

BACKGROUND FICHE FOR EGESIF: LESSONS LEARNED FROM THE 2014-2020 IMPLEMENTATION OF EX-ANTE CONDITIONALITIES

Ex-ante conditionalities (ExAC) were successful in addressing some persistent bottlenecks to effective and efficient ESI Funds spending and contributed to implementing policy reforms thus improved the investment environment in the EU.

What worked well

Setting out the ex-ante conditionalities and their criteria in the EU regulations together with a direct link with the relevant priorities, have created **a consistent framework** for assessing the state of preparedness of Member States and regions to implement the ESIFs. Presenting the state of fulfilment/partial fulfilment/non-fulfilment of the ExACs in the programmes established a common point of departure for both the Member States and the Commission at programme adoption. The requirement to fulfil the ExACs in the first years of the programming period **mobilised the relevant national and regional authorities** to meet their obligations. The process of assessing and fulfilling ExACs **improved the coordination** among ministries and stakeholders within Member States. There was also **an on-going dialogue** between the Commission and the Member States on the content of the action plans to fulfil the ExACs and on the progress made in fulfilling them which ultimately led to a policy dialogue in a number of instances.

What should be improved

There seems to be agreement that some ExACs resulted in **disproportionate administrative burden** linked to their fulfilment and assessment on both sides.

Some **legal unclarities and impracticalities** have also been reported to complicate the process, e.g.:

- duplications in the partnership agreement and programme(s), esp. for the general ExACs;
- requirement to report the completion of the action plans in the annual implementation reports, which in practice were found by many to be additional, unnecessary burden, because the managing authorities were mostly informing the Commission on the progress on a regular basis;
- ExACs were not always fully taken into account during programme implementation, e.g. when preparing the selection criteria or launching the calls for proposals.

In addition, some action plans were deemed too long and detailed, often leading to delays in the negotiations of the programmes.

Questions for discussion

- Which ExACs and criteria proved to be useful? Which could be discontinued and why?
- Based on your experience, how could the process be improved with a view to reducing the administrative elements and duplications (i.e. content of partnership agreements and programmes)?

- Do you see the need for improving the enforcement of fulfilment and application of ExACs throughout the period (i.e. follow-up to the application of the strategies or other deliverables in the programmes' implementation)?
- What is your experience with the action plans? Were they positioned well as part of the programmes?
- How could a consistency between ExACs and the European Semester processes be improved?