

ANNEX: concrete actions and recommendations for Cohesion Policy trilogues

**We call on the Council of the European Union and its Member States to:**

- a. Support a true just transition for European regions and citizens by upholding the position of the European Parliament on Article 6(h) (ERDF and Cohesion Fund) and Article 6a (Common Provisions Regulation), with no derogations, such that the cohesion policy fully excludes any financial support to fossil fuels and no fossil fuel investments can be made using EU Cohesion Policy Funds. For clarity, the ERDF Article 6 should read: *“(h) Investment related to production, processing, transport, distribution, storage or combustion of fossil fuels. [End]”*
- b. Maintain support for Article 6a (‘horizontal principles’) as proposed by the European Parliament in the Common Provisions regulation in the Trilogues. This article makes explicit legal references to the Commission Delegated Regulation 240/2014 on the Code of Conduct on Partnership and therefore ensures clarity for managing authorities and national policy makers engaging partners in the development and implementation of programmes.
- c. Implement, with immediate effect, the Proposal of the European Commission on Article 6 of the Common Provisions Regulation with no changes. The current form provides the greatest clarity for managing authorities and partners on who should be involved in the development process of Partnership agreements and avoids any misinterpretations that could jeopardise the quality and legality of a Partnership Agreement or Programme developed.
- d. Commit to provide for adequate technical assistance now to ensure that all partners can participate in the development and implementation of programmes as well as absorb available funds over the next financial period.
- e. Commit to transparent reporting of national progress in developing partnership agreements and operational programmes by regularly submitting public reports to the European Commission and Parliament, including detail on stakeholder consultation.
- f. Increase Thematic Concentration on Policy Objective 2 in the ERDF to at least 40%, as regions eligible for this funding are often most in need of support to make the sustainable transition.
- g. Support the Parliament’s position on climate proofing in the Common Provisions Regulation Article 2, ensuring that all plans and programmes are developed in line with the Energy Efficiency First Principle and must be embedded in decarbonisation pathways. Climate mainstreaming should be supported by a clear climate proofing methodology at both programming and project level.
- h. Enable a meaningful role for Monitoring Committees to decide on transfers of funding between priorities where they can be made.

**We call on the European Parliament to:**

- a. Stand firm on its positions on Article 6 (ERDF and Cohesion Fund) and Article 6a (Common Provisions Regulation), such that the cohesion policy fully excludes any financial support to fossil fuels and no fossil fuel investments can be made using EU Cohesion Policy Funds.
- b. Continue to promote the inclusion of Article 6a (Common Provisions Regulation), such that the partnership principle will be fully implemented from now on.
- c. Ensure time is made available to scrutinise and to work with the European Commission to adopt recommendations to improve the development of Partnership agreements and Operational Programmes by Member States in full respect of the Partnership Principle and the Code of Conduct on Partnership.
- d. Continue to promote an increase in thematic concentration on policy objective 2 in the ERDF to at least 40%, as regions eligible for this funding are often most in need of support to make the sustainable transition.

**We call on the European Commission to:**

- a. Hold Member States to account on stakeholder participation and the respect for the European Code of Conduct on Partnership (Commission Delegated Regulation 240/2014) in the development and implementation of programmes. The Commission should check the experience of a sample of partners in each member States and verify that all relevant partners were included before adopting Partnership Agreements and Operational Programmes. In the event of doubts over the adequacy of a Member State's consultations, the Commission should take appropriate steps to ensure the Member State has consulted and engaged the relevant partners.
- b. Support reporting by Member States on the development of Partnership Agreements and Operational Programmes, in collaboration with the European Parliament.
- c. Develop an improved methodology and set of markers for calculating the contribution to climate mainstreaming.
- d. Develop an improved definition of climate proofing to assist managing authorities when applying it to programmes and project proposals in order to assess their true strategic alignment with both National Energy and Climate Plans and a pathway to climate neutrality. This definition must include as a minimum consistency with the energy efficiency first principle and alignment with decarbonisation pathways.