2013, the Vice-Minister of Foreign Affairs of the Republic of Lithuania, Vytautas Leškevičius, asked the European Economic and Social Committee, on behalf of the forthcoming Lithuanian Presidency, to draw up an exploratory opinion on

Enhancing civil society partnerships to deliver the Baltic Sea Region Strategy more effectively in 2014-2020.

The Section for Economic and Monetary Union and Economic and Social Cohesion, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 15 July 2013.

At its 492nd plenary session, held on 18 and 19 September 2013 (meeting of 19 September), the European Economic and Social Committee adopted the following opinion by 148 votes to 0 with 2 abstentions.

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1. **Introduction**

- 1.1 This opinion sets out an argument that an effective way of strengthening civil society partnerships in delivering the Baltic Sea Region Strategy is through the implementation of the partnership principle as set out in the Commission's code of conduct partnership.
- 1.2 The code of conduct partnership enjoys the support of the European Parliament, the Committee of the Regions and the EESC but is not yet endorsed by the Council. This remains a significant challenge for supporters of the partnership principle.
- 1.3 The EESC acknowledges that there is incomplete political support for the code of conduct among Baltic Member States and that the culture of partnership needs to be strengthened.
- 1.4 The EESC recommends that the Baltic Sea Region Strategy could informally embrace the process outlined in the code of conduct and apply it to the ongoing evolution and implementation of the Baltic Sea Region Strategy.
- 1.5 There is sufficient organisational experience and competence in the Baltic Sea Region to build upon to undertake the enhanced monitoring role envisaged under the code of conduct.
- 1.6 The Baltic could also emulate the Danube Strategy by establishing a Baltic Civil Society Forum. The EESC played a prominent role in the formation of the Danube Civil Society Forum and stand ready to play a similar coordinating role in the Baltic.

2. **Macro-regional cooperation strategies**

- 2.1 The concept of a macro-region first entered the vocabulary of the EU in 2007 as part of the political debate about appropriate forms of territorial governance. Subsequently macro-regional cooperation strategies were adopted for the Baltic Sea region (2009) and the Danube region (2011).
- 2.2 The Baltic Sea Region Strategy, as the first attempt at cooperation at macro-regional level, was initially a test case for this new model of regional cooperation. At its heart is a simple view that in a region such as the Baltic Sea serious problem such as maritime safety, environmental pollution and access ability can only be tackled and overcome through effective cooperation. In addition the precise geography of a macro-region can vary according to the definition and nature of the problem to be tackled. A former Commissioner for regional policy put this point succinctly when he stated that a macro-regional strategy is defined "on the basis of the challenges and transnational opportunities that require collective action".
- 2.3 The Baltic Sea Region Strategy has three main objectives: to save the sea, to connect the region and to increase prosperity. In order to achieve this, the Member States and the Commission have agreed on an Action Plan with 15 Priority Areas and about 80 different Flagship Projects.
- 2.4 The Baltic Sea Region Strategy has built upon existing levels of cooperation in the region and has been underway for four years. It has engendered a high level of cooperation between participating countries and regions. Multilevel governance has operated to coordinate national and regional authorities to improve maritime safety and to achieve a reduction in eutrophication levels in the Baltic. The EU has organised annual Civil Society Forums in the context of EUSBSR, since its establishment in 2009.
- 2.5 The economic performance of the region has not been hindered by the outworking of the strategy. The Baltic Sea region recovered in 2010 more quickly than other parts of Europe and retained solid growth rates throughout 2011. In 2012 the pace of growth slowed to 1.5%, still well above the EU average. The outlook for 2013 remains muted but the region should still outperform its European peers, according to the Baltic Development Forum.

3. **The partnership principle**

- 3.1 The EESC has long held the view that genuine partnership is necessary for the overall effectiveness of EU cohesion policy. Partnership is a means of achieving sustainable economic and social development. It is enshrined in the mechanism for delivering cohesion policy and formally set out in Article 11 of the general regulation.

