Accompanying information on the case studies

Annex 4 to the Final Report

1.1. General Information

The case studies cover the following topics and countries:

1. ESIF Architecture (Estonia, Hungary, Germany, Portugal, Slovenia)
2. Financial Instruments (Lithuania and Slovenia)
3. Territorial Dimension and Integrated Approach (Germany, Poland, Portugal, Sweden)
4. ESIF Legislation (Latvia, Germany, Poland).

The case studies were based on the **list of questions** presented in Tables 1 – 4 in chapter 1.3 of this document. The scenarios of the individual interviews and consequently also the volume of collected information differed because of the following factors in particular:

► The nature of the respondent's involvement regarding the implementation of the ESIF in his/her member state,
► Knowledge and experience of the respondent,
► Availability of the respondent,
► Relevance and importance of individual topics in the context of the ESIF implementation in a given member state,
► Elaboration of individual topics at the time of the interview - some topics were discussed with the respondents at the end of the interviews.

In the light of the above information, each case study may contain answers to some **follow-up questions** or even entirely new questions or, on the contrary, it may lack answers to some questions when the respondents did not have relevant knowledge and the topic did not seem to be of a major interest for the purposes of the case study in the particular country.

1.2. Use of Case Studies

The information provided by respondents (actors of the implementation structure and other stakeholders) is always presented in anonymized form without the possibility of identifying a particular respondent. In line with the proposal, we conducted at least 5 interviews for each analyzed country, and in most cases the number of interviews was significantly higher.

Case studies have been developed only for a narrow range of countries, for which reason it is not possible to apply subjective assessment of success and problems with the implementation of ESIF in each country to other countries with a similar implementation architecture in which such detailed information was not available from the nature of the task.

Outputs of the 2nd Phase of the Project were prepared given the Project's assumptions/limitations presented in Appendix 1 to the Final Report. These limitations must be considered when using and interpreting outputs.

1.3.   List of questions

Table 1: List of standard questions for topic no 1. – ESIF Architecture.

1.1	What are the pros and cons of the implementation structure of ESIF in your country (incl. legal arrangements)?
1.1.1	Have any modifications in comparison to the previous programming period 07-13 taken place? If yes, what was the rationale?
1.1.2	Are there any modifications planned towards the upcoming programming period 2021+?
1.1.3	How does the coordination between individual OPs (mono-fund, multi-fund, and multi-regional) look like? How is the thematic concentration handled? On what basis has been the set of themes / topics selected?
1.1.4	Is there any central coordination platform of ESIF? Is there a single IT system (for application, administration, and monitoring)? Is there any central coordination of ESIF with any other funding sources (EU, national, other)? How is the awareness of applicants / beneficiaries (with respect to various opportunities for funding) assured?
1.1.5.	Is the complementarity / synergy of ESIF and any other funding sources assured? How is this handled?
1.1.6	To what extent is the implementation of EAFRD and EMFF programmes included into the central coordination of ESIF? What is the role of the National Body for Coordination with respect to these programmes?
1.2	How does the implementation structure of ESIF (incl. relationships between the individual institutions) look like? Can you verify / update / complement the scheme attached?
1.2.1	Are there any "subject-matter authorities / sponsors" of specific calls for proposals, priority axes, programmes etc.? If yes, what is their role and on what (legal) basis is it defined? (e.g., an institution is not an official Intermediate Body, but it systematically participates on the process of projects' selection)
1.2.2	How are the competences (of NBC, MA, IB, AA, PA, CA, and other stakeholders) distributed? Is there any overlap of individual competences?
1.2.3	Who is responsible for setting up the processes within the implementation structure (on the ESIF level and on the programme level)?
1.2.4	How are the responsibilities of individual stakeholders (NBC, MA, IB, AA, PA, CA, beneficiary) enforced, by whom, and on what legal basis?
1.2.5	Handling of which processes introduce the major issues in compliance with the general regulation? Is there any substantial difference between the formal settings of the implementation structure and the informal procedures which take place in practice?

