

DIRECTORATE-GENERAL FOR INTERNAL POLICIES

POLICY DEPARTMENT **D**
BUDGETARY AFFAIRS

Budgets

Budgetary Control



How the EU and Member States manage data transparency and accessibility on EU funds

STUDY



DIRECTORATE GENERAL FOR INTERNAL POLICIES
POLICY DEPARTMENT D: BUDGETARY AFFAIRS

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Abstract

The objective of this study is to identify factors that impact on transparency and accessibility in the EU and its Member States. Cases studies with reference to shared management have been carried out in Belgium, Finland, France, Germany, Italy and Poland. A variety of funds in direct and indirect management as well as the European Development Fund are also part of the research. The periods under scrutiny are the Multiannual Financial Frameworks (MFF) 2007 – 2013 and in particular 2014 - 2020. Finally, the study concludes with evidence-based policy recommendations which can allow further data transparency and accessibility.

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LIST OF ABBREVIATIONS

CF	Cohesion Fund
EAGF	European Agricultural Guarantee Fund
EARDF	European Agricultural Fund for Rural Development
EC	European Commission
EDF	European Development Fund
EIB	European Investment Bank
EIF	European Investment Fund
EMFF	European Maritime and Fisheries Fund
ESF	European Social Fund
ETI	European Transparency Initiative
EU	European Union
FR	Financial Regulation
FTS	Financial Transparency System
FYROM	Former Yugoslav Republic of Macedonia
INIO	Informal Network of ESF Information Officers
IO	International Organisations
IPA	Instrument for Pre-accession Assistance
MFF	Multi-annual Financial Framework
MS	Member State
NGO	Non-governmental organisations
NUTS	Nomenclature of territorial units for statistics
OECD	Organisation on Economic Cooperation and Development
SME	Small and medium enterprise
TEU	Treaty on the European Union
UN	United Nations
WB	World Bank

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EXECUTIVE SUMMARY

The European Transparency Initiative was launched by the European Commission in 2005 and counts four key pillars: (i) regulating public access to documents; (ii) the codification of ethical rules and standards for public officials; (iii) enhancing transparency in the context of lobbying and consultation, and, most importantly for our purposes, (iv) increasing transparency in the context of EU funds. The present study is concerned with that last element as it seeks to identify the current state of affairs of transparency and accessibility with regard to EU funding mechanisms in direct, indirect and shared management, as well as the European Development Fund, across the European Union.

In examining various funding mechanisms as well as their formulation, implementation, and administration at EU but also at national and regional levels, the study attempts to determine whether the various objectives related to transparency and accessibility, as set out in EU primary law and secondary legislation, are currently being complied with. It also enquires which factors improve transparency and accessibility and which obstacles public authorities have encountered in this respect. In order to best assess the current state of affairs in the context of EU funds in direct, indirect and shared management, as well as of the EDF, in 2014-2020 funding period, we have undertaken a number of case studies. The study thus adopts a multi-level approach, in line with the multi-level nature of the various funding instruments themselves.

Aim

The objective underlying this exercise consists in identifying factors that impact on transparency and accessibility, information that could be useful to be taken into account for future policy-making in this domain. The study has examined these issues with reference to the following Member States and regions: Belgium (Wallonia), Finland, France (Auvergne Rhône-Alpes), Germany (Baden-Württemberg), Italy (Lombardy), and Poland. The periods under scrutiny are the Multiannual Financial Frameworks (MFF) 2007 – 2013 and, especially, the current funding period of 2014 - 2020. In carrying out these case studies we are interested in three main themes for funds used within the EU:

- First, we analyse whether Member States fulfil the legal requirements with regard to transparency and accessibility of information pertaining to EU funds for the 2014-2020 funding period;
- Second, this study pays close attention to whether Member States and their regions go beyond these legal requirements and whether they have created what can be referred to as 'best practices' that could be easily transposed to other Member States or regions to further the goals of transparency and accessibility in the Union at large;
- Third, the study seeks to identify factors that, negatively or positively, impact on data transparency and accessibility in the context of EU funds in direct, indirect or shared management as well as of the European Development Fund.
- We have conducted a detailed legal and empirical analysis to this end and reproduce our findings on legal compliance in the various Member States and regions in this study.

Figure 1: Overview of findings

		GERMANY (Baden- Württemberg)	FRANCE (Auvergne Rhône- Alpes)	ITALY (Lombardia)	POLAND	FINLAND	BELGIUM (Wallonie)
EAFG/ EAFRD	Accessibility	✓	✗	✓	✗	✓	✓
	Transparency	✓	✗	✓	✓	✗	✓
EMFF	Accessibility	✗	n/a	/	✗✗	/	/
	Transparency	✗✗	n/a	/	✗✗	/	/
ESF	Accessibility	✗	✓	✓	✓	✓	✓
	Transparency	✗	✗✗	✓	✗	✗	✓
	<i>Beyond requirements</i>	✓	✓	✓	✓	✓	✓
EFRD	Accessibility	/	✓	✓	✓	✓	✓
	Transparency	/	✗	✓	✗	✗	✓
	<i>Beyond requirements</i>	-	✓	✓	✓	✓	✓

Source: **Authors' research**

- ✓ Full compliance
- ✗ One element missing
- ✗✗ Two or more elements missing
- / List currently not (yet) available
- n/a Not applicable (no funding from this fund)

On the basis of this research we have formulated a number of evidence-based policy recommendations that we believe could further transparency and accessibility in the context of EU funds, which are explained in further detail at the end of this study. The key objective behind these formulations is to render a complex system more accessible for the ordinary citizen. First, administrations at all levels should seek to communicate information on the funds in the easiest possible language. Second, public authorities should make use of the opportunities provided by technological progress and take the following measures: assemble data in one place, make databases compatible and fully searchable, rely on visualization tools such as digital maps, and allow for data to be aggregated. Finally we suggest that while the EU's Financial Transparency System constitutes a laudable initiative, it needs to be reviewed in order for it to be fully operational.

Methodology

Our methodology comprises a range of qualitative research techniques.

- Desk research
- Legal analysis
- Case studies incl. semi-structured interviews
- Cross-country and cross-fund analysis

Extensive desk research has been undertaken to collect data and information corresponding to the aims and objectives of the study. Most importantly, we have focused on the Financial Transparency System and the lists of beneficiaries made available at national and regional level. A legal analysis of primary and secondary European legal provisions as well as, where relevant, national legal frameworks has subsequently been carried out. As about 80% of the EU budget is in shared management with national and regional management, we chose to carry out case studies including semi-structured stakeholder interviews on those levels. The following countries were selected and analysed by a dedicated case study expert: Belgium (Wallonia), Finland, France (Auvergne Rhône-Alpes), Germany (Baden-Württemberg), Italy (Lombardy), and Poland. To provide a complete picture, we also look at funds in direct management (using the Financial Transparency System), indirect management (paying particular attention to funds entrusted to partner countries, international organisations and the EIF) as well as the European Development Fund.

A cross-country and cross-fund comparative analysis was then undertaken to shed light on data transparency and accessibility with regards to funds in shared, direct and indirect management as well as the European Development Fund. This allowed us to identify divergences in terms of data transparency and accessibility across Member States, across the type of management (shared, direct, indirect) but also between funds and point to best practices. On the basis of this, we have developed a set of evidence-based policy recommendations.

Also a less detailed analysis of EDF funds has also been performed with some insights from Nigeria, Haiti and Vanuatu. This has been undertaken contacting the European Commission and the EIB to discuss the challenges on transparency towards EU citizens and local citizens. Given the complexity of the EDF funding operations and the very different challenges each developing country brings in terms of transparency for the local population and the management of funds with the government authorities, a wider study with better contacts with organisations on the ground would be needed, involving specialists in development actions. The dimension of the challenge is very different in a large federal state, such as Nigeria, and small islands, such as Vanuatu. One aspect is common to all cases, the need of administrative capacity in programme management and evaluating the impact of public funds. The EU interventions are creating a better awareness on transparency needs and also fostering demands by civil society for better national government accountability due to the example given by operations by the EU and the support the EU gives to projects by civil society groups.

Recommendations

- In order to improve transparency and accessibility, **public authorities at all levels involved in the administration should seek to communicate information on the funds in the easiest possible language**. Using easy language and technological tools could be helpful for public authorities seeking to improve transparency and accessibility in the context of EU funds.
- Technology opens up new ways for transparency and we suggest that public authorities should follow the **examples set by those Member States and regions that assemble data in one place**. This does not exclude the parallel keeping of databases at subnational level.
- We suggest that public authorities should make their **various databases 'fully searchable and compatible, so as to make possible an EU-wide outlook of the data** presented while

preserving their local relevance.’ This also includes using English as a common language in addition to the national language(s) used.

- The use of **visualization tools**, such as digital maps, should also be encouraged as it facilitates the communication of a complex topic, such as that of the EU funds. As outlined above digital maps have now been adopted by some authorities administering EU funds and we believe that this could be useful to public authorities more widely.
- This study furthermore recommends that public authorities at all levels ensure that **data can be aggregated**. As this is a technological possibility now, full use should be made thereof as it would facilitate transparency and accessibility to a significant degree. This would also make data available for the scientific community so that more targeted and detailed research could be carried out, helping to create a better understanding of the true impact of these funding mechanisms.
- Finally, while the **Financial Transparency System is a laudable initiative, it needs to be improved**. At this stage the data has the benefit of being in one place but it is very difficult to make sense of due to, for instance, the absence of a project description.
- On EDF funds while an improvement of visibility of actions by better tools for search and visualisation are needed in the EU, the ***largest problems locally come from national government’s administrative capacity, and difficulties to communicate information to the population when information sources are scarce.***

ZUSAMMENFASSUNG

Hintergrund

Die Europäische Transparenzinitiative wurde im Jahr 2005 von der Europäischen Kommission ins Leben gerufen und besteht aus vier Säulen: i) den Vorschriften über den Zugang der Öffentlichkeit zu Dokumenten, ii) dem „Kodex für gute Verwaltungspraxis“ für Beamte, iii) der erhöhten Transparenz in Bezug auf Lobbying und Sachverständigengruppen, und vor allem, iv) die verstärkte Transparenz von Informationen über die Ausgaben des EU Haushalts. Die vorliegende Studie konzentriert sich auf diese letzte Dimension, indem sie das aktuelle Niveau an Informationszugang und Transparenz in Bezug auf EU-Fördermechanismen in direkter, indirekter und geteilter Mittelverwaltung sowie in Bezug auf den Europäischen Entwicklungsfond untersucht.

Indem sich die Studie den unterschiedlichen Finanzierungsmechanismen sowie deren Implementierung auf europäischer, nationaler und regionaler Ebene widmet, versucht sie festzustellen, ob die definierten Ziele für Transparenz und Informationszugang heute so eingehalten werden, wie sie in den primären und sekundären EU-Rechtsquellen verfasst sind. Die Studie analysiert auch, welche Faktoren den Zugang zu Information und Transparenz wirksam verbessern und auf welche Hindernisse öffentliche Behörden in dieser Hinsicht stoßen. Um ein genaueres Bild der aktuellen Lage im Kontext des EU Haushalts in direkter und indirekter und geteilter Mittelverwaltung, wie auch des Europäischen Entwicklungsfonds (EEF), für den Finanzrahmen 2014-2020, zu erhalten, haben wir eine Zahl von Fallstudien durchgeführt. Die Studie verwendet somit einen mehrschichtigen Ansatz, der den mehrschichtigen Charakter der unterschiedlichen Finanzierungsinstrumente selbst widerspiegelt.

Zielsetzung

Das Ziel der vorliegenden Untersuchung besteht darin herauszufinden, welche Faktoren auf Informationstransparenz und -zugang Einfluß ausüben. Diese Ergebnisse können für zukünftige Gesetzgebung in diesem Politikfeld relevant sein. Unsere Studie geht dieser Frage in folgenden Mitgliedsstaaten und Regionen nach: Belgien (Wallonien), Finnland, Frankreich (Auvergne Rhône-Alpes), Deutschland (Baden-Württemberg), Italien (Lombardei) und Polen. Der Untersuchungszeitraum erstreckt sich auf den mehrjährigen Finanzrahmen 2007-2013 und im Besonderen auf den augenblicklichen Finanzrahmen 2014-2020. Bei der Durchführung der Fallstudien haben wir uns mit drei Themenkomplexen beschäftigt:

- Erstens, erfüllen die Mitgliedsstaaten die gesetzlichen Voraussetzungen in Bezug auf Informationszugang und –transparenz?
- Zweitens, welche Mitgliedsstaaten und Regionen gehen über die Mindestbestimmungen hinaus und haben sogenannte ‘best practices’ geschaffen, die in anderen Mitgliedsstaaten oder Regionen übernommen werden könnten?
- Drittens, welche Faktoren beeinflussen in positiver oder negativer Hinsicht Informationszugang und –transparenz im Kontext direkter, indirekter und geteilter Mittelverwaltung von EU Geldern sowie beim Europäischen Entwicklungsfond?

Um diese Themenkomplexe zu beleuchten haben wir eine detaillierte juristische Analyse und empirische Untersuchung durchgeführt und stellen unsere Ergebnisse bezüglich der Einhaltung der rechtlichen Bestimmungen durch die Mitgliedsstaaten und Regionen in unserer Studie vor. Die folgende Tabelle bietet eine Übersicht unserer Ergebnisse.

		DEUTSCH- LAND Baden- Württem- berg	FRANK- REICH Auvergne Rhône- Alpes	ITALIEN Lombardei	POLAND	FINLAND	BELGIEN Wallonien
EGFL/ELER	Zugang	✓	✗	✓	✗	✓	✓
	Transparenz	✓	✗	✓	✓	✗	✓
EMFF	Zugang	✗	n/a	/	✗✗	/	/
	Transparenz	✗✗	n/a	/	✗✗	/	/
ESF	Zugang	✗	✓	✓	✓	✓	✓
	Transparenz	✗	✗✗	✓	✗	✗	✓
	<i>Zusätzliche Information</i>	✓	✓	✓	✓	✓	✓
EFRE	Zugang	/	✓	✓	✓	✓	✓
	Transparenz	/	✗	✓	✗	✗	✓
	<i>Zusätzliche Information</i>	-	✓	✓	✓	✓	✓

Quelle: Autoren

- ✓ Vollständige Einhaltung
- ✗ Ein fehlendes Element
- ✗✗ Zwei oder mehr fehlende Elemente
- / Liste (aktuell) nicht verfügbar
- n/a Nicht zutreffend (keine Finanzierung durch diesen Fond)

Auf der Basis unserer Untersuchung haben wir eine Zahl von evidenzbasierten Politikempfehlungen entwickelt, von denen wir glauben, dass sie zur Verbesserung von Informationszugang und –transparenz beitragen können. Die detaillierten Ziele sind am Ende der Studie zu finden. Das Hauptziel dieser Empfehlungen ist es, dem gewöhnlichen Bürger ein komplexes System zugänglicher zu machen. Erstens, sollten öffentliche Behörden auf allen Ebenen versuchen, Informationen über EU-Gelder in der einfachst möglichen Sprache zugänglich zu machen. Zweitens sollten Regierungsbehörden die Möglichkeiten, die sich durch neue Technologien bieten, nutzen und folgende Maßnahmen ergreifen: Daten an einem zentralen Ort zugänglich zu machen, die unterschiedlichen Datenbanken zu integrieren und mit Suchfunktion auszustatten, Visualisierungsmöglichkeiten wie digitale Karten nutzen, und Daten aggregierbar machen. Letztens schlagen wir vor, das EU-Finanztransparenzsystem weiterentwickeln, das zwar eine sehr lobenswerte Initiative darstellt, aber voll funktionsfähig gemacht werden sollte.