- 3.2 The interpretation of article 11 by Member States has been problematic with some countries paying only lip service while others fully embraced the partnership principle. In April 2012 the Commission proposed a code of conduct partnership in the implementation of the common strategic framework in an attempt to set out a formal mechanism for the effective participation of all stakeholders in cohesion policy.
- 3.3 The Commission's proposed code of conduct partnership contains a set of minimum requirements which are necessary to attain a high quality partnership in the implementation of the funds while maintaining ample flexibility to Member States in ways they organise the participation of the different partners. The European code of conduct on partnership states that "public authorities, economic and social partners, and bodies representing civil society may establish, in their respective area of intervention, platforms or umbrella organisations to facilitate their involvement in the partnership. They may nominate a single representative to present the views of the platform or the umbrella organisation in the partnership. Principles to consider when partners nominate their representatives would include: competence, capacity to participate actively, and appropriate level of representation".
- 3.4 The Commission's proposals are supported by the European Parliament, the EESC and the Committee of the Regions. The European Council however deleted the code of conduct from the Commission's overall set of proposals. This stand-off is unfortunate and demands concerted action from all supporters of the partnership principle to overcome it.
- 3.5 The code of conduct identifies three categories of partners constituting the partnership in cohesion policy:
- competent regional and local authorities, urban and other public authorities;
 - economic and social partners;
 - bodies representing civil society, including environmental partners, non-governmental organisations and bodies responsible for promoting equality and non-discrimination.
- 3.6 It also sets out a set of principles for involvement of different categories of partners in the preparation of programmes, the information to be provided on their involvement as well as at the various stages of implementation. According to the Commission, partners should be involved in:
- the analysis of disparities and development needs with reference to the thematic objectives, including those addressed by the country-specific recommendations;
 - the selection of the thematic objectives, the indicative allocations of the ESI Funds and their expected main results;
 - the list of programmes and the mechanisms at national and regional level to ensure coordination between the ESI Funds with other Union and national funding instruments and the EIB;

- arrangements to ensure an integrated approach to the use of the ESI Funds for the territorial development of urban, rural, coastal and fisheries areas and areas with particular territorial features;
- arrangements to ensure an integrated approach to address the specific needs of geographical areas most affected by poverty or of target groups at highest risk of discrimination or exclusion, with special regard to marginalised communities;
- the implementation of the horizontal principles defined in Articles 7 and 8 of the cohesion policy funds (CPR) general regulations.

3.7 In terms of the preparation programmes, partners should be involved in:

- the analysis and the identification of needs;
- the definition or selection of priorities and related specific objectives;
- the allocation of funding;
- the definition of programme specific indicators;
- the implementation of the horizontal principles as defined in Article 7 and 8 of the CPR;
- the composition of the monitoring committee.

3.7.1 The code also contains detailed set of principles for the rules of membership and governance of partnerships and monitoring committees.

3.7.2 In order for many of the smaller NGOs and other civil society organisations to take part effectively in this new partnership process, consideration should be given to providing them with adequate technical and financial assistance.

3.8 Although the Baltic Sea region strategy resulted from an unprecedented level of stakeholder consultation, it is fair to say that the partnership principle as outlined in the code of conduct is largely absent in the Baltic. Political "buy in" to the partnership principle remains to be achieved in some Member States.

3.9 There are several bodies and organisations operating successfully across the Baltic Sea Region with broad representation of civil society stakeholders. These could form the basis of a Baltic Partnership or umbrella organisation as envisaged in the code of conduct. There is no need to duplicate what is already in place.

3.10 In terms of cooperative relations with Russia, just as the new North West Federal District strategy has been influenced by the Baltic Sea Region strategy, a new partnership approach among the members of the Council of the Baltic States (CBSS) could have similar demonstration effects.

