

**GUIDANCE FOR IMPLEMENTATION OF THE LEADER CO-OPERATION
ACTIVITIES IN RURAL DEVELOPMENT PROGRAMMES 2014-2020**

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1. Introduction

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.

1.2. Introduction to LEADER/CLLD in the EAFRD 2014-2020

During the period 2014-2020, the EAFRD will support transnational and inter-territorial cooperation projects carried out by local action groups (LAGs) as part of the implementation of local development strategies (LDS) selected under CLLD/LEADER.

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.

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**. LEADER cooperation projects are similar to local projects in the sense that they contribute to the achievement of the objectives of the relevant local development strategy. However, due to the added element of a cooperation partner external to the Local Action Group territory, LEADER cooperation projects also have additional benefits related to mutual learning and achieving critical mass in terms of relevant knowledge, experience, methods applied, and other resources.⁴

Cooperation projects can also **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.

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**.

¹ European Structural and Investment Funds

² European Agricultural Fund for Rural Development

³ European Maritime and Fisheries Fund

⁴ An interesting source demonstrating a broad variety of cooperation benefits is the database of project nominations for the Nordic-Baltic LEADER Cooperation Award. See: <http://www.maainfo.ee/index.php?page=3604>

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**.

ENRD `tools`

- The ENRD has developed a comprehensive "LEADER Transnational Cooperation [TNC] Guide" which can be a useful tool for programming cooperation. The Guide, fact sheets with Member-State-specific information on TNC rules and procedures in 2014-2020, and the summary of the ENRD LEADER Cooperation Practitioner-Led Working Group proposals are available for download from this page: http://enrd.ec.europa.eu/leader-clld/leader-cooperation_en
- Cooperation partner search offers are available from the ENRD website: http://enrd.ec.europa.eu/leader-clld/partner-search_en
- The ENRD LAG database is also available and continuously updated: http://enrd.ec.europa.eu/leader-clld/lag-database_en
- 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/enrdstatic/leader/leader/focus-groups/en/focus-group-3_en.html

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

(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 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.

Art. 54 *National rural network*

(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 (...).

3. Eligibility conditions under the EAFRD

3.1. General principles

- 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.

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 cooperate 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.

- Type of partners

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. An indicative example of a generic template for a cooperation agreement is presented in Annex 4.

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.

- Beneficiaries of cooperation projects:

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 cooperation of the partner concerned; or by a contribution from the other project partners.

3.2. Types of support

3.2.1. Preparatory technical support⁵

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 cooperation 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.

Preparatory support enables potential partners to meet, develop a project application and a memorandum of understanding or cooperation agreement as preparation of the cooperation project.⁶

It can be used to explore the feasibility of a particular cooperation idea with potential partners and consider the resources available to them (e.g. rates and maximum amounts of support, support from local stakeholders, other resources, etc.). Such ‘exploratory’ action can have two legitimate outcomes which would imply that a full cooperation project will not be developed. It can either produce some outputs which ‘eliminate’ the need to develop a full cooperation project, or the outcome is that the planned project is not feasible under ‘current’ conditions, so the partners decide not to go ahead to develop the project.

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

⁵ Art. 44(1)(b) Reg. (EU) N° 1305/2013

⁶ For concrete examples of activities related to preparatory support see the summary document on the work of the ENRD LEADER Cooperation Practitioner-led Working Group at the LEADER Cooperation page of the ENRD: http://enrd.ec.europa.eu/leader-clld/leader-cooperation_en

- costs related to meetings with potential partners (travel, accommodation, and interpreters' fees etc.);
- project pre-development costs (e.g. participation at events, study visits, 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.**

If eligible actions and costs related to preparatory support enable potential partners to cover a broad range of activities, this facilitates better preparation of the cooperation project and reduces risk of failure. It is essential that potential partners can also visit each other to familiarise with the conditions 'driving' their partners' motivation and interest to enter the specific cooperation project.

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 subsequently 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. In order to ensure an efficient use of funding LAGs can be required, however, to provide justification in case preparatory support received does not lead to a cooperation project.

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.

Managing Authorities 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.). It is, nevertheless recommended not to restrict the number of preparatory actions that a LAG implements within a certain budget threshold for preparatory actions allocated per LAG.

