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COMMISSION IMPLEMENTING DECISION

of 12.2.2015

approving certain elements of the cooperation programme "ESPO" for support from the European Regional Development Fund under the European territorial cooperation goal in all Member States with the participation of Iceland, Liechtenstein, Norway and Switzerland

CCI 2014TC16RFIR004

(ALL LANGUAGE VERSIONS ARE AUTHENTIC)

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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006¹, and in particular Article 29(4) thereof,

Having regard to Regulation (EU) No 1299/2013 of the European Parliament and of the Council of 17 December 2013 on the specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal², and in particular Article 8(12) thereof,

Whereas:

- (1) On 16 October 2014, Luxembourg on behalf of all Member States as well as of Iceland, Liechtenstein, Norway and Switzerland ('the participating Member States and third countries') submitted, through the electronic data exchange system of the Commission ('SFC2014'), the cooperation programme ESPON for support from the European Regional Development Fund (ERDF) under the European territorial cooperation goal in the participating Member States and third countries.
- (2) The cooperation programme was drawn up by the participating Member States and third countries in cooperation with the partners referred to in Article 5(1) of Regulation (EU) No 1303/2013 and the Commission.
- (3) In accordance with Article 29 of Regulation (EU) No 1303/2013, the Commission assessed the cooperation programme and made observations pursuant to paragraph 3 of that Article on 16 December 2014. Luxembourg provided supplementary information on 16 December 2014 and submitted a revised cooperation programme on 16 December 2014.

¹ OJ L 347, 20.12.2013, p. 320.

² OJ L 347, 20.12.2013, p. 259.

- (4) In addition to the entire territory of the Union, pursuant to the second subparagraph of Article 3(5) of Regulation (EU) No 1299/2013, the cooperation programme should also cover Iceland, Liechtenstein, Norway and Switzerland.
- (5) The Commission concluded that the cooperation programme contributes to the Union strategy for smart, sustainable and inclusive growth and to the achievement of economic, social and territorial cohesion and is consistent with Regulations (EU) No 1299/2013 and (EU) No 1303/2013.
- (6) With the exception of the information required under point (e) of the first subparagraph of paragraph (2) and point (b) of paragraph 5 of Article 8 of Regulation (EU) No 1299/2013, the cooperation programme contains all the elements referred to in Article 8(1) to (9) of Regulation (EU) No 1299/2013 and was prepared in accordance with the model set out in Annex II to Commission Implementing Regulation (EU) No 288/2014³.
- (7) Pursuant to the second paragraph of Article 76 of Regulation (EU) No 1303/2013, this Decision constitutes a financing decision within the meaning of Article 84 of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council⁴. It is nevertheless necessary to specify the elements needed to make the budgetary commitments with respect to the cooperation programme.
- (8) Pursuant to point (d) of the first subparagraph of Article 8(2) of Regulation (EU) No 1299/2013, it is necessary to specify, for each year, the amount of the total financial appropriation envisaged for the support from the ERDF. It is also necessary to specify the amount of the total financial appropriation of the support from ERDF and the national co-financing for the whole programming period, for the cooperation programme and for each priority axis.
- (9) Pursuant to Article 120(1) and (2) of Regulation (EU) No 1303/2013, it is necessary to fix for each priority axis the co-financing rate and to specify whether the co-financing rate for the priority axis applies to total eligible expenditure, including public and private expenditure, or to eligible public expenditure.
- (10) This Decision is without prejudice to the Commission's position regarding compliance of any operation supported under the cooperation programme with the State aid rules applicable at the time when the support is granted.
- (11) In accordance with Article 8(12) of Regulation (EU) No 1299/2013, the elements of the cooperation programme referred to in points (a), (b)(i) to (vi), (c)(i) to (iv), (d) of the first subparagraph of paragraph 2, paragraph 3, points (a)(ii) to (vi) and (b) of paragraph 4, and paragraphs 8 and 9 of that Article should therefore be approved,

³ Commission Implementing Regulation (EU) No 288/2014 of 25 February 2014 laying down rules pursuant to Regulation (EU) No 1303/2013 of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund with regard to the model for operational programmes under the Investment for growth and jobs goal and pursuant to Regulation (EU) No 1299/2013 of the European Parliament and of the Council on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal with regard to the model for cooperation programmes under the European territorial cooperation goal (OJ L 87, 22.3.2014, p. 1).

⁴ Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).

HAS ADOPTED THIS DECISION:

Article 1

The following elements of the cooperation programme "ESPON" for support from the European Regional Development Fund (ERDF) under the European territorial cooperation goal in all Member States ('the participating Member States') as well as in Iceland, Liechtenstein, Norway and Switzerland ('third countries') for the period from 1 January 2014 to 31 December 2020, submitted in its final version on 16 December 2014, are hereby approved:

- (a) the justification for the choice of thematic objectives, corresponding investment priorities and financial allocations, as set out in Sections 1.1.2 and 1.2 of the cooperation programme;
- (b) the elements required for each priority axis by points (b) and (c) of the first subparagraph of Article 8(2) of Regulation (EU) No 1299/2013, as set out in Section 2 of the cooperation programme with the exception of Sections 2.A.8 and 2.B.6;
- (c) the elements of the financing plan required pursuant to point (d) of the first subparagraph of Article 8(2) of Regulation (EU) No 1299/2013, as set out in Tables 15, 16 and 17 of Section 3 of the cooperation programme;
- (d) the integrated approach to territorial development showing how the cooperation programme contributes to the accomplishment of its objectives and expected results, as set out in Section 4 of the cooperation programme;
- (e) the implementing provisions which identify the body or bodies designated to carry out control tasks and body or bodies designated to be responsible for carrying out audit tasks, implementing provisions which lay down the procedure for setting up the joint secretariat and which set out a summary description of the management and control arrangements as well as those which set out the apportionment of liabilities among the participating Member States and third countries in the event of financial corrections imposed by the managing authority or the Commission, as set out in Table 22 and Sections 5.2, 5.3 and 5.4 of the cooperation programme;
- (f) the body to which payments are to be made by the Commission, as set out in Table 21 (only the part referring to the body to which payments will be made by the Commission).

Article 2

The following priority axis shall be supported by the cooperation programme:

- (a) Priority axis 1 "Territorial Evidence, Transfer, Observation, Tools and Outreach";
- (b) Priority axis 2 "Technical Assistance (TA)".

Article 3

The programme area covers the entire territory of the Union and Iceland, Liechtenstein, Norway and Switzerland.

Article 4

Expenditure shall be eligible from 1 January 2014.

Article 5

1. The maximum amount of the total financial appropriation envisaged for the support from the ERDF is set out in Annex I.
2. The total financial appropriation for the cooperation programme is set at EUR 41 377 019, to be financed from the budget line 13 03 64 (ERDF - European territorial cooperation) in accordance with the nomenclature of the General Budget of the European Union for 2014.
3. The co-financing rate for each priority axis is set out in Annex II. The co-financing rate for each priority axis shall apply to total eligible expenditure, including private and public expenditure.

Article 6

This Decision is addressed to all Member States.

Done at Brussels, 12.2.2015

For the Commission
Corina CREȚU
Member of the Commission