3.11 If the code of conduct could be broadly supported, it would help to galvanise stakeholder support once more for the Baltic Sea Strategy even during this very difficult period and in the period ahead. Just as the Baltic Sea Region Strategy was viewed as a test of macro-regional

cooperation, the implementation of the partnership principle would be another first for the Baltic.

- 3.12 The appendix below sets out the partnership multilevel governance agreement between the Council and the European Parliament which could form the basis of the delegated act to give effect to a modified code of conduct partnership.

Brussels, 19 September 2013.

The President
of the
European Economic and Social Committee

Henri Malosse

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N.B.: Appendix overleaf.

APPENDIX

Article 5 of the European Code of Conduct on Partnership as agreed between Council and the European Parliament on 19 December 2012

Partnership and multi-level governance

1. For the Partnership Agreement and each programme respectively, a Member State shall in accordance with their institutional and legal framework organise a partnership with the competent regional and local authorities. The partnership shall also include the following partners:
 - a) competent urban and other public authorities;
 - b) economic and social partners;
 - c) relevant bodies representing civil society, including environmental partners, non-governmental organisations, and bodies responsible for promoting social inclusion, gender 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 throughout the preparation and implementation of programmes, including participation in the monitoring committees for programmes in accordance with Article 42.
3. The Commission shall be empowered to adopt delegated act³ in accordance with Article 142 to provide for a European code of conduct in order to support and facilitate Member States in the organisation of the partnership in accordance with paragraphs 1 and 2. The code of conduct shall set out the framework, within which the Member States in accordance with their institutional and legal framework as well as their national and regional competences, shall pursue the implementation of partnership. The code of conduct, while fully respecting the principles of subsidiarity and proportionality, shall lay down the following elements:
 - a) the main principles for transparent procedures to be followed for the identification of the relevant partners including, where appropriate, their umbrella organisations in order to facilitate Member States to designate the most representative relevant partners, in accordance with their institutional and legal framework;
 - b) the main principles and best practices as regards the involvement of the different categories of relevant partners, as set out in paragraph 1, in the preparation of the Partnership Agreement and programmes, the information to be provided on their involvement, as well as at the various stages of implementation;
 - c) the best practices as regards the formulation of the rules of membership and internal procedures of monitoring committees to be decided, as appropriate, by the Member States or the monitoring committees of programmes in accordance with the relevant provisions of this Regulation and the fund-specific rules;

- d) the main objectives and best practices in cases where the managing authority involves the relevant partners in the preparation of calls for proposals and in particular the best practices to avoid potential conflicts of interest in cases where relevant partners may be potential beneficiaries, and for the involvement of the relevant partners in the preparation of progress reports and in relation to monitoring and evaluation of programmes in accordance with the relevant provisions of this Regulation and the fund-specific rules;
- e) the indicative areas, themes and best practices in order that the competent authorities of the Member States may use the CSF Funds including technical assistance in strengthening the institutional capacity of relevant partners in accordance with the relevant provisions of this Regulation and the fund-specific rules;
- f) the role of the Commission in the dissemination of good practices;
- g) the main principles and best practices that will facilitate the Member States' assessment of the implementation of partnership and its added value.

The provisions of the code of conduct shall not in any way contradict the relevant provisions of this Regulation or the Fund specific rules.

- 4. The Commission shall notify the delegated act on the European code of conduct on Partnership, adopted in accordance with Article 142 and as set out in paragraph 3, simultaneously to the European Parliament and to the Council within four months of the adoption of this Regulation. The delegated act cannot specify an earlier day for its entry into force than the day of its adoption after the entry into force of this Regulation.
 - 5. In the application of this Article, an infringement of any obligation imposed on Member States either by this Article of the Regulation or by the delegated act, adopted in accordance with Article 5(3), cannot constitute an irregularity leading to a financial correction pursuant to Article 77 of this Regulation.
 - 6. 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 Funds and shall report to the European Parliament and the Council on the outcome.
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