3.2.2. Support for the co-operation project⁷

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.

⁷ Art. 44(1)(a) Reg. (EU) N° 1305/2013

The appropriate definition of cooperation project objectives and outputs, to be agreed by cooperation partners, also takes account of the different levels of development of the cooperating territories. This enhances the effectiveness and efficiency of the cooperation project and helps to maximise the outputs for each cooperating partner, which would be 'tailored' to their specific development needs (including a capacity building element for the project).

Cooperation projects should enable not only LAGs, but also other local stakeholders to participate (e.g. "business-to-business" cooperation). This maximises the added value of cooperation in terms of development needs of local stakeholders within the LAG territories (e.g. a cooperation project can be 'driven' by the capacity-building needs of certain private or public stakeholder groups having a strategic significance to local development).⁸

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")⁹.

A cooperation project requires some degree of 'joint action'. A joint action can be characterised by the following features:

- It contributes to the objectives of the participating LAGs' LDSs,
- It produces a measurable and tangible¹⁰ output that benefits the cooperating partners,
- It is agreed by the cooperation partners and defined in the application form as such,
- It is implemented with the involvement of the cooperation partners of the project,
- Its implementation can be coordinated by a lead partner or by a common structure set up by the cooperation partners for the purpose of the project.
- Without this type of action – i.e. the LAGs acting on their own in the framework of only local actions, the project objectives would not be achievable.

Some examples of what a joint action may 'produce'/aim at delivering:

- Common knowledge-base (methodological guidance, training package, 'toolkit' document with templates, labels, etc.) relating to a specific theme common to cooperation partners (e.g. territorial branding, marketing of local products, local 'action-pack' to tackle the effects of climate change locally, awareness-raising related to social inclusion, etc.)
- Joint website or publications presenting the cooperation partners' actions, initiatives, results of the project, etc.
- Purchase of an equipment that could be used by all of the cooperation partners (e.g. for local fairs and events).

⁸ For instance, in Germany, the project holder does not need to be the LAG itself if the LAG 'signs off' on the cooperation agreement. In Northern Ireland, local stakeholders can be part of cooperation projects as 'associate' partners.

⁹ Art. 35(1)(b) Reg. (EU) N° 1303/2013

¹⁰ Tangible outputs can relate to the preparation of various dissemination materials, training materials, websites, visual materials, as well as investments in building or equipment that demonstrably contribute to achieving project objectives.

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 also be eligible.

Within the context of an inter-territorial or transnational cooperation project, common costs relate to the inter-territorial or transnational project activities that constitute the joint action as defined in the project proposal and their coordination by the lead partner (if relevant).

‘Common costs’ relate to the implementation of joint actions – in particular to concrete activities the costs of which are shared among the cooperation partners. For example, common costs can be related to the payment of (IT and other) consultancy and/or other services required to produce a common brochure, website, publication, training package or other common ‘product’.

Categories of common cost may include (not an exhaustive list):

- Accommodation, catering, travel, rental of venue relating to joint events, meetings, workshops
- Consultancy and expert services relating to the development of joint products
- Other services relating to joint products (e.g. printing, graphic design for publications)
- Purchase of equipment for the purposes of the project (for equipment that can be used by all cooperation partners)
- Costs related to dedicated project staff (e.g. joint project manager)

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.

4. Procedures for the selection of co-operation activities

4.1. The selection of technical preparatory support for co-operation

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.

Selection of preparatory technical support can be undertaken either:

- 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 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, 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. This should facilitate the implementation of projects involving the approval of different national or regional administrations.

4.2.1 Selection by local action groups (LAGs)

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.

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 like any other project within the LDS. In fact, LAGs are 'best placed' to select the cooperation projects that benefit their territories/stakeholders most.

The final eligibility check and issuing the decision on granting the aid is the responsibility of the relevant RDP authority, as in the case of other local projects. These tasks can also be

delegated to LAGs, if decided by the Managing Authority. In this implementation model, the bottom up approach also applies to cooperation.

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.

When cooperation is integrated into the Local Development Strategies, it helps LAGs ‘think early’ and plan their cooperation actions as well as the relevant preparatory actions to explore the feasibility of cooperation ideas and prepare their implementation if considered feasible. Consequently, the cooperation activities are strongly rooted in and aligned with the local strategies, thus ensuring they truly contribute to the agreed priorities.