Methodik

Unser methodischer Ansatz basiert auf den folgenden quantitativen Forschungsmethoden

- Desk Research
- Juristische Analyse
- Fallstudien (inkl. semi-strukturierter Interviews)
- Komparative Analyse der Mitgliedsstaaten und Fonds

Wir haben umfangreich Sekundärquellen bearbeitet, um Informationen zu erhalten, die der Zielvorstellung der Studie dienlich sind. Wir haben uns dabei vor allem auf das Finanztransparenzsystem und die Listen der Empfänger von EU-Geldern auf nationaler und regionaler Ebene konzentriert. Im Anschluss haben wir eine juristische Analyse primärer und sekundärer EU-Rechtsquellen und, wo nötig, nationaler Gesetzgebung durchgeführt. Da etwa 80% des EU-Budgets in geteilter Mittelverwaltung durch nationale und regionale Behörden ausgegeben werden, haben wir diesen Ebenen Fallstudien und Interviews mit Interessenvertretern gewidmet. Unsere Fallstudienexperten haben die folgenden Länder und Regionen untersucht: Belgien (Wallonien), Finnland, Frankreich (Auvergne Rhône-Alpes), Deutschland (Baden-Württemberg), Italien (Lombardei) und Polen. Um ein vollständiges Bild der Lage zu erhalten, haben wir auch EU-Gelder in direkter Mittelverwaltung (mithilfe des Finanztransparenzsystems), indirekter Mittelverwaltung (wo wir uns besonders für Gelder, die durch Partnerländer, internationale Organisationen und den EIF verwaltet werden) und den Europäischen Entwicklungsfond untersucht.

Anschließend haben wir eine komparative Analyse von Ländern und Fonds durchgeführt, um Erkenntnisse über Datentransparenz und –zugang in Bezug auf die verschiedenen Mitgliedsstaaten, die verschiedenen Arten von Mittelverwaltung (geteilt, direkt und indirekt), aber auch die verschiedenen Fonds zu gewinnen. Hier lassen sich sog. ‚best practices‘ identifizieren. Darauf aufbauend haben wir folgende Politikempfehlungen entwickelt.

Empfehlungen

- Um Datenzugang und –transparenz zu verbessern, sollten öffentliche Behörden auf allen Ebenen versuchen, Informationen über EU-Gelder in möglichst einfacher Sprache zugänglich zu machen. Die **Verwendung einfacher Sprache und neuer Technologien** können ein wichtiger Schritt zu mehr Transparenz und Zugang in dieser Hinsicht sein.
- Neue Technologien bieten neuen Möglichkeiten für Transparenz und wir laden öffentliche Behörden ein, dem Beispiel derjenigen Mitgliedstaaten und Regionen zu folgen, die **Daten an einem zentralen Ort zugänglich** machen. Dies schließt die Existenz paralleler Datenbanken auf subnationaler Ebene nicht aus.
- Wir empfehlen den öffentlichen Behörden, die verschiedenen Datenbanken **‘mit Suchfunktion auszustatten und zu integrieren**, um einen EU-weiten Überblick über die Daten zu bieten, während gleichzeitig deren lokale Relevanz erhalten bleibt‘. Dies schließt auch die Nutzung von Englisch als gemeinsamer Sprache zusätzlich zu den nationalen Sprachen ein.
- Die Verwendung von Visualisierungsmöglichkeiten wie digitale Karten sollte ebenfalls gefördert werden, um die Kommunikation über ein so komplexes Thema wie EU-Gelder zu erleichtern. Wie oben beschrieben, nutzen einige Behörden bereits solche Karten und wir glauben, dass auch andere Behörden diese gewinnbringend einsetzen könnten.
- Diese Studie empfiehlt darüber hinaus öffentlichen Behörden auf allen Regierungsebenen, **Daten aggregierbar** zu machen. Inzwischen ist dies technisch möglich und sollte genutzt

werden, um Informationstransparenz und –zugang signifikant zu verbessern. Dadurch würden auch Daten für die Wissenschaftsgemeinschaft zugänglich, was eine gezieltere und detailliertere Forschung über die tatsächlichen Auswirkungen von EU-Geldern ermöglichen würde.

- Obwohl das **EU-Finanztransparenzsystem** eine sehr lobenswerte Initiative darstellt, sollte es weiterentwickelt werden. Zwar sind die Daten gegenwärtig an einem zentralen Ort gesammelt, aber es ist schwierig, sie sinnvoll zu verwenden, solange zum Beispiel eine Projektbeschreibung fehlt.
- In Bezug auf EEF-Fonds: während eine verbesserte Sichtbarkeit von Projekten durch bessere Suchmaschinen und Visualisierung in der EU nötig sind, stammen die größten lokalen Probleme von der Verwaltungskapazität der nationalen Regierungen und den Schwierigkeiten der Kommunikation mit der Bevölkerung, wo Informationsquellen rar sind.

SOMMAIRE

Contexte

L'Initiative européenne en matière de transparence a été lancée en 2005 et comprend quatre piliers majeurs : (i) régulation de l'accès public aux documents ; (ii) codification des règles et des normes éthiques pour les agents publics ; (iii) amélioration de la transparence dans le contexte du lobbying et de la consultation, et, chose particulièrement importante au regard de nos objectifs, (iv) augmenter la transparence dans le contexte des fonds européens. Cette étude porte sur ce dernier élément, en cherchant à analyser l'état actuel des choses en termes d'accessibilité et de transparence de données en ce qui concerne les mécanismes de financement européen en gestion directe, indirecte et partagée, ainsi que le Fonds européen de développement (FED), à travers l'Union européenne (UE).

En examinant différents mécanismes de financement aussi bien que leur formulation, mise en œuvre et administration au niveau européen, national et régional, cette étude s'efforce de déterminer si les différents objectifs concernant la transparence et l'accessibilité, comme indiqués dans la législation primaire et secondaire de l'UE, sont actuellement respectés. Elle renseigne également sur les facteurs d'amélioration et sur les obstacles que les administrations publiques ont rencontrés à cet égard. Afin de mieux évaluer la situation actuelle concernant la transparence et l'accessibilité des données, nous avons entrepris plusieurs études de cas. Cette étude adopte ainsi une approche à plusieurs niveaux, reflétant la nature multi-niveau des différents instruments de financement.

Objectif

L'objectif qui sous-tend cet exercice consiste à identifier des facteurs qui influencent la transparence et l'accessibilité, une information qui pourrait être utile à la future élaboration des politiques dans ce domaine. L'étude a examiné ces facteurs dans le contexte des Etats membres et régions suivants : Belgique (Wallonie), Finlande, France (Auvergne Rhône-Alpes), Allemagne (Baden-Württemberg), Italie (Lombardie) et Pologne. Les périodes étudiées s'inscrivent dans les limites des cadre-financiers pluriannuels (CFP) 2007-2013, et, plus particulièrement, de 2014-2020. Dans la conduite de ces études de cas, nous nous intéressons à trois questions principales pour les fonds utilisés au sein de l'UE.

- Premièrement, l'étude veut savoir si les Etats membres remplissent les exigences juridiques en termes de transparence et d'accessibilité à l'information concernant les fonds européens pour la période 2014-2020.
- Deuxièmement, cette étude regarde de près quels Etats membres et leurs régions vont plus loin que ces exigences en ayant élaboré ce qui peut être qualifié de « bonne pratiques » qui pourraient être facilement transposées dans d'autres Etats membres et régions.
- Troisièmement, cette étude cherche à identifier des facteurs qui influence, négativement ou positivement, la transparence et l'accès aux données dans le contexte des fonds européens en gestion directe, indirecte et partagée, comme dans celui du FED.

A cette fin, nous avons mené une analyse juridique et empirique détaillée et présenté nos résultats sur la conformité juridique des divers Etats membres et régions étudiés. Le tableau présenté ci-dessous fournit une vue d'ensemble synthétique.

		ALLEMAGNE (Baden-Württemberg)	FRANCE (Auvergne-Rhône-Alpes)	ITALIE (Lombardia)	POLOGNE	FINLANDE	BELGIQUE (Wallonie)
FEAGA / FEADER	Accessibilité	✓	x	✓	x	✓	✓
	Transparence	✓	x	✓	✓	x	✓
FEAMP	Accessibilité	x	n/a	/	xx	/	/
	Transparence	xx	n/a	/	xx	/	/
FSE	Accessibilité	x	✓	✓	✓	✓	✓
	Transparence	x	xx	✓	x	x	✓
	Au-delà des exigences	✓	✓	✓	✓	✓	✓
FEDER	Accessibilité	/	✓	✓	✓	✓	✓
	Transparence	/	x	✓	x	x	✓
	Au-delà des exigences	-	✓	✓	✓	✓	✓

Source: Données des auteurs

- ✓ Totale conformité
- x Un élément manquant
- xx Deux ou plus éléments manquants
- / Liste (actuellement) non disponible
- n/a Non applicable (pas de financement fourni par ce fonds)

Sur la base de cette recherche, nous avons formulé plusieurs recommandations politiques fondées sur des données concrètes, lesquelles pourraient promouvoir la transparence et l'accessibilité dans le contexte des fonds européens. Elles sont détaillées à la fin de cette étude. L'objectif clé derrière ces propositions est de rendre un système complexe plus accessible pour le citoyen ordinaire. En premier lieu, tous les niveaux d'administration devraient chercher à communiquer les informations sur les fonds, dans la langue la plus simple possible. Deuxièmement, les autorités publiques devraient faire usage des opportunités offertes par le progrès technologique and prendre les mesures suivantes: rassembler les données à un seul et unique endroit, rendre les bases de données compatibles et accessibles, s'appuyer sur des outils de visualisation tels que des cartes digitales et permettre une

désagrégation des données. Enfin, nous estimons que, bien que le Système de Transparence Financière de L'UE constitue une initiative louable, qu'il apparait nécessaire d'y apporter des corrections afin de le rendre complètement opérationnel.

Méthodologie

Notre méthodologie inclue une série de techniques de recherche qualitative.

- Recherche documentaire
- Analyse juridique
- Etudes de cas incluant des entretiens semi-structurés
- Analyse comparative transnationale et de fonds européens

Une recherche documentaire exhaustive a été menée afin de collecter les données et informations correspondant aux objectifs de l'étude. Elément important : nous nous sommes concentrés sur le Système de Transparence Financière et les listes de bénéficiaires rendues disponibles au niveau national et régional. Nous avons également conduit une analyse juridique des dispositions de la législation primaire et secondaire européenne, comme de celles des cadres juridiques nationaux le cas échéant. Comme environ 80% du budget de l'UE est en gestion partagée avec des autorités nationales et régionales de gestion, nous avons choisi de conduire des études de cas incluant des entretiens semi-structurés avec des parties prenantes à ces niveaux. Les pays suivants ont été sélectionnés, et chacun analysé par un spécialiste d'étude de cas : Italie, Allemagne, France, Finlande, Pologne et Belgique (et en particulier les régions de Lombardie, Auvergne-Rhône-Alpes, Baden-Württemberg et Wallonie). Afin de présenter une vision complète, nous avons également examiné les fonds en gestion directe (en utilisant le Système de Transparence Financière), en gestion indirecte (en accordant une attention particulière aux fonds confiés à des pays partenaires, organisations internationales et Fonds européen d'investissement), ainsi que le Fonds européen de développement (FED).

Une analyse comparative transnationale et entre fonds a été ensuite conduite afin de d'éclairer l'état de l'accessibilité et de la transparence des données dans le contexte des fonds européens en gestion directe, indirecte et partagée, comme dans celui du FED. Cela nous a permis d'identifier des divergences en termes d'accessibilité et de transparence entre les Etats membres, selon le type de gestion (partagée, directe, indirecte) mais également entre différents fonds, et d'indiquer des bonnes pratiques. Sur cette base, nous avons développé un ensemble de recommandations fondées sur des données concrètes.

Aussi, une analyse moins détaillée des fonds d'EDF a aussi été effectuée sur base du Nigeria, Haïti, and Vanuatu. Cette analyse a été menée en contactant la Commission Européenne et la BEI dans le but de discuter les enjeux de la transparence concernant les citoyens européens et locaux. Etant donné la complexité des opérations de financement de EDF et les défis très différents que chaque pays en développement apportent en terme de transparence pour la population locale et la gestion de fonds avec les autorités gouvernementales, une étude plus ample avec des contacts plus approfondis avec les organisations présentes sur le terrain se révèle nécessaire, notamment impliquant des spécialistes en développement. L'ampleur du défi est très différente dans un grand état fédéral tel que le Nigeria, par rapport à de petites îles comme le Vanuatu. Un aspect demeure néanmoins commun à tous les cas : le besoin de capacité administrative en termes de gestion de programme et d'évaluation des impacts des fonds publics. Les interventions de L'UE créent une meilleure prise de conscience à propos de la nécessité de transparence, et encouragent la société civile à exiger une meilleure

redevabilité des gouvernements nationaux en raison de l'exemple donné par les opérations de l'UE et le support que l'UE donne aux projets des groupes de la société civile.