1.3	How are the progress and results monitored? What are the pros and cons of the scheme employed?
1.3.1	What is the full list of processes covered by monitoring? Does the IT system cover any processes beyond those defined by the general regulation? If yes, which of them and to what extent? (e. g., administrative capacity, organisational structure etc.) Is the "only once encoding principle" (stated by e-Cohesion policy) observed?
1.3.2	How and by whom is the execution of monitoring enforced? By which act is it defined? Are the rules unified across individual programmes? If not, what are the differences or exceptions?
1.3.3	How is the monitoring of progress on a project level handled? Are there unified templates of the beneficiaries' reports? How is the monitoring of progress on a programme level handled?
1.3.4	Who are the administrators and users of individual IT systems? Do the stakeholders from the outside of the implementation structure (other controlling authorities, tax office etc.) have any roles assigned? If yes, what are the roles and who does approve them? Can you provide us with the process scheme of the IT system?
1.3.5	Is there any legal or methodological document on which basis is the IT system developed? If yes, who does the document issue and what is the frequency of its updating? Is there any development of the IT system beyond the legal / methodological document?
1.3.6	Who is responsible for development of the IT system(s)? Can other stakeholders (users) make change requests? If yes, how is execution of the changes financed?
1.3.7	What is the level of interoperability of individual IT systems? To which IT systems outside the implementation structure are they connected? Are there various interconnections to a single system according to different needs?
1.3.8	How is the ownership structure of applicants / beneficiaries verified? Is there any "black list" of applicants / beneficiaries shared across individual programmes? Are all controlling processes handled within the IT system (controls conducted by AA, MA, tax office, other controlling authorities etc.)?
1.3.9	What is the level of interoperability of individual IT systems with SFC? How does the transfer of data to SFC look like? Are there any problems arising from the updates of technical documentation issued by the EC?
1.3.10	Is the full list of reports required by the general regulation automatically produced / prepared by the IT systems themselves? If not, which of the reports are extracted and how are they handled? Can you provide us with some sample reports (blank templates)?
1.3.11	Are there any conventional data mining tools incorporated into the IT system (Oracle etc.)? If yes, who is authorised to use them? Are there only the predefined data sets available, or are the users able to create a data set based on their needs?

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1.3.12	Who is responsible for correctness of data stored in the IT system / data sets exported? Is there any tool (incorporated into the IT system) for verification of completeness and correctness of data?
1.3.13	How are the objectives set in the Partnership Agreement and individual Operational Programmes coordinated?
1.3.14	Is there any coordination between the institutions of the implementation structure and the applicants / beneficiaries of strategic projects (i. e., the projects operated by public administration which are extensively time-consuming)? How is the mismatch of time frames handled?
1.4	How does the strategic management of Partnership Agreement look like? In reality, is PA the key strategic document which represents the base for individual programmes, or is it rather a formal (necessary) document? Is it result-oriented? How are the results monitored and evaluated? What are the pros and cons of the approach?
1.5	Has your country faced any substantial reduction of allocation between individual programming periods (especially 07-13 vs. 14-20)? If not an overall reduction, has your country faced any substantial shift of allocation between individual funds (ERDF, ESF, CF, EAFRD, EMFF)? If yes, which consequent modifications of the implementation structure have taken place?
1.5.1	Which of the consequent modifications have been proven successful? What should be perceived as the best practice?
1.5.2	What have been the most serious difficulties? What should be perceived as a bad practice?
1.6	Is there any coordination of individual controlling authorities (i. e., Auditing Authority and all other controlling authorities both inside and outside the implementation structure)? If yes, how is it handled? How does the legal arrangement of this look like?
1.6.1	Are the conclusions of individual controlling authorities binding? If yes, to what extent? Who is responsible for their realisation and enforcement?
1.6.2	Do the individual controlling authorities share their plans of controls with each other? If yes, how often and by which tools? Does any duplication of controls occur?
1.6.3	Do the individual controlling authorities share their conclusions with each other? Do they share the best practice? If yes, how do they share these?
1.6.4	How are the irregularities handled and collected? What is the role of each stakeholder in the process? Who does confirm the conclusions, enforce the recovery of unduly paid funds etc.?
1.6.5	What is the logic of solution in cases when different controlling authorities draw different conclusions? What is the hierarchy and how does the decision-making mechanism look like?

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Table 2: List of standard questions for topic no 2. – Financial Instruments.

2.1	In what areas are Financial Instruments mainly used? Are there areas supported exclusively by FI?
2.2	What are the examples of good or bad practice using FI? What are the success factors or barriers to the successful use of the FI? How to ensure attractiveness of FI? How is attractiveness of FI ensured in relation to EFSI and community programs?
2.2.1	Why are the FIs supported in these countries? What financial products (loans, guarantees, capital inputs, ...) and in which areas are they mainly used?
2.2.2	How is absorption capacity built? How is dealt with "cannibalism" / overlap of support with other financial instruments - from national or European sources?
2.2.3	What are the legislative barriers (e.g. in financial flows, accounting, controls)?
2.3	What are the most used FI implementation structures? What bodies or actors are involved in the FI implementation? What are the risks and benefits of these implementation structures? Is there a central coordinating body that coordinates only the FI implementation? Are the FI part of the coordinated investment policy of a given country? What is the role of the national development banks?
2.3.1	What is the FI implementation scheme and how are the individual implementation elements legally addressed?
2.3.2	Are funds of funds used or are FIs implemented via the FI Administrator? Is the FI Administrator selected directly (do we use vertical cooperation, horizontal collaboration?) or via procurement procedure? If directly, then how? (Vertical cooperation x horizontal cooperation).
2.3.3	Are there exceptions to the Directive? Is there a direct input (in-house, etc.)? If there is a competition - how does the process take place, what are the experiences and issues?
2.3.4	If the FIs are implemented through an international fund of funds or an administrator (e.g. EIF) and currency is not the national currency, are the financing agreements with that manager concluded in EUR or national currency?
2.4	How to set up the FI most effectively to avoid unnecessary administrative burdens on the actors of the implementation structure or the beneficiaries and the use of FI was transparent?
2.4.1	How to set the FI up as simple as possible for everyone involved? How is the promotion of FI ensured?
2.4.2	If support is used in the form of a combination of financial instruments and subsidies, in which areas is it and what are the conditions for obtaining them? How is the combination set up?
2.4.3	What are the conditions for obtaining financial support in the form of FI? Is there any form of transfer of know-how and education, such as coaching or mentoring?