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 period¹¹). 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 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

¹¹ See "TNC Member States rules & procedures 2007-2014" on the ENRD website: http://enrd.ec.europa.eu/enrd-static/leader/tnc_guide/member-states-tnc-rules-and-procedures/en/member-states-tnc-rules-and-procedures_en.html

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.

The submission of cooperation project applications for support to the relevant authorities is to be coordinated among the cooperating partners. This facilitates a coordinated ‘launch’ of project activities within maximum four months of the submission of project applications (Article 44 of Regulation 1305/2013 (EAFRD Regulation)). The approval of TNC projects by relevant authorities can thus also be coordinated. Information exchange among Managing Authorities taking part in the approval process can accelerate the approval process and lead to better and more timely decisions.

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 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.

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.

- ***“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.¹²) by disseminating and publishing information (see also Section 6 below).

The notification has to be done via SFC 2014¹³. (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 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.).

¹² Art. 52(3). The tasks of the network shall be to... (g) support the national networks and transnational cooperation initiatives and the exchange concerning actions and experience in the field of rural development with networks in third countries.

¹³ <http://ec.europa.eu/sfc/en/index-page>

Networking activities among local action groups prior to the start of a preparatory project using preparatory support can be facilitated and supported by National/Regional Rural Networks. Such support by NRNs can include peer-to-peer meetings, cooperation events, study visits, guidance material, databases and partner search tools.

Furthermore, national/regional rural networks can provide support through information exchange with other networks and through the ENRD, as well as through small funds to support participation at events and meetings. This phase of support can precede the launching of preparatory actions by LAGs that wish to explore the feasibility of working together in the framework of a cooperation project (or develop such a project using preparatory support). Successful cooperation projects have emerged through this kind of support.¹⁴

NRNs can also make an important contribution to a better understanding of various procedures, including a common understanding of relevant rules under various RDPs, and/or support to LAGs in preparing cooperation projects.

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.

¹⁴ For concrete examples of NRN support to cooperation see the summary document on the work of the ENRD LEADER Cooperation Practitioner-led Working Group at the Leader Cooperation page of the ENRD: http://enrd.ec.europa.eu/leader-clld/leader-cooperation_en . Further examples of practice aimed at facilitating TNC are also included in the summary document.

ANNEX 1. Reference documents (2014-2020 period)

Reference documents (2014-20 period):

- **Guidance on Community-led Local Development in European Structural and Investment Funds** (version from June 2014): section 8.4 (Co-operation projects) http://ec.europa.eu/regional_policy/sources/docgener/informat/2014/guidance_community_local_development.pdf
- **Guidance on Community-led Local Development for local actors** http://ec.europa.eu/regional_policy/sources/docgener/informat/2014/guidance_clld_local_actors.pdf
- **Measure Fiche on LEADER** (available on CIRCA)
- **LEADER Transnational Cooperation Guide** available from the LEADER Cooperation page of the ENRD website: http://enrd.ec.europa.eu/leader-clld/leader-cooperation_en
- **ENRD LEADER Cooperation Practitioner-led Working Group – Summary of proposals** available from the LEADER Cooperation page of the ENRD website: http://enrd.ec.europa.eu/leader-clld/leader-cooperation_en

Reference documents (2007-13 period):

- Guide for the implementation of the Measure Cooperation under the LEADER axis of Rural Development Programmes 2007-2013 (It also includes methodological elements.). Available at: http://enrd.ec.europa.eu/enrd-static/leader/leader/en/transnational-cooperation_en.html
- ENRD Focus Group 3: "Implementation of the cooperation measure in LEADER", Report to the LEADER subcommittee of 20 May 2010: <http://enrd.ec.europa.eu/enrd-static/fms/pdf/BEE357F9-BDB7-6912-A6AE581D81990191.pdf>
- On methodological aspects of transnational co-operation (TNC), please see the LEADER TNC section on the ENRD website ("Practical information and tools on how to set-up and to implement Transnational cooperation projects"): http://enrd.ec.europa.eu/enrd-static/leader/leader/en/transnationalcooperation_en.html
- ENRD Final Report on the State-of-Play of the implementation of Rural Development Programme Measure 421 in the EU-27 (May 2014): http://enrd.ec.europa.eu/enrd-static/app_templates/enrd_assets/pdf/leadergateway/Measure_421_State_of_play_FINAL_May_2014.pdf
- NRN Guidebook, Chapter III, Section 3.6: Technical assistance for Transnational Cooperation (TNC) and inter-territorial cooperation (2014): http://enrd.ec.europa.eu/enrd-static/app_templates/enrd_assets/pdf/guidebook/3.6.pdf