Recommendations

- Afin d'améliorer la transparence et l'accessibilité, chaque échelon administratif devrait s'efforcer de communiquer les informations sur les fonds européens avec un langage aussi clair que possible. Utiliser un langage simple et des outils technologiques pourraient être utiles aux autorités publiques dans ce contexte.
- La technologie ouvre de nouvelles possibilités de transparence et nous proposons que les autorités publiques devraient suivre les exemples d'assemblage de données en un espace unique mis en place par les Etats membres et les régions.
- Nous suggérons que les autorités devraient rendre leurs diverses bases de données inter-compatible et entièrement consultables, de manière à rendre possible une vue d'ensemble à l'échelle européenne des données présentées tout en préservant leur adéquation locale.
- L'utilisation d'outils de visualisation, tels que des cartes digitales, devrait aussi être encouragée car elle facilite la communication de sujets complexes comme les fonds européens. Comme souligné plus haut, les cartes digitales ont d'ores et déjà été adoptées par plusieurs autorités administrant des fonds européens et nous croyons qu'elles seraient utiles aux autorités publiques plus largement.
- Cette étude recommande en outre que les autorités publiques à tous les niveaux fassent en sorte que les données puissent être agrégées. C'est de nos jours une possibilité dont un plein usage devrait être fait, car elle faciliterait la transparence et l'accessibilité à un niveau significatif. Cela rendrait aussi les données disponibles pour la communauté scientifique, de manière à ce qu'une recherche plus ciblée et détaillée puisse être conduite, créant ainsi une meilleure compréhension de l'impact réel de ces mécanismes de financement.
- Enfin, alors que l'Initiative européenne en matière de transparence constitue une initiative positive, elle doit être améliorée. A ce stade, les données ont l'avantage d'être centralisées mais il est difficile de leur donner du sens, à cause par exemple de l'absence de description de projets.
- A propos des fonds d'EDF, bien que l'amélioration de la visibilité des actions au moyen de meilleurs outils de recherche et de visualisation est nécessaire pour l'UE, le problème le plus important au niveau local provient de la capacité administrative du gouvernement national, et des difficultés quant à la communication de l'information à la population quand les sources d'information sont rares.

1. INTRODUCTION: DATA TRANSPARENCY AND ACCESSIBILITY IN RELATION TO EU FUNDS

The objective of the present study is to provide a critical and detailed analysis of data transparency and accessibility in relation to EU funds in direct, indirect and shared management as well as of the European Development Fund. In this introduction, we set out the background of data transparency and accessibility in this context. As the EU has developed and been further integrated, there has been an increasing awareness of the importance of transparency. European citizens, it is now widely recognised, should be able to easily access information on how the EU operates, and the information provided should be transparent in character. Before venturing on to that analysis, the terms of transparency and accessibility must first be defined.

For the purposes of the present study we define **accessibility** as the **ability to conveniently locate and access information on a given topic** (i.e. through a website, in an easily understandable format and language) and transparency as the easy-to-understand nature of the information located. We derive this definition of accessibility from Article 15(3) TEU which provides that European citizens as well as natural or legal persons established in the Union have a right 'of access to documents of the Union institutions, bodies, offices and agencies.' In our study, access is understood to refer to the right to see the document, and to do this within a reasonable time frame. **Transparency** on the other hand is understood to refer to the **legibility of the information received**. The Financial Regulation (Regulation 966/2012) stipulates that the principle of transparency, as enshrined in Article 15 of the Treaty on the Functioning of the European Union¹, 'requires the institutions to work as openly as possible, implies, in the area of the implementation of the budget, that citizens are able to know where, and for what purpose, funds are spent by the Union.'²

Transparency and Accessibility as a Governance Priority

Numerous soft law instruments of the European Commission witness the increased concern for transparency and accessibility in the EU context. The first initiative that must be mentioned by way of introduction is the **2001 White Paper on Governance**, which established five principles of good governance, namely openness, participation, accountability, effectiveness and coherence.³ The White Paper moreover formulated four main recommendations, namely to increase democracy and participation in the EU decision-making process; to guarantee a better involvement of citizens in that process, to safeguard enhanced legitimacy and accountability of EU policies and to address the role of the EU in a global context.⁴ In particular the concerns for accountability and the increase of democratic participation as well as accountability illustrate the increased importance of the transparency and accessibility of information on the creation and implementation of supranational policies.

¹ Hereafter referred to as 'TFEU'.

² Recital 16 of 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. 1–96 (hereafter referred to as the 'Financial Regulation').

³ European Commission, European Governance - A White Paper, COM (2001) 428 final.

⁴ Ibid.

These concerns were again taken up by the **European Transparency Initiative**, which was launched by the European Commission in 2005.⁵ The EU Transparency Initiative (ETI) is a cornerstone of the Commission's governance reform which has as its main objective the strengthening of public trust in the EU institutions. The 'Transparency Portal', a website created as a result of this initiative, explains that '[a]s a European citizen, you have a right to know how the European institutions are preparing these decisions, who participates in preparing them, who receives funding from the EU budget, and what documents are held or produced to prepare and adopt the legal acts.'⁶ The ETI counts four main pillars: (i) the regulation of public access to documents; (ii) the codification of ethical rules and standards for public officials; (iii) the enhancement of transparency in the context of lobbying and consultation, and, most importantly for our purposes, (iv) the increase of transparency in the context of EU funds.⁷ In the Green Paper on the European Transparency Initiative, the Commission has stated:

'The Commission believes that high standards of transparency are part of the legitimacy of any modern administration. The European public is entitled to expect efficient, accountable and service-minded public institutions and that the power and resources entrusted to political and public bodies are handled with care and never abused for personal gain.'⁸

The **Green Paper on the European Transparency Initiative** also explicitly addresses the importance of transparency and accessibility in relation to Union funding mechanisms, stating that the Commission is committed to 'raising awareness of the use made of EU money, notably by explaining better what Europe does and why it matters.'⁹ The Green Paper further stressed that the Commission is responsible for implementing the EU budget' and is, as such, 'accountable to the taxpayer and considers it to be in the general public interest to provide information on how EU funds are spent.'¹⁰ Transparency and accessibility may, however, be particularly difficult to achieve in the context of complex matters such as budgetary affairs. Cirpriani has indeed noted that the link between taxpayers and the EU budget is weak.¹¹ The burden of complexity with regard to transparency in the context of financial matters is indeed confirmed by the present study.

A number of important steps were taken subsequent to the European Transparency Initiative, such as **Council Regulation No. 1995/2006** which set out that the Commission will provide information on beneficiaries of EU funding.¹² Concerning the European Structural and Investment Funds¹³, **Council Regulation No. 1083/2006** first specified that "Member States and the Managing Authority for the Operational Programme shall provide information on and publicize operations and co-financed Programmes. The information shall be addressed to European Union citizens and beneficiaries with

⁵ SEC(2005) 1300.

⁶ European Commission, Transparency Portal, online at: http://ec.europa.eu/transparency/index_en.htm.

⁷ European Commission, Green Paper - European Transparency Initiative COM/2006/0194 final.

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

¹¹ G. Cirpriani, The responsibility for implementing the Community budget, CEPS Working Papers, no. 247 (2007), p. 18.

¹² Council Regulation (EC, Euratom) No 1995/2006 of 13 December 2006 amending Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities OJ L 390, 30.12.2006, p. 1–26.

¹³ Hereafter also referred to as 'ESIF'.

the aim of highlighting the role of the Community and ensure that assistance from the Funds is transparent".¹⁴

With the adoption of **Implementing Regulation No. 1828/2006** the European Commission set up two networks of Member State Communication Officers: the **INFORM network** for the ERDF and the **INIO network** for the European Social Fund.¹⁵ The aims of these two EU-wide networks are to improve the visibility of EU part-financed projects by sharing experiences and good practices, and to improve communication of EU projects to enhance public awareness of the benefits of EU funding.¹⁶

In **2009** the European Parliament Directorate-General for Internal Policies commissioned a **report** to examine the implementation of the ETI in the area of cohesion policy.¹⁷ The main questions were on the ability of Member States to fulfil the ETI requirements with the aim of identifying ways to improve implementation of the ETI where needed. The report found that, given the lack of precise EU-wide rules and enforcement, there was significant variation in how Member States published information:

- Some adopted restrictive approaches to publishing information due to privacy and data protection laws and practices.
- Several Member States published information only in their national language(s).
- There were occasionally gaps in the information available, which could be attributed to lack of administrative capacity.

As regards the websites set up to serve as sources of information for the INFORM and INIO networks created under Implementing Regulation No. 1828/2006, the report found that:

- At the regional level **72% and 78% of NUTS-2 regions** provided at least the minimum information required for ESF and ERDF/CF, respectively. However, the degree of detail and format varied considerably.
- Data was often provided only in the **local language and currency**, making it difficult to compare and compile an overview.

The report highlighted that while the European Directorates-General involved, DG REGIO and DG Employment, did play an active role in promoting transparency, the information provided by Member States still varied considerably in format and detail. The main reason for this was **the lack of prescriptive formats and administrative capacity**. The report also found lower-than-expected stakeholder demand to contribute to consultations and take part in projects, in part due to the complexity of funding procedures and lack of knowledge of EU subsidy rules. The report concluded that the ETI would have reached the objectives for introducing common minimum publication

¹⁴ Council Regulation (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999 OJ L 210, 31.7.2006, p. 25–78.

¹⁵ Commission Regulation (EC) No 1828/2006 of 8 December 2006 setting out rules for the implementation of Council Regulation (EC) No 1083/2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and of Regulation (EC) No 1080/2006 of the European Parliament and of the Council on the European Regional Development Fund.

¹⁶ European Commission (2016), INFORM network, http://ec.europa.eu/regional_policy/en/policy/communication/inform-network; European Commission (2016), Monitoring committee, http://ec.europa.eu/regional_policy/en/policy/what/glossary/m/monitoring-committee.

¹⁷ European Parliament (2009), The Data Transparency Initiative and its Impact on Cohesion Policy, [http://www.europarl.europa.eu/RegData/etudes/etudes/join/2009/419102/IPOL-REGI_ET\(2009\)419102_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/etudes/join/2009/419102/IPOL-REGI_ET(2009)419102_EN.pdf)

standards “if EU citizens actually make use of the data provided”. As this was far from the case, it recommended:

- Extending the ‘**minimum information**’ required for comprehensive contract details, such as project location, summaries, field, type of support, description of project partners, as well as information on the selection process, namely the scoring and ranking of applications.
- Making the Member State databases **searchable** and compatible through common requirement for the use of English and technical compatibility.

In addition to improving minimum requirements for publication under the European Transparency Initiative, the report also recommended developing additional best practice guidelines on the presentation and content of websites and reports. The report proposed improvements in cohesion programme procedures to promote transparency and reduce the financial risks and administrative burdens for participants. It also proposed renewed consultation on how to simplify and streamline rules for the Structural Funds, including through the Structural Funds Monitoring Committees. Despite all efforts to achieve greater transparency and accessibility, these tasks are not without their challenges.

The Challenge to Achieve Transparency and Accountability in the Context of EU Funds

Despite being a proclaimed governance priority of the European Commission, achieving transparency and accountability in relation to the functioning of the EU, and in particular the administration of its financial framework, is not without difficulty. The Commission has acknowledged that ‘modern mass communication tools’, a facilitator of transparency and accessibility this study extensively engages with, provide ‘unprecedented opportunities for public access to information.’¹⁸ Nonetheless the Commission is well aware that ‘European citizens regrettably feel that they have relatively limited knowledge about the European Union’ while, at the same time, having ‘growing expectations of greater transparency in public institutions.’¹⁹ The Commission, however, seems willing to address that challenge, as the EU, ‘as a driver of change and modernity, wishes to be at the forefront of this development.’²⁰ This study will point towards a number of best practices, also relating to modern **mass communication tools**, at national and regional level that can be of assistance in achieving this policy objective.

One theme that must be addressed is that of differences between Member States when it comes to transparency and accessibility . The Green Paper on the European Transparency Initiative recognised that the extent to which information is made public in the different Member States ‘differs significantly.’²¹ A 2009 study on transparency and accessibility in the context of EU funding mechanisms also pointed out that publication differs between Member States and that in particular those Member States with a ‘lack of administrative capacity’ were lagging behind.²² This study confirms that **differences remain between the different Member States and funds** that have been

¹⁸ European Commission, Green Paper - European transparency initiative COM/2006/0194 final.

¹⁹ Ibid.

²⁰ Ibid.

²¹ Ibid.

²² 2009 Study, p.9.

studied. An example illustrating that finding is that in Finland, the lists of beneficiaries of EU funds available online are updated daily whereas such lists are merely updated annually in other Member States. In others, they simply do not exist at this moment in time which is, however, the exception. While such divergences raise a number of potential difficulties, for instance regarding the equality between European citizens in the EU's various Member States, we will put forward that such divergence can also be seen as an opportunity as laggard Member States and regions can learn from those public authorities that are more advanced on these issues. We are particularly optimistic about this in light of the fact that the 2009 study pinpointed a lack of administrative capacity, as opposed to a reluctance to engage in transparency and accessibility as the key factor explaining why some Member States publish less information than others. Our study confirms the good will on behalf of administrators of EU funds on all levels to comply with the respective requirements. Sometimes, however, external factors such as lack of capacity or domestic legal requirements and cultures hinder the achievement of these goals.

The Principle of Transparency in EU Law

The fact that the principle of transparency is enshrined in **primary law** underlines its centrality in the EU context. In accordance with Article 15(1) TFEU the institutions, bodies, offices and agencies of the Union shall, in order to 'promote good governance and ensure the participation of civil society', conduct their work 'as openly as possible'. Another aspect of transparency in the EU setting is that the institutions 'shall maintain an open, transparent and regular dialogue with representative associations and civil society.'²³ The European Commission must, moreover, 'ensure that the Union's actions are coherent and transparent'.²⁴ In accordance with **EU secondary legislation**, the principle of transparency, as enshrined in Article 15 TFEU, 'requires the institutions to work as openly as possible, implies, in the area of the implementation of the budget, that citizens are able to know where, and for what purpose, funds are spent by the Union.'²⁵ This is said to foster democratic debate, contribute to citizens' participation in supranational decision-making, and reinforce institutional control and scrutiny over EU expenditure.²⁶ This objective 'should be achieved by the publication, preferably using modern communication tools, of relevant information concerning final contractors' and preserving beneficiaries' legitimate interests of confidentiality and security and, as far as natural persons are concerned, their right to privacy and the protection of their personal data.'²⁷

National authorities should thus make the decision to publish data in accordance with the **principle of proportionality**.²⁸ The principle of accessibility finds a clear expression in the EU Treaties with regard to the right of access to documents. Article 15(3) TEU provides indeed that '[a]ny citizen of the Union, and any natural or legal person residing or having its registered office in a Member State, shall have a right of access to documents of the Union institutions, bodies, offices and agencies, whatever their medium, subject to the principles and the conditions to be defined in accordance with this paragraph.' The section on legal analysis below engages with the question of how the principles of

²³ Article 11(2) TEU.

²⁴ Article 11(3) TEU.

²⁵ Recital 16 of 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. 1–96 (hereafter referred to as the 'Financial Regulation').

²⁶ Ibid, Recital 16.

²⁷ Ibid.