Table 3: List of standard questions for topic no 3. – Territorial Dimension and Integrated Approach

3.1	What bodies or actors are involved in this allocation? How is quality planning and the associated degree of decentralization of this strategic planning being ensured? What risks are associated with this? How is the partnership principle grasped and anchored in the territorial dimension?
3.1.1.	How are the territorial development strategies developed? What is the methodological support at the national level / level of the MA? Who approves these strategies? How is their implementation monitored and evaluated? How are they linked to national strategies?
3.1.2	How are the territorial strategies developed and who defines the territory?
3.1.3	When does the LAG become the LAG in other member states, are there any standards for assessment that LAG needs to meet? How does the LAG participate in the project selection?
3.1.4	How do the cities operate within ITI, are they always an IB?
3.2	What topics are addressed within the territorial dimension and integrated tools? Are there areas supported solely by the territorial dimension and integrated tools?
3.3	What are the success factors and the barriers to the success of allocating ESIF funds only to selected territories and/or through integrated tools?
3.3.1	What are the elements that allow successful implementation of integrated tools or, on the contrary, barriers to successful implementation of integrated tools?
3.4	How to set up the territorial dimension most effectively to avoid unnecessary administrative burden on the actors of the implementation structure or the beneficiaries, while maintaining its use transparent?
3.4.1	How to set the implementation of integrated tools to be simple (or as simple as possible) and at the same time transparent? How to set up a MA / IB / local government relationship (LAG, ITI) - connection to IT systems, providing audit trails etc.?
3.5	How have the elements of the territorial dimension, including the integrated tools, been implemented or anchored in the national legislation or in the ESIF methodical setting?
3.5.1	In the Czech Republic, it is mainly enshrined in legislation (Section 18 of Act No. 248/2000 Coll., On Regional Development Support) and in methodological guidelines (in particular Methodology of the use of integrated tools). How is it solved abroad? How is the role of the LAG (or ITI) anchored in legislation? Do ITI have the form of an Intermediate Body, or how do ITI/LAG work legally to ensure the implementation of the LAG?
3.6	Is there an assessment of the impacts of allocations on the territory (or how is the impact measured - e. g., the Territorial Impact Assessment for assessing the potential territorial impact of projects/strategies/policies)?

3.6.1	How is the impact of integrated tools implementation on the territory assessed? What are the results of these evaluations?
3.7	How is the territorial dimension addressed outside the integrated tools - is there a document similar to the Czech National document of the territorial dimension?
3.7.1	How does a given country support a territorial dimension outside the integrated tools? Is there a similar document/procedure to the Integrated Instrument Guidelines (MPIN) and the National Document to the Territorial Dimension (NDTD)?
3.8	What knowledge does already exist about the functioning of the integrated approach and its evaluation against the standard thematic approach (i.e. allocation of resources through the Operational Programs)?
3.8.1	Is the current setting of integrated tools (in terms of process set-up and implementation structure) appropriate and effective (compared to other ways of supporting the territorial dimension)?
3.8.2	Method of funds allocation to selected territories without the use of integrated tools or with a combination of different tools.

Table 4: List of standard questions for topic no 4 – ESIF Legislation.

4.1	Is there any contradiction with respect to irregularities? Is there an institute similar to irregularity defined also in national legislation? Does its definition differ significantly from the one in the general regulation? If yes, how was / is the issue handled?
4.1.2	Are the irregularities under ESIF always perceived as irregularities under the national legislation? If not, how is the amount of state co-financing (if applicable) subject to irregularity handled?
4.2	How is the EU legislation regarding ESIF implemented into the national legislation? (e. g., laws, decrees, binding methodologies, guidelines etc.)
4.2.1	Who is responsible for creation of national legislation which regulates the implementation of ESIF? And on what legal basis?
4.2.2	What is the hierarchy of individual (non-)legal documents and methodologies / guidelines? To what extent are they binding? Who is responsible for their enforcement?
4.2.3	What are the shortcomings of the existing implementation of legislation? On the other hand, what should be perceived as a best practice?
4.3	Is there a tendency to always modify the national legislation in order to comply with EU Regulation? Are there any substantial discrepancies?
4.3.1	Are there any examples of an efficient handling of the contradictions between EU and national legislation?

4.3.2	Handling of which processes introduce the major issues in compliance with the general regulation? What are the major issues which emerge from the legislative discrepancies?
4.4	How are the complaints handled?
4.4.1	What remedies are in place for an unsuccessful applicant?
4.5	What is perceived as a key factor for efficient implementation of ESIF with respect to national legislation and other (non-)legal framework?
4.5.1	Are there any modifications planned towards the upcoming programming period 2021+ with respect to national legislation and other (non-)legal framework?

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