ANNEX 2. Section 8.4 of the CLLD Guide

"8.4. Co-operation projects

Under CLLD the Funds may finance the preparation and implementation of co-operation activities of local action groups.

The EAFRD and the EMFF regulations specifically define the scope and rules of co-operation for LEADER LAGs and EMFF FLAGs. As in the 2007-13 period, support will be available for implementation of inter-territorial and transnational projects. In addition preparatory technical support can be supported (e.g. costs for meetings between potential partners, studies etc.), if the LAGs demonstrate that they are preparing the implementation of a co-operation project.

For the sake of simplification and consistency, it is highly recommended to use the same rules for the ERDF and the ESF.

Rural LAGs and FLAGs in fisheries and coastal areas are now explicitly allowed to cooperate not only with partners implementing a local development strategy in respectively rural or fisheries areas, as was the case in 2007-2013, but also with local public-private partnerships in other types of areas which are implementing a local development strategy. Cooperation with local public-private partnerships located outside the borders of the EU will also be possible, although the EAFRD restricts this possibility to partners located in rural areas, whilst the EMFF does not limit the type of areas eligible.

This opportunity could e.g. foster synergies between local groups running separate strategies but located in (partly) the same area (e.g. urban-rural or rural-fisheries or urban-fisheries). Apart from the advantage of exchanging experience and mutual learning, LAGs would benefit from developing co-operation around major themes that are better dealt with on a bigger scale.

The experience with LEADER and Axis 4 of the EFF shows that in many cases it is the LAG/FLAG itself who will be beneficiary of the co-operation projects, since they are more complex to design and to manage than local projects.

As regards the management of co-operation projects, there are two possibilities (based on the experience of LEADER):

8.4.1. Selection of co-operation projects by the LAGs

In the first option, co-operation is integrated in the local development strategies and funding for co-operation (covering preparatory support and projects) is allocated at the same time as the local budget. Co-operation projects are selected by the local action groups in the same way as local projects.

8.4.2. Selection of co-operation projects by managing authorities

As co-operation projects are more demanding in their design and management, some Member States may opt to let the Managing Authority select these projects and in addition to organise calls for the preparatory technical support for them. This has to be understood as an exception to the bottom-up approach.

In this case, as regards EAFRD, the Managing Authorities must set up a system of on-going applications. Decisions on the allocation of funding should take place within 4 months after the date of submission of the project. If the selection of projects is organised through calls, it

is recommended to issue at least three to four calls a year in order to assure a similar pace of approval by all the Managing Authorities concerned by a co-operation project. In any case this should be often enough not to hinder the implementation of projects involving partners stemming from different programme areas.

In order to facilitate the implementation of projects involving the approval of different national or regional administrations, Member States/regions should make appropriate provisions to ensure that differences in selection procedures and deadlines do not discourage LAGs from co-operation.

As regards transnational co-operation, under the EAFRD and the EMFF the following obligations are foreseen for Member States in order to support the overall implementation of those projects:

The administrative procedures have to be made public, including a list of eligible costs.

The Member State also has to communicate the approval of all transnational projects on a regular basis to the Commission. For the EAFRD, the Commission will set up an information exchange system which will help the involved authorities to have an overview on the approval process of a project in different Member States."