²⁸ Ibid.

transparency and accessibility finds particular expression in the context of secondary legislation dealing with EU funds in direct, indirect, and shared management as well as with the EDF.

EU secondary regulation sets out a number of **legal requirements** pertaining to the transparency and accessibility of information relating to the various EU funding mechanisms covered by the present study. These are set out in further detail below. The first point that must be made here already, however, is that EU law pursues two overall objectives in this regard. First, to render information relating to these funds **accessible and transparent**, a point that is examined further below. The second objective that is pursued, which is not covered exhaustively by the subsequent analysis and must thus be addressed by way of introduction, is that of **data protection**. The protection of personal data is a policy priority of the European Union.²⁹ Article 8(1) of the Charter of Fundamental Rights proclaims that '[e]veryone has the right to the protection of personal data concerning him or her.' Personal data must as a consequence be processed 'fairly for specified purposes and on the basis of the consent of the person concerned or some other legitimate basis laid down by law.'³⁰ The Charter of Fundamental Rights moreover provides that everyone has the right to access the data collected that concerns them personally, as well as the right to have it rectified.³¹ The protection of personal data is also addressed by the instruments of EU secondary law governing the disclosure of data related to the various EU funds. The various provisions of EU law concerned with the publication of data relating to the supranational funds accordingly seek to respect the objective of data protection while, at the same time, rendering data relating to these funds more accessible and transparent. It is now time to move on to the substance of our study, and, accordingly, the analytical framework we have relied on.

²⁹ On this, see <http://ec.europa.eu/justice/data-protection/>.

³⁰ Article 8(2) of the Charter of Fundamental Rights.

³¹ Article 8(2) of the Charter of Fundamental Rights.

2. ANALYTICAL FRAMEWORK

In order to best assess the current state of affairs with regard to data transparency and accessibility in the context of EU funds in direct, indirect and shared management, as well as of the EDF, in the current and the past funding periods, we have undertaken a number of case studies. The research team has examined these issues with reference to the following Member States and regions: Belgium (Wallonia), Finland, France (Auvergne Rhône-Alpes), Germany (Baden-Württemberg), Italy (Lombardy), and Poland. The periods under scrutiny are the Multiannual Financial Frameworks (MFF) 2007 – 2013 and, especially, the current funding period of 2014 - 2020. On the basis of these case studies we hope to, on the one hand, provide an overview of the state of affairs of transparency and accountability of EU funds in these Member States, but also to provide clear operational recommendations of how transparency and accessibility of EU funds can be further strengthened. In carrying out these various case studies, which are reproduced in full in Annex I, and of which a summary is provided below, we were interested in three main themes.

2.1. OBJECTIVES OF THE STUDY

This study is interested in particular in the three subsequent themes:

First, the question of whether Member States fulfil the **legal requirements** with regard to the transparency and accessibility of information pertaining to EU funds for the 2014-2020 funding period. To this end, we have conducted a detailed legal and empirical analysis and reproduce our main findings on legal compliance in the various Member States and regions below. This has been the study's starting point on which the further two themes are built.

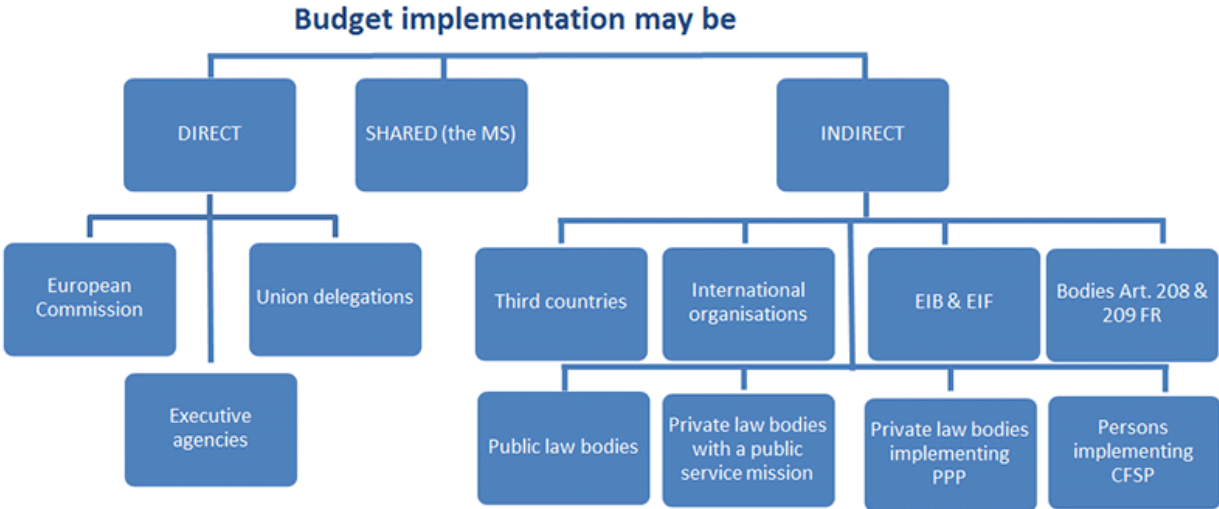
Second, we have paid close attention to whether Member States or regions go beyond these legal requirements or whether in implementing these requirements they have created what can be referred to as **best practices** that could be easily transposed in other Member States or regions to further the goals of transparency and accessibility in the Union at large. Our ultimate aim is to identify best practices and provide conclusions in favour of more data transparency and accessibility and the best format to implement this. This would allow cities, regions and Member States, but also beneficiaries and potential beneficiaries to compare the amounts that have been invested. In addition, potential beneficiaries would have more access to information regarding the application for respective funds, allowing for better distribution.

Third, we have sought to identify **factors that, negatively or positively, impact on data transparency** and accessibility in the context of EU funds in direct, indirect or shared management as well as of the European Development Fund. The objective underlying this exercise consisted in identifying factors that impact on transparency and accessibility, information that could be useful to be taken into account in the context of future policy-making in this domain.

2.2. THE MULTI-LEVEL NATURE OF EU FUNDS

The administration of European funding mechanisms, in particular those under shared management, is carried out in common by various levels of public authority in line with the principle of subsidiary, as enshrined in Article 5(3) TEU and the doctrine of multi-level governance.³² On the one hand we have the fund management structure of EU funds (Figure 2), but the funding flow of the EU with 28 countries, numerous spending authorities, as well as operations in third countries, makes following the trail of funding highly complex, having to adapt to the different practices of national authorities in the way they record information.

Figure 2: Overview of management modes and funds



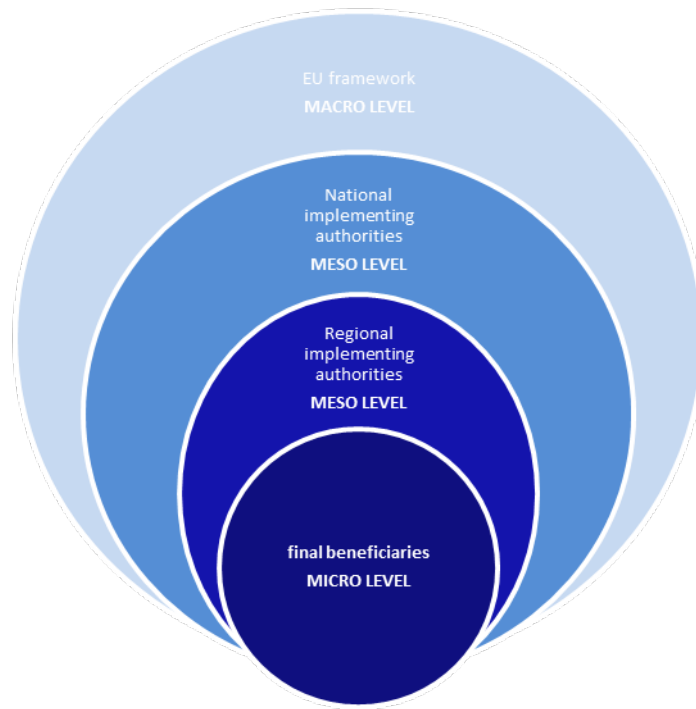
Source: DG Budget³³

The multi-level approach to our analysis is represented by the graph below (Figure 3). In order to account for the polycentric administration and implementation of EU funds we have carried out our research by looking at the various levels of public authority in the EU. This has also informed our interviews as we have interviewed stakeholders at the European Commission, national administrations, regional administrations, and also local government. The findings of our study are reproduced in the section below.

³² The literature on the concept of multi-level governance is vast. By way of example, see G. Marks & L. Hooghe, Multi-level Governance and European Integration (Rowman & Littlefield 2001).

³³ DG Budget, The Budget explained – who manages the money http://ec.europa.eu/budget/explained/management/managt_who/who_en.cfm (accessed 13 June 2016).

Figure 3: EU Multi-Level Governance



Source: Authors

2.3. METHODOLOGICAL APPROACH

To achieve the objectives of this study, we have combined the following methodological sub-components:

- Desk research
- Legal analysis
- Case studies including interviews
- Cross-country and cross-fund analysis

Extensive desk research has been undertaken to collect data and information corresponding to the aims and objectives of the study. The documents consulted by our research team include official websites managed by Member States and Directorate-Generals of the European Commission pertaining to EU funds. Most importantly, we have focused on the Financial Transparency System and the lists of beneficiaries made available at national and regional level. By doing this, we gained a better understanding of data transparency and accessibility in the EU with regard to funds in shared, direct and indirect management as well as the European Development Fund.

A legal analysis of primary and secondary European legal provisions as well as, where relevant, national legal frameworks has subsequently been carried out. This was necessary to analyse the divergence in terms of data transparency and accessibility across Member States, across the type of management (shared, direct, indirect) but also between funds. We list the relevant legal requirements at the beginning of each chapter.

As about 80% of the EU budget is in shared management with national and regional managing focus, we chose case studies to gain information about data transparency and accessibility on those levels. The countries pre-selected by the European Parliament for this were Belgium (Wallonia), Finland, France (Auvergne Rhône-Alpes), Germany (Baden-Württemberg), Italy (Lombardy), and Poland as a comparison with the 2009 study. The data collection was structured by a case study template which can be found in the annexes. Each of our case study researchers carried out 4-5 semi-structured interviews with stakeholders (managing authorities as well as fund recipients). We have summarised our findings about the compliance with the respective legal requirements in tables 4-7.

Data transparency and accessibility with regard to funds in direct management was mostly evaluated through using the Financial Transparency System. For funds in indirect management, where funds can be entrusted to a variety of different actors, we chose to scrutinise funds entrusted to partner countries (using the Instrument for Pre-Accession Assistance as an example), international organisations as well as financial instruments managed by the EIF. We also provide a separate section on the European Development Fund.

Finally, we provide a cross-sectional analysis of the case studies and findings from the desk research, where we focus on identifying transferable best practice. The cross-country and cross-fund analysis has allowed us to draft a set of evidence-based policy recommendations, which will be relevant for policy-makers.

3. TRANSPARENCY AND ACCESSIBILITY IN THE ADMINISTRATION OF EU FUNDING MECHANISMS

KEY FINDINGS

- EU secondary legislation imposes various requirements on domestic authorities to ensure that the administration of Union funds is transparent and that the data related thereto is easily accessible.
- The legal requirements that apply vary between the different funds and have been recently revised for the 2014-2020 funding period.
- The various legal requirements all attempt to strike a balance between the need for the transparency and accessibility of information related to these funds with concerns for data protection.

3.1. FUNDS IN SHARED MANAGEMENT

3.1.1. Background

Although the European Commission has overall responsibility for implementing the EU budget, only a small proportion of the EU budget is administrated directly at the EU headquarters, the Commission's Directorates-General or through delegations or executive agencies. Around 80% of the EU budget is managed by Member States through 'shared management', in which the Commission delegates power to national governments to select projects and transfer funding.³⁴ The funds under shared management, which constitute the bulk of spending, include **European Structural and Investment Funds (ESIF)**, consisting of the **European Regional Development Fund (ERDF)**, the **European Social Fund (ESF)**, the **Cohesion Fund (CF)**, the **European Agricultural Fund for Rural Development (EAFRD)**, and the **European Maritimes and Fisheries Fund (EMFF)**.³⁵ In addition, the **European Agricultural Guarantee Fund (EAGF)** is also under shared management.³⁶ Due to the multi-level nature of these funds, finding information about them oftentimes requires consulting a number of separate databases, including national government websites and, depending on the policy area, the websites of the Commission Directorates-General responsible for Agricultural Policy, Regional development, Employment, or Fisheries. In addition, the information is presented in a variety of formats, and on the Member State websites, often in the national language only.³⁷ Given that shared management represents by far the greater part of the EU budget, access to information on beneficiaries has become an important part of wider efforts to improve transparency and

³⁴ European Commission, Who manages the money?,

http://ec.europa.eu/budget/explained/management/managt_who/who_en.cfm (last accessed 18 May 18, 2016).

³⁵ European Commission (2016), EU contractors and beneficiaries of funding from the EU budget, http://ec.europa.eu/contracts_grants/beneficiaries_en.htm; European Commission (2016), Who manages the money?, http://ec.europa.eu/budget/explained/management/managt_who/who_en.cfm; European Commission (2016), Cohesion Fund, http://ec.europa.eu/regional_policy/en/funding/cohesion-fund/; European Commission (2016), Monitoring committee, http://ec.europa.eu/regional_policy/en/policy/what/glossary/m/monitoring-committee; European Commission (2016), European Structural & Investment Funds, http://ec.europa.eu/contracts_grants/funds_en.htm; European Commission (2016). Note that the Cohesion Fund is not examined in this study as none of the Member States or regions studied are recipients of the fund in the 2014-2020 funding period.

³⁶ Financing the Common Agricultural Policy, http://ec.europa.eu/agriculture/cap-funding/index_en.htm;

³⁷ Examples of this phenomenon are provided in the case studies just below.

governance of EU institutions and policies. It is also for this reason that we completed a particularly detailed analysis of these funds and their implementation and have placed this at the top of this chapter.

3.1.2. Legal Requirements

This section sets out the main provisions of EU law that apply to the transparency and accessibility of EU funds in shared management, that is to say of the CF, the ESF, the ERDF, EAFRD, the EMFF, and the EAGF. As a starting point it must be stressed that with regard to EU funds, Member States are bound by **Article 317 TFEU**, in accordance with which the Commission ‘shall implement the budget in cooperation with the Member States’. In this context, ‘Member States shall cooperate with the Commission to ensure that the appropriations are used in accordance with the principles of sound financial management.’

The specific issues of transparency and accessibility are dealt with by the so-called **Common Provisions Regulation**, which explains the importance of these transparency measures, underlining the importance of bringing the Funds ‘to the attention of the general public’ and to ‘raise awareness of the objectives of cohesion policy’.³⁸ Citizens should, moreover, have the ‘right to know’ how the EU invests its financial resources.³⁹ The Common Provisions Regulation moreover states that a number of measures, set out hereafter, are to be taken with a view to ‘strengthening transparency and accessibility’ of information about ‘funding information opportunities and project beneficiaries’ without however defining these terminologies.⁴⁰ Indeed, where funds are administered in shared management, both the EU and the Member States must respect the principle of transparency and ‘ensure the visibility of Union action when they manage Union funds.’⁴¹ The Common Provisions Regulation sets out a number of specific legal requirements to ensure that these objectives are reached.

The Agricultural Funds (EAGF and the EAFRD) and the EMFF

With regard to the agricultural funds legislative reform has recently been undertaken as a result of a judgment of the Court of Justice of the European Union. In **Schecke** (2010) the Court’s Grand Chamber ruled on the validity of the EU transparency rules with regard to EU funds. The case concerned the publication on the website of the German Federal Office for Agriculture and Food of personal data relating to the recipients of EAGF and EAFRD.⁴² The Court affirmed that the ‘right to the protection of personal data is not (...) an absolute right, but must be considered in relation to its function in society’.⁴³ It however also affirmed that the publication of data by name relating to the beneficiaries as well as the precise amounts they received from the EAGF and the EAFRD amounted to an interference with Articles 7 and 8 of the Charter of Fundamental Rights as the publication of the data was not based on the beneficiaries’ consent.⁴⁴ While such interferences can in principle be

³⁸ Recital 101 of the Common Provisions Regulation.

³⁹ Ibid.

⁴⁰ Recital 102 of the Common Provisions Regulation.

⁴¹ Article 59 (1) of the Financial Regulation.

⁴² Joined Cases C-92/09 and C-93/09 Volker und Markus Schecke (2010) EU:C:2009:284.

⁴³ Ibid, para 48, referring to Case C-112/00 Schmidberger [2003] ECR I-5659, paragraph 80.

⁴⁴ Ibid, para 64.

justified, the Court concluded that in this specific instance this was not possible.⁴⁵ While the Court recognised that increasing transparency ‘reinforces public control of the use to which that money is put and contributes to the best use of public funds’⁴⁶ and that ‘it is true that in a democratic society taxpayers have a right to be kept informed of the use of public funds’,⁴⁷ the EU institutions ought to have examined whether publication by name ‘would have been sufficient to achieve the objectives.’⁴⁸

Given that in **Schecke** the EU institutions were found not to have properly balanced the objectives inherent to transparency with data protection, the Court invalidated the publication scheme in place at the time. As Bobek has argued, this should not, however, be understood as an outright opposition to publication but, rather, as a criticism that in establishing the scheme, the EU legislature had not been precise about the aims it wished to fulfil and failed to strike a proper balance between the various interests involved.⁴⁹ This means that the Court did not hold that ‘publication of personal data of natural persons is *per se* impermissible.’⁵⁰ What the Court held instead is that such a publication scheme must be properly balanced and justified.

As a result of the **Schecke** ruling, the EU legislative framework on publication requirements was reformed, but reaffirms the obligation to publish the names of beneficiaries. **Regulation 1306/2013** reaffirms the objective of raising public awareness of the ‘content and objectives to reinstate consumer confidence’ into the Common Agricultural Policy.⁵¹ **Article 111** of Regulation 1306/2013 governs the publication of beneficiaries of the EU agricultural funds. It specifies that Member States have to ensure the ex-post publication of beneficiaries of the funds, providing the following information:

⁴⁵ Article 52(1) of the Charter of Fundamental Rights provides that limitations may be imposed on the exercise of Charter rights as long as they are provided by law, respect the essence of those rights, and, in accordance with the principle of proportionality, are necessary and genuinely meet objectives of general interest recognized by the EU or the need to protect the rights and freedoms of others.

⁴⁶ *Schecke*, para 75.

⁴⁷ *Ibid*, para 79.

⁴⁸ *Ibid*, para 83.

⁴⁹ M. Bobek, Joined Cases C-92/09 and C-93/09, *Volker und Markus Schecke GbR and Hartmut Eifert*, Judgement of the Court of Justice (Grand Chamber) of 9 November 2010 N.Y.R., 48 (6) *Common Market Law Review* (2011), 2013.

⁵⁰ *Ibid*, 2013 (emphasis in original).

⁵¹ Article 45 of Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008.

Table 1: Publication requirements for EAGF and EAFRD

LIST OF BENEFICIARIES – EAGF and EAFRD	
Presentation requirements ⁵²	
•	Accessibility through a single website or single website portal with a search tool ⁵³
•	Duration of availability: two years
•	Update frequency: yearly by end of May
•	Language requirements: Official MS language(s) and/or one of the three EC working languages ⁵⁴
Required elements the list must include ⁵⁵	
1.	The name of the beneficiary. This shall be: <ol style="list-style-type: none"> (A) The first name and surname where the beneficiary is a natural person; (B) The full legal name as registered for legal persons with autonomous legal personality; (C) For associations without legal personality, the full name as registered.
•	The municipality where the beneficiary is resident or registered.
•	The postal code of the beneficiary, or the part of the postal code that identifies the municipality.
•	The amount of payment corresponding to each measure financed by the funds (received by each beneficiary in the financial year concerned). ⁵⁶
•	The nature and description of the measures financed. ⁵⁷

A *de minimis* threshold has however been established as Member States shall not publish the name of a beneficiary where (a) the small farmers scheme is in place and the amount received annually is below the specified threshold, (b) the small farmers scheme has not been established but the amount received annually is below or equal to EUR 1 250.⁵⁸ Beneficiaries are to be informed of these publication requirements.⁵⁹ It is worth noting that Member States are free to provide additional information to that required under EU law, as long as this does not prejudice the 'necessary protection of privacy'.⁶⁰

⁵² Article 119 (2) of Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council, OJ L 149, 20.5.2014, p. 1–66 (hereafter referred to as the 'EMFF Regulation').

⁵³ Article 59 (1) of Regulation 908/2014.

⁵⁴ Article 59 (1) – (2) of Regulation 908/2014.

⁵⁵ These requirements are listed under Section I of Annex VII of the Common Provisions Regulation.

⁵⁶ Article 57 (1) (a) of Regulation 908/2014. Implementing Regulation 908/2014 specifies that this shall include a breakdown of payment for each individual measure listed as well as the sum of these amounts

⁵⁷ Article 57 (1) (b) of Regulation 908/2014. Implementing Regulation 908/2014 specifies that must include the nature and objective of each measure

⁵⁸ Article 112 of Regulation 1306/2013. On this, see further Article 58 of Regulation 908/2014.

⁵⁹ Article 113 of Regulation 1306/2013.

⁶⁰ Article 57 (3) of Regulation 908/2014.

With regard to the fisheries fund, the legal requirements for the presentation of the data are listed below.

Table 2: Publication requirements - EMFF

LIST OF BENEFICIARIES – EMFF	
Presentation requirements⁶¹	
•	Accessibility through a single website or single website portal
•	Presentation in form of a spreadsheet data format (in CSV or XML) ⁶² which allows data to be sorted, searched, extracted, compared, and easily published online ⁶³
•	Update frequency: yearly by end of May
•	Language requirements: Official MS language(s) and/or one of the three EC working languages
Required elements the list must include ⁶⁴	
•	beneficiary name (only legal entities and natural persons in accordance with national law)
•	CFR (Community Fleet Register) identification number where the operation is linked to a fishing vessel
•	operation name
•	operation summary
•	operation start and end date
•	total eligible expenditure
•	amount of EU contribution
•	the postcode of the operation
•	the country of the operation
•	the name of EU priority
•	and the date the list was last updated. ⁶⁵

It is accordingly apparent that EU secondary legislation has devised complex and detailed legal requirements that are meant to further the objectives of transparency and accessibility with regard to EU funds in shared management. The subsequent section summarizes the findings from our case studies, reproduced fully in Annex 1, with regard to the question whether Member States and regions comply with these legal requirements in their operation of the various funding mechanisms under shared management.

⁶¹ Article 119 (2) of Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council, OJ L 149, 20.5.2014, p. 1–66 (hereafter referred to as the 'EMFF Regulation').

⁶² Note that CSV or XML here a requirement whereas not for other funds. This is only a suggestion in the Common Provisions Regulation.

⁶³ Article 115 (2) of the Common Provisions Regulation.

⁶⁴ These requirements are listed under Section I of Annex VII of the Common Provisions Regulation.

⁶⁵ These requirements are enumerated under Annex V of the EMFF Regulation.

The ESF and ERDF

The **Common Provisions Regulation** governs all of the Structural and Investment Funds, even though some of its provisions apply to some of the funds only.⁶⁶ In addition, **specific instruments** govern the ERDF⁶⁷, the ESF⁶⁸ and the Cohesion Fund respectively.⁶⁹ This section sets out the legal requirements with regard to the establishment of a (1) Communications Plan communicating the funds to the public, (2) the information that must be provided for potential beneficiaries, and (3) the publication requirements relating to the beneficiaries of the funds.

The Communications Plan

Article 116 of the Common Provisions Regulation requires Member States or the managing authorities to create a **communication strategy for each operational programme, or a common communication strategy for several operational programmes**.⁷⁰ This strategy has to, for instance, include the following elements: (i) a major information activity that publicises the launch of the operational programme(s); (ii) one major information activity a year that promotes the funding opportunities, (iii) display the EU emblem in front of each managing authority, (iv) provide examples of operations, by operational programme, online, (v) regularly update information about the operational programme.⁷¹ Beneficiaries of ESIF funds share the responsibility to communicate the existence and operation of EU funding mechanisms. The ESF regulation, for instance, obliges beneficiaries to ensure that ‘those taking part in an operation are specifically informed’ of the support provided by ESF funding.⁷² Moreover, any document relating to the implementation and operation of such projects that are issued for the public or participants shall indicate that the project was funded by the ESF.⁷³

⁶⁶ 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 1083/2006, OJ L 347, 20.12.2013, p. 320–469 (hereafter referred to as the ‘Common Provisions Regulation’).

⁶⁷ Regulation (EU) No 1301/2013 of the European Parliament and of the Council of 17 December 2013 on the European Regional Development Fund and on specific provisions concerning the Investment for growth and jobs goal and repealing Regulation (EC) No 1080/2006 OJ L 347, 20.12.2013, p. 289–302 (hereafter referred to as the ‘ERDF Regulation’).

⁶⁸ Regulation (EU) No 1304/2013 of the European Parliament and of the Council of 17 December 2013 on the European Social Fund and repealing Council Regulation (EC) No 1081/2006 OJ L 347, 20.12.2013, p. 470–486 (hereafter referred to as the ‘ESF Regulation’).

⁶⁹ Regulation (EU) No 1300/2013 of the European Parliament and of the Council of 17 December 2013 on the Cohesion Fund and repealing Council Regulation (EC) No 1084/2006 OJ L 347, 20.12.2013, p. 281–288 (hereafter referred to as the ‘Cohesion Fund Regulation’).

⁷⁰ Article 116(1) of Regulation 1303/2013.

⁷¹ Section 2.1. of Annex XII of Regulation 1303/2013.

⁷² Article 20 (1) of the ESF Regulation.

⁷³ Article 20 (2) of the ESF Regulation.

Information Measures for Potential Beneficiaries

EU secondary legislation further gives rise to a number of legal obligations related to the information about EU funds to be communicated to potential beneficiaries of the respective funds. The Common Provisions Regulation foresees that Member States and managing authorities must, (1) create a **'single website or a single website portal'** that provides information on, and access to, operational programs⁷⁴; (2) **inform potential beneficiaries** about funding opportunities;⁷⁵ (3) publicize to EU citizens the role and achievements of cohesion policy and the funds through **'information and communication actions'**;⁷⁶ and (4) maintain a **'list of operations'** by operational programs and by Fund in a spreadsheet data format, which allows data to be sorted, searched, extracted, compared, and easily published on the internet, for instance in CSV or XML format'.⁷⁷ This list is subject to further analysis in the subsequent section.

Publication Requirements

The creation of a list of operations and beneficiaries is henceforth a crucial aspect of transparency and accessibility surrounding EU funding mechanisms. We have paid particularly close attention to this aspect in the present study. The Common Provisions Regulation specifies the particular elements that must be taken into account by Member States and managing authorities when creating such lists. It is important to note that these provisions only apply to the ERDF, the ESF, and the Cohesion Funds. The list:

Table 3: Publication requirements for ERDF/ESF

LIST OF BENEFICIARIES – ERDF/ESF
Presentation requirements
<ul style="list-style-type: none"> • Presentation in form of a spreadsheet data format, which allows data to be sorted, searched, extracted, compared, and easily published online⁷⁸
<ul style="list-style-type: none"> • Accessibility through a single website or single website portal providing a list and summary of all operational programmes in that Member State⁷⁹
<ul style="list-style-type: none"> • Update frequency: at least every six months⁸⁰
<ul style="list-style-type: none"> • Language requirements: the headings of the data fields shall be provided in at least one other official language of the EU⁸¹

⁷⁴ Article 115 (1) (b) of the Common Provisions Regulation.

⁷⁵ Article 115 (1) (c) of the Common Provisions Regulation.

⁷⁶ Ibid.

⁷⁷ Article 115 (2) of the Common Provisions Regulation.

⁷⁸ Article 115 (2) of the Common Provisions Regulation.

⁷⁹ Ibid.

⁸⁰ Ibid.

⁸¹ Annex XII of the Common Provisions Regulation.

Required elements the list must include ⁸²

- The beneficiary name
- The operation name
- The operation summary
- The operation start date
- The operation end date
- The total eligible expenditure allocated to the operation
- The EU co-financing rate (per priority axis)
- The operation postcode or other appropriate location indicator
- The country
- The name of the category of intervention for the operation
- The date of last update of the list of operations.

The above overview has shown that a number of mechanisms have thus been devised in order to increase the publicity of the Union's Structural and Investment Funds, as well as of their operation. It will now be seen that similar mechanisms have been devised with regard to the EU agricultural and fisheries funds. The requirements of what must be published however differ between the two sets of funding mechanisms.

⁸² These requirements are listed under Section I of Annex VII of the Common Provisions Regulation.