ANNEX 3. Information exchange form

| INFORMATION EXCHANGE FORM FOR TRANSNATIONAL CO-OPERATION PROJECTS |
|--|
| 1. Basic information on the project |
| 1.1. Title of the co-operation project (incl. acronym if relevant) [in English]*: |
| 1.2. Duration of activities envisaged under the co-operation project*: 1.2.1. Start date: 1.2.2. End date: |
| 1.3. Preparatory technical support [to be provided separately for each partner]*: Was the co-operation project accompanied by a preparatory technical support? Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 1.4. Project topics / keywords [drop-down menu]* |
| 1.5. Total cost for the lifetime of the co-operation project (in €)*: out of which EAFRD: other public contribution: private contribution: If other funds have been raised, please indicate: |
| 1.6. Additional information (or project website) [please provide a short project description]: |
| 2. Information on co-operation partners |
| 2.1. LAG 1 details*: |
| 2.1.1. Official name of the LAG [drop-down menu]: 2.1.1.1. Lead partner: Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 2.1.2. LAG contact person for co-operation 2.1.2.1. Name: 2.1.2.2. Address of contact: 2.1.2.3. Telephone No: 2.1.2.4. E-mail: 2.1.2.5. Languages spoken/understood: |
| 2.1.3. Date of project approval : |
| 2.2. LAG 2 details: |
| 2.2.1. Official name of the LAG [drop-down menu]: 2.2.1.1 Lead partner: Yes <input type="checkbox"/> No <input type="checkbox"/> |
| 2.2.2. LAG contact person for co-operation 2.2.2.1. Name: 2.2.2.2. Address of contact: 2.2.2.3. Telephone No: 2.2.2.4. E-mail: 2.2.2.5. <i>Languages spoken/understood:</i> |
| 2.2.3. Date of project approval : |
| 2.3. Other partner details [in case of partner that is not a LAG]: |
| 2.3.1. Official name of the partner: |

| |
|--|
| <p>2.3.2. Name of contact person for co-operation</p> <p>2.3.2.1. Name:</p> <p>2.3.2.2. Address of contact:</p> <p>2.3.2.3. Telephone No:</p> <p>2.3.2.4. E-mail:</p> <p>2.3.2.5. Languages spoken/understood:</p> |
| <p>3. Competent Managing Authority 1 (contact person details):</p> <p>3.1 RDP [drop-down menu]*:</p> <p>3.2 Name:</p> <p>3.3 Address of contact:</p> <p>3.4 Telephone No:</p> <p>3.5 E-mail:</p> |
| <p>4. Competent Managing Authority 2 (contact person details):</p> <p>4.1 RDP [drop-down menu]*:</p> <p>4.2 Name:</p> <p>4.3 Address of contact:</p> <p>4.4 Telephone No:</p> <p>4.5 E-mail:</p> |
| <p>5. Project status*:</p> <p>5.1 Ongoing:</p> <p>5.2 Cancelled:</p> <p>5.3 Completed:</p> |

* mandatory

ANNEX 4. Indicative example of a generic template for cooperation agreement for LEADER Trans-national cooperation projects

Article 1

Objective of the TNC project

- *Includes the name of the organisations signing the cooperation agreement and indication whether the partner is a LAG or a group of local public and private partners in a rural territory that is implementing a local development strategy within or outside the Union or a group of local public and private partners in a non-rural territory that is implementing a local development strategy, and expresses their common commitment to implement the project „X” in partnership in accordance with the detailed schedule of activities and budget breakdown (in the Annex of the agreement – an integral part of the agreement),*

Article 2

Working languages

- *As agreed by the cooperation project partners (usually English, or another main language of the EU – FR, DE, ES, etc.)*

Article 3

General clauses relating to entry into force, duration, closure and place of implementation

- *The clause on entry into force of the agreement (from the date of approval of the project and notification thereof by at least two Managing Authorities – or other national/regional authorities responsible for TNC project approval) relevant to the territories in which the cooperation partners operate*
- *The maximum duration/time frame of the agreement which can start from the planned dates when project partners submit their respective project proposals in relation to the TNC project to the relevant national/regional authorities and finish when the final payment request related to the TNC project is approved by the relevant national/regional authority*
- *Planned continuance of cooperation activities after the project is closed (if relevant and planned)*
- *The locations/territories where project activities will be implemented e.g. the territories of the respective local action groups (cooperation partners) in accordance with the schedule of activities in the Annex*