3.1.3. Findings from our Comparative Case Studies

KEY FINDINGS

- There are differences between Member States regarding the degree of compliance with the requirements set out in EU legislation
- Rather, while overall most legal requirements are adhered to across the EU, different Member States and regions struggle with regard to different aspects of these requirements
- While a number of best-practices in various Member States are identified, it must also be noted that, as a general matter, it remains difficult for the ordinary citizen to make sense of the information that is available in some cases

In order to better understand how the principles of transparency and accessibility with regard to EU funds, as stipulated in EU secondary legislation, are currently being implemented throughout the European Union we have undertaken a number of **case studies**. Indeed, in light of the multi-level nature of the funds in shared management we have looked at different Member States and regions, but also local government in their capacity of beneficiaries of these funds, to understand how the EU legal framework is being implemented by these various levels of public authority. To this end we list the various legal requirements arising under EU law. Where we have crossed a category it means that the Member State or region do not comply with the legal requirement concerned. We also mention where Member States or regions go beyond the requirements imposed by EU law.

Figure 4: Map of countries and regions studied



Source: Authors

The EAFG and the EAFRD

As regards the EAFRD and the EAGF, both funds are managed at regional level by in **Belgium (Wallonia)**, rather than at national level.⁸³ The Wallonia Government and the Flemish Government have established a joint website to publish information on beneficiaries of the funds at national level.⁸⁴ Legal compliance with publication requirements arising under EU law is provided in all aspects. In **France** information on the agricultural and fisheries funds is managed at national level. The 'Agence de Services et de Paiement' is the national authority in charge of publishing data related to the agricultural and fisheries funds.⁸⁵ France complies with most legal requirements regarding the EAFG and the EAFRD, but the list is only available in French. Information does not seem to remain available for two years from the date of initial publication as currently information is only available as regards payments from October 2013-October 2014.⁸⁶ This also entails that information isn't published by 31 May of each financial year for the preceding financial year.⁸⁷ Furthermore, there is no specification as regards the sum of the amounts received or concerning the nature and description of the measures financial, including each measure's nature and objective.⁸⁸

With respect to **Finland**, it must be noted that there is near perfect compliance with all legal requirements as the database in question provides all mandatory information except the operation postcode. However, the municipality in which projects take place is included in the data base and this allows to localise the project.⁸⁹

In **Italy (Lombardy)** we have only looked at the EAFRD as the EAFG is not implemented in the region of Lombardy for the 2014-2020 funding period.⁹⁰ With regard to the EAFRD, transparency and accessibility is managed at national level. The Ministry for Agriculture is the national authority in charge of publishing data related to the agricultural and fisheries funds.⁹¹ Legal compliance with publication requirements arising under EU law is perfect with regard to the EAFRD as all information required to be published as per EU law is indeed published by the regional authorities.⁹²

Concerning **Germany (Baden-Württemberg)** the transparency and accessibility of information regarding the agricultural funds is managed at **federal level**. The Federal Ministry for Agriculture is the national authority in charge of publishing data related to these funds.⁹³ Legal compliance with publication requirements arising under EU law is perfect as the website provides information on all

⁸³ Wallonia Public Service – Portal for Walloon Agriculture – European programmes, http://agriculture.wallonie.be/apps/spip_wolwin/article.php3?id_article=88 (accessed 23 April 2016).

⁸⁴ Belgian Paying Agencies, <http://www.belpa.be/> (accessed 9 May 2016).

⁸⁵ Agence de Services et de Paiement (ASP), Limoges, May, 2, 2016 ; Pacific Community ; Agence de Services et de Paiement (ASP), Limoges, May, 13, 2016 ; Pacific Community

⁸⁶ Agence de Services et de Paiement (ASP), list of beneficiaries of CAP published by the ASP, <https://www.telepac.agriculture.gouv.fr/telepac/tbp/accueil/accueil.action> (Last accessed May 11, 2016)

⁸⁷ Ibid.

⁸⁸ Ibid.

⁸⁹ <https://tietopalvelu.mavi.fi/QvAJAXZfc/opendoc.htm?document=Published/raportointi.qvw&host=QVS%40qlik-ias&anonymous=true> (last accessed 17 May 2016)

⁹⁰ The EAGF in the 2014 – 2020 programming is not implemented in Lombardy. Source: ERDF and ESF Regional civil servant, Milan, 10 May 2016.

⁹¹ Agenzia per le erogazioni in Agricoltura (AGEA) <http://www.sian.it/pubblAimu/beneficiari/ricerca/switch.do> (accessed 16 May 2016).

⁹² Ibid.

⁹³ Bundesministerium für Ernährung und Landwirtschaft, Veröffentlichung der Empfänger von EU-Agrarzahungen, <https://www.bmel.de/DE/Landwirtschaft/Foerderung-Agrarsozialpolitik/Texte/VeroeffentlichungEUAzahlungen.html> (last accessed 3 May 2014).

aspects required by Union law.⁹⁴ With respect to **Poland**, the transparency and accessibility requirements arising under the agricultural funds is managed at national level⁹⁵. The Ministry of Agriculture and Rural Development is the national authority in charge of publishing data related to the agricultural funds⁹⁶. Legal compliance with publication requirements arising under EU law is as follows. There is currently a website that complies with all legal requirements arising under EU law except for that fact that information is not published by 31 May of each year for the preceding financial year.⁹⁷ Information on the nature and description of the measures financed, including the nature and objective of each measure are made available in a separate word file.⁹⁸

None of the lists at Member State – or subnational level provides personal identifiers that would allow for the linking of the data to other databases in order for data to be aggregated. Amounts are listed in the national currencies which is the Euro in all countries except Poland where the national currency is different.

⁹⁴ Bundesanstalt für Ernährung und Landwirtschaft, Startseite, <http://www.agrar-fischerei-zahlungen.de> (last accessed 4 May, 2016)

⁹⁵ Ministerstwo Rolnictwa i Rozwoju Wsi (The Ministry of Agriculture and Rural Development) <https://www.minrol.gov.pl>, (last accessed 10 May 2016)

⁹⁶ Data base for 2014: <http://beneficjenciwpr.minrol.gov.pl/search/index/?year:2014/#outrec>, (last accessed 09 May 2016)

⁹⁷ Ibid.

⁹⁸ In separate word file, in Polish and English, <http://beneficjenciwpr.minrol.gov.pl/ilenames>, (last accessed 09 May 2016)

Table 4: Cross-fund analysis for data provision in case study regions for budget year 2014 (MFF 2014-2020): the EAFG and EAFRD

		EAFG/EAFRD					
		GERMANY (Baden- Württemberg)	FRANCE (Auvergne Rhône-Alpes)	ITALY (Lombardia)	POLAND	FINLAND	BELGIUM (Wallonie)
ACCESSIBILITY AND PRESENTATION OF DATA	FORMAT OF PUBLICATION: Single website with search tool	✓	✓	✓	✓	✓	✓
	DURATION OF AVAILABILITY: 2 years	✓	✗	✓	✓	✓	✓
	LANGUAGES: Official MS language(s) and/or one of the three EC working languages	✓ English/German	✓ English/French	✓ English/Italian	✓ English/Polish	✓ English/Finnish/Swedish	✓ French, Dutch, German and English
	DATE OF PUBLICATION: Yearly by 31 May	✓	✗	✓	✗	✓	✓
CONTENT AND TRANSPARENCY OF DATA	BENEFICIARY NAME	✓	✓	✓	✓	✓	✓
	MUNICIPALITY OF RESIDENCE	✓	✓	✓	✓	✓	✓
	POSTCODE OF OPERATION	✓	✓	✓	✓	✗	✓
	AMOUNT OF PAYMENT	✓	✓	✓	✓	✓	✓
	NATURE AND DESCRIPTION OF MEASURE	✓	✗	✓	✓	✓	✓
BEYOND REQUIREMENTS		-	-	-	-	-	-

Source: Authors' research findings as of 17 May 2016

The EMFF

In **Belgium (Wallonia)** compliance is low with the requirements that arise with regard to the transparency and accessibility of EU funds as a matter of EU law. Indeed, none of the required information was published for the 2014-2020 funding period.⁹⁹ This is due to the fact that the beneficiaries of the EMFF for the current funding period have not yet been selected – the deadline to apply for such funds was only in April 2016.¹⁰⁰ With regards to **France**, the region studied (**Auvergne Rhône-Alpes**) does not benefit from the EMFF as it is landlocked. A list of beneficiaries of the 2007 – 2013 period could be located on the national Ministry of Environment’s website.¹⁰¹ This list however fails to comply with most of the supranational legal requirements. **Finland** did not provide any of the required information with regards to the beneficiaries of EMFF funds as during the period the case study was carried out the relevant database was under maintenance.¹⁰² As regards **Italy (Lombardy)** the EMFF is under direct responsibility of the Ministry of Agriculture, Food and Forestry Policies so that Lombardy does not in fact have any competence in this regard.¹⁰³ The National Operating Program was approved on the 25th of November 2015.¹⁰⁴ Due to overlaps between the 2007 – 2013 and 2014 – 2020 programming periods, lists of beneficiaries at regional level are available only until 2013.¹⁰⁵

Concerning **Germany (Baden-Württemberg)** it should be noted that the Federal Ministry of Agriculture is in charge of publishing this information in Germany. It does however publish different lists depending on the Land concerned. The list currently accessible for Baden-Württemberg refers in its title to the recipients of the 2007-2013 funding period, yet it was last updated on 31 December 2014.¹⁰⁶ Moreover, the list falls short of some of the requirements as it is not in CSV or XML format and provides no summary of the operation, no information regarding its start and end dates, and no postcode or country of where the operation takes place, nor information regarding the name of EU priority.

With regard to the EMFF, in **Poland**, transparency and accessibility are managed at national level¹⁰⁷. The Ministry of Agriculture and Rural Development was the national authority in charge of publishing data related to the EMFF until 15 November 2015¹⁰⁸. Since then the new institution - Ministry of

⁹⁹ The 2014-2020 beneficiaries list was not available – see Wallonia Public Service - Portal for Walloon Agriculture – Fisheries and aquaculture (EFF - EMFF) http://agriculture.wallonie.be/apps/spip_wolwin/article.php3?id_article=88, http://agriculture.wallonie.be/apps/spip_wolwin/rubrique.php3?id_rubrique=55 (accessed 13 May 2016).

¹⁰⁰ Ibid.

¹⁰¹ *Ministère de l’environnement, de l’énergie et de la mer, Le fonds européen pour la pêche*, liste des bénéficiaires 2007 – 2013, <http://www.developpement-durable.gouv.fr/Le-Fonds-Europeen-pour-la-Peche.html> (last accessed May 17, 2016)

¹⁰² Ministry of Agriculture and Forestry, Helsinki, 13 May 2016.

¹⁰³ On this, see <https://www.politicheagricole.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/8752%20> (accessed 16 May 2016).

¹⁰⁴ Decision C(2015) 8452-25/11/2015. The national OP is available at <https://www.politicheagricole.it/flex/cm/pages/ServeAttachment.php/L/IT/D/7%252F5%252Fa%252FD.8070dcefd2630bd877dc/P/BLOB%3AID%3D8752/E/pdf> (accessed 15 May 2016)

¹⁰⁵ On this see

<http://www.ue.regione.lombardia.it/cs/Satellite?c=Page&childpagename=ProgrammazioneComunitaria%2FPROCOMLayout&cid=1213327549224&p=1213327549224&pagename=PROCOMWrapper> (accessed 15 May 2016)

¹⁰⁶ Federal Ministry of Agriculture, Verzeichnis der Begünstigten aus dem Operationellen Programm des Europäischen Fischereifonds (EFF) der Förderperiode 2007-2013 des Bundesrepublik Deutschland, <http://www.agrar-fischerei-zahlungen.de/eff/BW/Veroeffentlichung.pdf>, last accessed 16 May 2016.

¹⁰⁷ Data base for 2014: <http://beneficjenciwpr.minrol.gov.pl/search/index/ year:2014/#outrec>, (last accessed 09 May 2016)

¹⁰⁸ Ibid, 13.

Maritime Economy and Inland Navigation has assumed responsibility¹⁰⁹. Currently separate files can be accessed with information on the funds per year.¹¹⁰ The information provided falls short of what is required under EU law as it does not include the CFR (Community Fleet Register) identification number where the operation is linked to a fishing vessel; the operation name; an operation summary; the operation start and end date; the total eligible expenditure; the country of the operation; the name of EU priority; and the date the list was last updated.¹¹¹

None of the lists at Member State – or subnational level provides personal identifiers that would allow for the linking of the data to other databases in order for data to be aggregated. Amounts are listed in the national currencies which is the Euro in all countries but Poland.

¹⁰⁹ *Ibid*, 25.

¹¹⁰ List of beneficiaries of EMFF - separate file for each year to access on the website: <http://www.minrol.gov.pl/MGMiZS/PO-RYBY-2007-2013/Kontrola-monitoring-sprawozdawczosc>, (last accessed 16 May 2016)

¹¹¹ These requirements are enumerated under Annex V of the EMFF Regulation.

Table 5: Cross-fund analysis for data provision in case study regions for budget year 2014 (MFF 2014-2020): EMFF

		EMFF					
		GERMANY (Baden-Württemberg)	FRANCE (Auvergne Rhône-Alpes) - no funding in 2014-2020	ITALY (Lombardia) (currently no list available)	POLAND	FINLAND (currently no list available)	BELGIUM (currently no list available)
ACCESSIBILITY AND PRESENTATION OF DATA	FORMAT OF PUBLICATION: single website (portal)	✓	n/a	/	✗	/	/
	list of operations 'in CSV or XML'	✗	n/a	/	✓	/	/
	LANGUAGES Official MS language(s) and/or one of the three EC working languages	German/English	n/a	/	Polish/English	/	/
	DATE OF PUBLICATION Yearly by 31 May	✓	n/a	/	✗	/	/
CONTENT AND TRANSPARENCY OF DATA	BENEFICIARY NAME	✓	n/a	/	✓	/	/
	CFR IDENTIFICATION NUMBER WHERE OPERATION LINKED TO A FISHING VESSEL	✓	n/a	/	✗	/	/

EMFF							
		GERMANY (Baden- Württemberg)	FRANCE (Auvergne Rhône-Alpes) - no funding in 2014-2020	ITALY (Lombardia) (currently no list available)	POLAND	FINLAND (currently no list available)	BELGIUM (currently no list available)
CONTENT AND TRANSPARENCY OF DATA	COUNTRY OF OPERATION	x	n/a	/	x	/	/
	OPERATION NAME	✓	n/a	/	✓	/	/
	POSTCODE OF OPERATION	x	n/a	/	✓	/	/
	OPERATION SUMMARY	x	n/a	/	x	/	/
	OPERATION START AND END DATE	x	n/a	/	x	/	/
	TOTAL ELIGIBLE EXPENDITURE	✓	n/a	/	x	/	/
	AMOUNT OF EU CONTRIBUTION	✓	n/a	/	✓	/	/
	NAME OF EU PRIORITY	x	n/a	/	x	/	/
	DATE THE LIST WAS LAST UPDATED	✓	n/a	/	x	/	/
BEYOND REQUIREMENTS		-	-	-	-	-	-

Source: Authors' research findings as of 17 May 2016

The ESF

In **Belgium**, the European Social Fund Agency (ESF Agency) is responsible for publication of ESF beneficiary data for Wallonia and Brussels on behalf of the Government of Wallonia, the French Community and the French Community Commission of the Brussels-Capital Region.¹¹² The administration of the transparency and accessibility requirements that arise concerning the transparency and accessibility of data related to these funds is accordingly operated in a decentralised manner. In Belgium, all legal requirements requiring the transparency and accessibility of EU funds are complied with¹¹³. The list is updated at least every six months.¹¹⁴ Beyond the legal requirements at EU level, Wallonia also published the following information on the list of ESF beneficiaries: (i) a unique login code; (ii) the type of measure (project or action plan); (iii) an axis; (iv) the measure; (iv) the area of intervention (transitional or developed).¹¹⁵

In **France (Auvergne Rhône-Alpes)** national agency is in charge of the publication requirements regarding the administration of the ESF.¹¹⁶ A list of beneficiaries is published every six months.¹¹⁷ It lacks an operation summary, information on the Union co-financing rate, as well as the date of the last update of the list of operations.¹¹⁸ Beyond the existing legal requirements, the list however also provides information that goes beyond what is mandated by EU law, namely on the amount of EU funds that are spent on the project.¹¹⁹ In **Finland**, the service is maintained by the Ministry of Employment and the Economy, which is the managing authority of the ESF and the ERDF, provides all necessary information on beneficiaries of these funds with a minor exception via its website. While different figures on amounts of public and EU funding are available in the form of total amounts, the EU co-financing rate as such is not.¹²⁰ This database complies with the Common Provisions Regulation as well as with the Finnish Act on the Openness of Government Activities (621/1999).¹²¹ The list that is published accordingly complies with each of the specific publication requirements set out by EU law. It even goes further in outlining the following additional information: (i) a plan-specific summary of the project completion; (ii) the project target groups, (iii) estimates of project-specific monitoring information reported during the application phase; and (iv) information on the horizontal principles that apply to EU funding mechanisms in Finland.¹²² Most importantly, this database is updated daily, providing much quicker updates as required under Union law, and as carried out in any other Member State.¹²³

¹¹² European Social Fund Agency – History, <http://www.fse.be/index.php?id=histoire> (accessed 12 May 2016).

¹¹³ The list was last updated 13 April, but the frequency is not stated - see European Social Fund Agency, ESF Projects 2014-2020, <http://www.fse.be/index.php?id=193> (accessed 11 May 2016).

¹¹⁴ The last update was 13 April 2016. European Social Fund Agency, Brussels, 10 June 2016.

¹¹⁵ Ibid.

¹¹⁶ Agence de Services et de Paiement (ASP), Map of Beneficiaries, <http://cartobenef.asp-public.fr/cartobenef/> (Last accessed May 6, 2016), Commissariat general à l'égalité des territoires (CGET), Europe en France, List of beneficiaries, programming period 2014 – 2020 : <http://www.europe-en-france.gouv.fr/Rendez-vous-compte/Beneficiaires-des-fonds-2014-2020> (Last accessed April 29, 2016)

¹¹⁷ In addition, Conseil Régional d'Auvergne publishes the list of beneficiaries every 3 months on its open data portal. Conseil Régional Rhône-Alpes publishes the list every year.

¹¹⁸ Ibid.

¹¹⁹ Ibid.

¹²⁰ On this, see the SF Information Service <https://www.eura2014.fi/rriepa/>

¹²¹ Ibid.

¹²² Ibid.

¹²³ Ibid.

With regards to **Italy (Lombardy)**, publication requirements in the context of the ESF are dealt with at regional level. The list currently complies with all legal requirements arising under EU law.¹²⁴ It even goes further in providing information on (i) the local identifier of the operation; (ii) the unique project code¹²⁵, (iii) as well as the beneficiary's fiscal code.¹²⁶ The list provides personal identifiers (Beneficiary Fiscal Code) that allow for the linking of the data to other databases in order for data to be aggregated.¹²⁷ In **Germany (Baden-Württemberg)** publication requirements concerning the ESF are implemented at regional level. The currently available list¹²⁸ complies with all legal requirements, except for the requirement that the list be updated every six months.¹²⁹ It moreover falls short of providing information on the EU co-financing rate per priority axis. However, the German region goes beyond the legal requirements imposed at EU level in also publishing information regarding the website of the operation or beneficiary, or a related email address. The specific objective of the given operation is moreover mentioned.¹³⁰ For the **2007-2013 funding period**, .pdf documents were published online that listed (i) the beneficiary name, (ii) the name of the operation, (ii) the year of authorization and full payment, (iii) the funds allocated (in Euro), and (iv) the total amount of funds allocated at the end of the funding period.¹³¹

Finally, as regards **Poland**, the transparency and accessibility requirements concerning the ESF are managed at **national level**.¹³² The Ministry of Economic Development is the national authority in charge of publishing data related to the structural funds managed at both national and regional level.¹³³ Legal compliance with publication requirements is as follows.¹³⁴ The list provides all required information. While it doesn't provide an operation postcode it provides information on the beneficiaries' region and municipality.¹³⁵ Beyond the legal requirements at EU level, the following information is published, a contract number; information on the programme; the priority axis; the measure; the submeasure; the total project value (PLN, for ETC projects EUR); the EU co-financing rate; the form of finance; the territory type; information on whether the project is implemented under competitive or non-competitive procedure; information on the area of project intervention; information on the project thematic objective; information on the EFS secondary them; and finally information on whether the project is implemented under territorial delivery mechanisms. In Poland,

¹²⁴Lombardy "Lista di Beneficiari", http://www.ue.regione.lombardia.it/shared/ccurl/291/174/Lista_Beneficiari_FSE%202014-2020_31.12.2015.xlsx last accessed 16 May 2016).

¹²⁵ The Unique Project code ("Codice Unico Progetto") is a code given at the approval of the allocation of resources. After the conclusion of the project, it remains in the national database (CIPE).

The Unique Project code is identified with an alphanumeric string of 15 characters. For more information: http://www.cipecomitato.it/it/in_primo_piano/mip_cup/cup/cup_che_cosa.html (accessed 15 May 2016). According to the regional authority civil servant interviewed, the Unique project code column is empty due to delay between local and national authorities.

¹²⁶ Note 107 above.

¹²⁷ Ibid.

¹²⁸ Baden-Württemberg, Liste der Vorhaben, <http://www.esfbw.de/esf/service/liste-der-vorhaben/> (last accessed 16 May 2016).

¹²⁹ The list is updated annually, for the last time on 1 December 2015. Baden-Württemberg Ministry of Work, Social Affairs, Family, Women and Seniors, Stuttgart, 15 April 2016.

¹³⁰ This is however represented by a code of numbers and letters, impossible for a layperson to make sense of.

¹³¹ For the year 2009, see for instance Land Baden-Württemberg, ESF 2007-2013, Verzeichnis der Begünstigten für Baden-Württemberg, https://esfbw.de/esf/fileadmin/user_upload/downloads/Ministerium_fuer_Arbeit_und_Soziales/Verzeichnis_der_Beguenstigten/ESF_Liste_der_Beguenstigten_2007_sortiert_01.pdf

¹³² Ministerstwo Rozwoju (Ministry of Economic Development) since 09.11.2015, previously since 27.11.2013 Ministry of Infrastructure and Development, previously Ministry of Regional Development; www.mr.gov.pl (last accessed 12 May 2016)

¹³³ Data bases for 2007-2013: http://www.funduszeuropejskie.2007-2013.gov.pl/NaborWnioskow/listabeneficjentow/Strony/Lista_beneficjentow_FE_310316.aspx, (last accessed 12 May 2016)

Data bases for 2014-2020: <https://www.funduszeuropejskie.gov.pl/strony/o-funduszach/projekty/lista-projektow/lista-projektow-realizowanych-z-funduszy-europejskich-w-polsce-w-latach-2014-2020/>, (last accessed 12 May 2016)

¹³⁴ Ibid.

¹³⁵ Only data on Voivodship, county and municipality

there is moreover an 'EU Grant Map' which visualizes information regarding the beneficiaries of the various funds.¹³⁶

With the exception of Italy, none of the lists at Member State – or subnational level provides personal identifiers that would allow for the linking of the data to other databases in order for data to be aggregated. Amounts are listed in the national currencies which is the Euro in all countries but Poland.

¹³⁶ <http://www.mapadotacji.gov.pl/>, (last accessed 16 May 2016)

Table 6: Cross-fund analysis for data provision in case study regions for budget year 2014 (MFF 2014-2020) : ESF

		ESF					
		GERMANY (Baden- Württemberg)	FRANCE (Auvergne Rhône-Alpes)	ITALY (Lombardia)	POLAND	FINLAND	BELGIUM (Wallonie)
ACCESSIBILITY AND PRESENTATION OF DATA	FORMAT OF PUBLICATION Single website (portal) with data spreadsheet	✓	✓	✓	✓	✓	✓
	LANGUAGES Official MS language(s) and at least one other official EC language	English/German	English/French	English/Italian	English/Polish	English/Finnish/S wedish	English/French
	DATE OF PUBLICATION updated every 6 months	x	✓	✓	✓	✓	✓
CONTENT AND TRANSPARENCY OF DATA	BENEFICIARY NAME	✓	✓	✓	✓	✓	✓
	COUNTRY OF OPERATION	✓	✓	✓	✓	✓	✓
	OPERATION NAME	✓	✓	✓	✓	✓	✓
	POSTCODE OF OPERATION	✓	✓	✓	x	✓	✓
	OPERATION SUMMARY	✓	x	✓	✓	✓	✓
	OPERATION START AND END DATE	✓	✓	✓	✓	✓	✓
	TOTAL ELIGIBLE EXPENDITURE	✓	✓	✓	✓	✓	✓

ESF							
		GERMANY (Baden- Württemberg)	FRANCE (Auvergne Rhône-Alpes)	ITALY (Lombardia)	POLAND	FINLAND	BELGIUM (Wallonie)
CONTENT AND TRANSPARENCY	EU CO-FINANCING RATE (per priority axis)	x	x	✓	✓	x	✓
	NAME OF THE EU CATEGORY OF INTERVENTION	✓	✓	✓	✓	✓	✓
	DATE OF LAST UPDATE	✓	x	✓	✓	✓	✓
Beyond Requirements		The 'website of operation or email address' The specific objective of the operation	Amount of EU contribution	Local identifier of operation Unique project code (empty) Beneficiary Fiscal Code	contract number (sub)measure, total project value (PLN, for ETC projects EUR) form of finance other location indicators and territory type, implementation procedure (competitive/non-competitive) area of project intervention, project thematic objective, EFS secondary theme under territorial delivery mechanisms.	Plan-specified summary of the project completion target groups Estimates of project-specific monitoring information Horizontal principles	A unique login code The type (project or action plan) Axis Measure Area (transitional or developed).

Source: Authors' research findings as of 17 May 2016

The ERDF

As regards the ERDF in **Belgium**, the Wallonia Public Service (Wallonia PS) is responsible for publication.¹³⁷ The list published by this decentralised agency complies with all requirements arising under the Common Provisions Regulation.¹³⁸ The list is updated at least every three months.¹³⁹ Beyond the legal requirements at EU level, Wallonia also published additional information on ERDF beneficiaries, namely the (i) Member State co-financing rate; as well as information on (ii) other financing.¹⁴⁰ Concerning **France (Auvergne Rhône-Alpes)**, publication requirements are dealt with at national level.¹⁴¹ The existing list complies with the legal requirements of EU secondary legislation. It is updated every six months.¹⁴² The list omits information regarding the EU co-financing rate.¹⁴³ It however goes beyond the legal requirements imposed by the supranational framework in some respects, most notably in providing information regarding the 'amount of EU funds spent on the project'.¹⁴⁴ With regard to **Finland**, the publication requirements are carried out by the Ministry of Employment and the Economy, which is the managing authority of the ESF and the ERDF, provides all necessary information on beneficiaries of these funds via its website.¹⁴⁵ This database complies with the Common Provisions Regulation as well as with the Finnish Act on the Openness of Government Activities (621/1999).¹⁴⁶ The list that is published accordingly complies almost perfectly with the specific publication requirements set out by EU law. Similar to the case of the ESF above, while different figures on public and EU funding are provided, the EU co-financing rate (as a percentage) per priority axis is not among them. It even goes further in outlining the following additional information (i) a plan specific summary of the project completion; (ii) project target groups; (iii) estimates of project-specific monitoring information reported during the application phase; (iv) compliance with domestic horizontal principles.¹⁴⁷

Concerning the ERDF in Italy (Lombardy) it must be noted that publication requirements are dealt with at regional level. The list currently published and administered by the region provides all required information.¹⁴⁸ It even goes further in providing information on (i) the local identifier of the operation, (ii) the unique project code¹⁴⁹, (iii) as well as the beneficiary's fiscal code.¹⁵⁰ The list provides personal identifiers (Beneficiary Fiscal Code) that allow for the linking of the data to other

¹³⁷ Ibid.

¹³⁸ WalEurope, Projects approved 2014-2020, <http://europe.wallonie.be/?q=node/397>, (accessed 23 April 2016)

¹³⁹ Ibid. The list was last updated on 5 February 2016, but the frequency is not mentioned.

¹⁴⁰ Ibid.

¹⁴¹ Agence de Services et de Paiement (ASP), Map of Beneficiaries, <http://cartobenef.asp-public.fr/cartobenef/> (Last accessed May 6, 2016)

¹⁴² Conseil Régional d'Auvergne publishes the list of beneficiaries every 3 months on its open data portal. Conseil Régional Rhône-Alpes publishes the list every year.

¹⁴³ Ibid.

¹⁴⁴ Ibid.

¹⁴⁵ On this, see the SF Information Service <https://www.eura2014.fi/rriiepa/>.

¹⁴⁶ Ibid.

¹⁴⁷ Ibid.

¹⁴⁸ Lombardy 'Lista di Beneficiari', <http://www.ue.regione.lombardia.it/shared/ccurl/363/420/Elenco%20beneficiari%20FESR%20v1%2020151218.xlsx> (last accessed 16 May 2016).

¹⁴⁹ The Unique Project code ('Codice Unico Progetto') is a code given at the approval of the allocation of resources. After the conclusion of the project, it remains in the national database.

The Unique Project code is identified with an alphanumeric string of 15 characters. For more information: http://www.cipecomitato.it/it/in_primo_piano/mip_cup/cup/cup_che_cosa.html (accessed 15 May 2016). According to the regional authority civil servant interviewed, the Unique project code column is empty due to delay between local and national authorities.