Article 4

Obligations, responsibilities, liability

- *A statement that the cooperation partners verify and approve the information contained in the Annex re the project activity schedule and budget breakdown*
- *The obligations and responsibilities of the lead/coordinating partner – name of organisation included (e.g. financial coordination, coordination of joint actions within the project, monitoring and follow-up activities, continuous communication and liaising with project partners, reporting)*
- *The obligations and responsibilities of the cooperating partners (e.g. using the commonly agreed project activity schedule and objectives in their respective project applications to the relevant LAG/Managing Authority in their territories, ensuring the funding for their share of the common costs of the project and respective – joint and local - actions, reporting to the project partners and lead/coordinating partner, communication and liaising with project partners and the lead/coordinating partner, communicating the project and its outcomes to the general public and other stakeholders, monitoring, provision of relevant document required for project approval)*
- *Limited liability of any cooperation partner in case of force majeure*
- *Limited liability of other project partners due to any damages and costs resulting from the non-compliance of any of the cooperation partners*

Article 5

Changes in the partnership

- *By written amendment agreed and signed by all of the cooperation partners*
- *Two main scenarios should be described: extending the partnership – new cooperation partner(s) enter(s); one (or more) cooperation partner(s) leave(s) the partnership*
- *Modification of the budget – especially relating to common costs and its division among partners – part of the modification both in case of 'extending' the partnership and in case of any of the partners leaving the partnership*
- *Obligations of each partner to notify relevant authorities of the change*

Article 6

Project management

- *Project management committee with members from each participating LAG and chaired by the lead/coordinating partner and its responsibilities and tasks*
- *Secretariat of the project management committee provided by the lead/coordinating partner*
- *At least 'X' number of meetings within the duration of the project based on written invitation by the lead/coordinating partner*

Article 7

Dispute resolution, applicable law

- *First and preferred means of dispute resolution by amicable settlement,*
- *In case of failure of amicable agreement, the applicable jurisdiction is of the MS/region of the lead/coordinating partner*
- *For purposes of dispute resolution at court the English (French? German? Other?) version of the text of this agreement and its annexes is applicable*

Article 8

Amendment of the agreement

- *Only by written amendment agreed and signed by all of the cooperation partners*
- *Any amendments to the agreement to be communicated to the relevant authorities in due course*

This agreement has been finalised in < location >

Date

Signatories

1. *Name of the partner*
2. *LAG code in list of LAG s (<http://ec.europa.eu/sfc/en/2014/support-ms/tnc>)*
3. *Registration code*
4. *Name of representative (project contact). Language spoken/understood*
5. *Name of the official representative (signature)*
6. *Position*
7. *Place (address, including country)*
8. *Telephone*
9. *E-mail*

ANNEX: Description of project activities

1.1 Description of the general and specific objectives of the project

1.2 Description of target groups

1.3 Description of actions (including joint actions)

1.4 Schedule of activities

| No. | Activity | | Target group / location | Responsible/participating project partner(s) | Schedule (duration) | Key output |
|-----|--------------|--------------|-------------------------|--|---------------------|------------|
| | Joint action | Local action | | | | |
| 1 | | | | | | |
| 2 | | | | | | |
| ... | | | | | | |

1.5 Breakdown of project budget by activity

| No. | Activity | Planned maximum budget | Responsible project partner(s) |
|-----|----------|------------------------|--------------------------------|
| 1 | | | |
| ... | | | |

1.6 Breakdown of project budget by cooperation partner

| No. | Name of cooperation partner | Planned maximum budget | Share of common costs (contribution to joint actions budget) ¹⁵ |
|-----|-----------------------------|------------------------|--|
| 1 | | | |
| ... | | | |

1.7 Breakdown of the project budget by cooperation partner and source of funding

| Project cost in EUR | | | | | | | |
|---------------------|---------|--|--------------|----------------------------|-----------------------|---|-------------------|
| No. | Partner | Total cost for the lifetime of the co-operation project* | Out of which | | | If other funds have been raised, please indicate* | |
| | | | EAFRD* | other public contribution* | private contribution* | Fund name | Fund Contribution |
| 1. | | | | | | | |
| ... | | | | | | | |

¹⁵ Forms part of the *planned maximum budget* allocated to the cooperation partner. Note: the difference between the *planned maximum budget* and the *share of common costs* equals the maximum budget for local actions available to the respective cooperation partner.