¹⁵⁰ Ibid.

databases in order for data to be aggregated.¹⁵¹ The list moreover contains provides a personal identifier, namely the beneficiary's Fiscal Code, which allows for the linking of the data to other databases in order for data to be aggregated.¹⁵²

ERDF publication requirements are also managed at regional level in **Germany (Baden-Württemberg)**. For the 2007-2013 funding period a specifically-dedicated website devoted an entire section on transparency, which explains that publication of details regarding awards is a legal requirement and links to a pdf. document that lists all funds that have been allocated.¹⁵³ This list, available in German only, lists (i) the name of the beneficiary, (ii) the designation of the operation, (iii) the year in which funding was authorized, and (iv) either the amount of funding authorized or the amount of funding paid out by the end of the project.¹⁵⁴ The regional ERDF website for the 2014-2020 funding period dedicates a section to examples of projects that received funding and introduces those in much depth.¹⁵⁵ The information provided for individual projects includes, for instance, the project name and location, the objectives and value of the project, its costs and the funding that was received from EU and national sources.¹⁵⁶ However, to this date, no complete list of beneficiaries can be found on the website. The region's information and communication strategy with regard to the ERDF foresees that such a list is to be released during the course of 2016.¹⁵⁷ The region decided to only make the list of beneficiaries available online in summer 2016 in order to comply with domestic constitutional requirements as by that date a sufficiently long list of beneficiaries should be available.¹⁵⁸

Finally, as regards **Poland**, the transparency and accessibility requirements concerning the ESF are managed at national **level**¹⁵⁹. The Ministry of Economic Development is the national authority in charge of publishing data related to the structural funds managed at both national and regional level¹⁶⁰. The list provided is fully compliant with the legal requirements¹⁶¹. While it doesn't provide an operation postcode it provides information on the beneficiaries' region and municipality.¹⁶² Beyond the legal requirements at EU level, the following information is published: a contract number; information on the programme; the priority axis; the measure; the submeasure; the total project value (PLN, for ETC projects EUR); the EU co-financing rate; the form of finance; the territory type;

¹⁵¹ Ibid.

¹⁵² Ibid.

¹⁵³ Land Baden-Württemberg, Verzeichnis der Begünstigten in Baden-Württemberg 2007-2013, http://www.rwb-efre.baden-wuerttemberg.de/doks/Verzeichnis%20der%20Beg%20C3%BCnstigten%2031%2012%202014_V2.pdf (accessed 3 May 2016).

¹⁵⁴ Ibid.

¹⁵⁵ Land Baden-Württemberg, EFRE, Projektbeispiele, <https://efre-bw.de/projektbeispiele/> (accessed 3 May 2016).

¹⁵⁶ See, by way of example, EFRE Baden-Württemberg, Stadt Pforzheim – Einrichtung eines Kreativwirtschaftszentrums im Gebäude Emma-Jaeger-Bad, <https://efre-bw.de/projektbeispiele/stadt-pforzheim-einrichtung-eines-kreativwirtschaftszentrums-im-gebäude-emma-jaeger-bad/> (accessed 3 May 2016).

¹⁵⁷ Land Baden-Württemberg, Aufstellung der durchzuführenden Informations- und Kommunikationsmaßnahmen im Jahr 2016 gemäß Anhang XII Nr. 4. Buchstabe i) der ESI-VO zur Kommunikationsstrategie des EFRE-Programms Baden-Württemberg 2014-2020 Innovation und Energiewende, <https://efre-bw.de/wp-content/uploads/%C3%9Cbersicht-Kommunikationsaktivit%C3%A4ten-2016.pdf#> (accessed 1 May 2016).

¹⁵⁸ Land Baden-Württemberg, Verwaltungsbehörde für den Europäischen Fonds für regionale Entwicklung, 10 May 2016.

¹⁵⁹ Ministerstwo Rozwoju (Ministry of Economic Development) since 09.11.2015, previously since 27.11.2013 Ministry of Infrastructure and Development, previously Ministry of Regional Development; www.mr.gov.pl (last accessed 12 May 2016).

¹⁶⁰ Data bases for 2007-2013:

http://www.funduszeuropejskie.2007-2013.gov.pl/NaborWnioskow/listabeneficjentow/Strony/Lista_beneficjentow_FE_310316.aspx, (last accessed 12 May 2016).

Data bases for 2014-2020: <https://www.funduszeuropejskie.gov.pl/strony/o-funduszach/projekty/lista-projektow/lista-projektow-realizowanych-z-funduszy-europejskich-w-polsce-w-latach-2014-2020/>, (last accessed 12 May 2016)

¹⁶¹ Ibid.

¹⁶² Only data on Voivodship, county and municipality.

information on whether the project is implemented under competitive or non-competitive procedure; information on the area of project intervention; information on the project thematic objective; information on the EFS secondary them; and finally information on whether the project implemented under territorial delivery mechanisms. In Poland, there is moreover a 'EU Grant Map' which visualizes information regarding the beneficiaries of the various funds.¹⁶³

With the exception of Italy, none of the lists at Member State – or subnational level provides personal identifiers that would allow for the linking of the data to other databases in order for data to be aggregated.

¹⁶³ <http://www.mapadotacji.gov.pl/>, (last accessed 16 May 2016).

Table 7: Cross-fund analysis for data provision in case study regions for budget year 2014 (MFF 2014-2020): ERDF

		ERDF					
		GERMANY (Baden- Württemberg) (currently no list available)	FRANCE (Auvergne Rhône-Alpes)	ITALY (Lombardia)	POLAND	FINLAND	BELGIUM (Wallonie)
ACCESSIBILITY AND PRESENTATION OF DATA	FORMAT OF PUBLICATION: Single website (portal) with data spreadsheet	/	✓	✓	✓	✓	✓
	LANGUAGES Official MS language(s) and at least one other official EC language	/	English/French	English/Italian	English/Polish	English/Finnish/Swedish	English/French
	DATE OF PUBLICATION updated every 6 months	/	✓	✓	✓	✓	✓
CONTENT AND TRANSPARENC Y OF DATA	BENEFICIARY NAME	/	✓	✓	✓	✓	✓
	COUNTRY OF OPERATION	/	✓	✓	✓	✓	✓
	OPERATION NAME	/	✓	✓	✓	✓	✓
	POSTCODE OF OPERATION	/	✓	✓	✘	✓	✓
	OPERATION SUMMARY	/	✓	✓	✓	✓	✓

ERDF							
		GERMANY (Baden- Württemberg) (currently no list available)	FRANCE (Auvergne Rhône-Alpes)	ITALY (Lombardia)	POLAND	FINLAND	BELGIUM (Wallonie)
	OPERATION START AND END DATE	/	✓	✓	✓	✓	✓
	TOTAL ELIGIBLE EXPENDITURE	/	✓	✓	✓	✓	✓
	EU CO-FINANCING RATE (PER PRIORITY AXIS)	/	✗	✓	✓	✗	✓
	NAME OF THE EU CATEGORY OF INTERVENTION	/	✓	✓	✓	✓	✓
	DATE OF LAST UPDATED	/	✓	✓	✓	✓	✓
BEYOND REQUIREMENTS			Amount of EU contribution	Local identifier of operation Unique project code (empty) Beneficiary Fiscal Code	contract number, (sub)measure, total project value (PLN, for ETC projects EUR) form of finance other location indicators and territory type implementation procedure (competitive/non-competitive) area of project intervention project thematic objective, EFS secondary theme under territorial delivery mechanisms. Photos (in the EU Grant map)	Plan-specified summary of the project completion; Project target groups; Estimates of project-specific monitoring information reported during the application phase; Horizontal principles;	Member State co- financing rate Other financing

Source: Authors' research findings as of 17 May 2016

3.2. FUNDS IN DIRECT MANAGEMENT

KEY FINDINGS

- The EU Financial Regulation mandates that the imperatives of transparency and accessibility are also adhered to with regard to funds in direct management
- The applicable rules attempt to strike a balance between transparency and accessibility as well as the protection of personal data
- These objectives are addressed by the Financial Transparency System, which is a laudable initiative but could be further improved and may be difficult for the ordinary citizen to access and make sense of

3.2.1. Background

Funds under direct management are those that the European Commission implements directly, either at its **headquarters** or through **union delegations** and **executive agencies**.¹⁶⁴ This section first introduces the legal requirements that apply to these funds in respect of transparency and accessibility and then presents our research findings.

3.2.2. Legal requirements

The EU Financial Regulation mandates that the Union's budget must be 'established and implemented in accordance with the principles of unity, budgetary accuracy, annuality, equilibrium, unit of account, universality, specification, sound financial management which requires effective and efficient internal control, and transparency'.¹⁶⁵ By virtue of the principle of transparency, accounts, budgets and reports must be published.¹⁶⁶ This includes, for instance, the obligation for EU institutions to publish in the **Official Journal** the respective 'consolidated annual accounts and the report on budgetary and financial management'.¹⁶⁷

Article 35 of the Financial Regulation gives rise to the Commission's basic requirement of publishing information of beneficiaries of EU funds.¹⁶⁸ In the context of EU funds under direct management this means specifically that information on 'borrowing-and-lending operations contracted by the Union for third parties shall appear in Annex to the budget'.¹⁶⁹ The Commission is also held to make available 'in an appropriate and timely manner, information on recipients, as well as the nature and purpose of the measure financed from the budget, where the latter is implemented directly in accordance with point (a) of Article 58(1) [...]'.¹⁷⁰

¹⁶⁴ http://ec.europa.eu/budget/explained/management/managt_who/who_en.cfm

¹⁶⁵ Article 6 of the Financial Regulation.

¹⁶⁶ Article 34 of the Financial Regulation.

¹⁶⁷ Article 34 (2) of the Financial Regulation.

¹⁶⁸ Article 35 of the Financial Regulation.

¹⁶⁹ Article 35 (1) of the Financial Regulation.

¹⁷⁰ Article 35 (2) of the Financial Regulation.

Article 35(3) of the Financial Regulation provides moreover that 'This information shall be made available with due observance of the requirements of confidentiality and security, in particular the **protection of personal data**. Where **natural persons** are concerned, the publication shall be limited to the name and locality of the recipient, the amount awarded and the purpose of the award. The disclosure of those data shall be based on **relevant criteria** such as the periodicity of award, or the type or importance of the award. The criteria for disclosure and the level of detail published shall take into account the **specificities of the sector and of each method of implementation**. The Commission shall be empowered to adopt delegated acts in accordance with Article 210 concerning the establishment of detailed rules on the publication of information on recipients. Where applicable, the level of detail and criteria shall be defined in the relevant sector-specific rules.'¹⁷¹

Article 21 of the Rules of Application of the Transparency Regulation provide further detail on how the requirements of confidentiality and security should affect the publication of such data.¹⁷² It provides that information on recipients of Union's funds awarded under direct management 'shall be published on an internet site of the Union institutions, no later than 30 June of the year following the financial year in which the funds were awarded.'¹⁷³ In addition, the following information must, in principle, be published:

- the name of the recipient
- the locality of the recipient
- the amount awarded
- the nature and purpose of the measure¹⁷⁴

As far as personal data of natural persons are concerned, 'the information published shall be removed two years after the end of the financial year in which the funds were awarded. The same shall apply to personal data referring to legal persons for whom the official title identifies one or more natural persons.'¹⁷⁵ The information referred to above shall moreover only be published as far as it relates to 'prizes, grants and contracts which have been awarded as a result of contests or grant award procedures or public procurement procedures.'¹⁷⁶ Information shall not be published when it comes to scholarships to natural persons or other support to natural persons in most need, and contracts that do not exceed the **de minimis threshold**.¹⁷⁷ The publication requirement is moreover waived if such 'disclosure risks threatening the rights and freedoms of individuals concerned as protected by the Charter of Fundamental Rights of the European Union or harm the commercial interests of the recipients.'¹⁷⁸ The section below enquires whether these legal requirements are currently being complied with by the European Commission.

¹⁷¹ Article 35 (3) of the Financial Regulation.

¹⁷² Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union OJ L 362, 31.12.2012, p. 1–111 (hereafter referred to Rules of Application of the Financial Regulation.)

¹⁷³ Article 21(1) of the Rules of Application of the Financial Regulation.

¹⁷⁴ Article 21(2) of the Rules of Application of the Financial Regulation.

¹⁷⁵ Ibid.

¹⁷⁶ Article 21(3) of the Rules of Application of the Financial Regulation.

¹⁷⁷ Ibid.

¹⁷⁸ Article 21(4) of the Rules of Application of the Financial Regulation.

3.2.3. Research Findings

For funds under direct management, the Commission provides detailed information through the **Financial Transparency System**, which lists information of the beneficiaries of funds directly managed by the Commission, as well as beneficiaries of the European Development Fund.¹⁷⁹ The database presents data from 2007 onwards and information is uploaded once the accounts for each financial year have been closed.¹⁸⁰ Information on public procurement is available from 2009 onwards but information relating to previous years can still be found on the websites of the Commission departments in question.¹⁸¹

The funding types published through the website thus include **grants, prizes, expenses for public procurement**¹⁸², **financial instruments, budget support and expenses** for the services of external experts.¹⁸³ The Financial Transparency System allows users to find information by year, country, recipient name or VAT number, action type, subject of grant or contract, amount of funding received, or the Commission department responsible.¹⁸⁴ On the basis of the resulting search results, the user can decide to obtain further information on the country, the responsible service, the respective program and recipients.¹⁸⁵ Contrary to the information provided with regard to the European Development Fund, as explained below, a very limited amount of information on beneficiaries is provided, namely only the name of the beneficiary, the number of commitments, the recipient's amount, as well as the commitment total amount.¹⁸⁶ In the absence of any project description is hence impossible to understand to what end money is attributed to the respective beneficiary and to what end it is being spend. Whereas the Financial Transparency System must be applauded from an accessibility point of view as it assembles some important information in one place, **we find that the information provided is not truly transparent** for it is clearly insufficient to allow interested parties to understand the information that is displayed without more detailed information which would, for instance, include project descriptions. The next section examines how transparency and accessibility fare with regard to the EU funds under indirect management.

¹⁷⁹ European Commission, Financial Transparency System, http://ec.europa.eu/budget/fts/index_en.htm (accessed 16 May 2016).

¹⁸⁰ The website of the FTS is at http://ec.europa.eu/budget/fts/faq_en.htm#faq7.

¹⁸¹ Ibid.

¹⁸² For sums exceeding EUR 15,000.

¹⁸³ European Commission, Financial Transparency System, About, http://ec.europa.eu/budget/fts/about_en.htm (accessed 16 May 2016).


¹⁸⁴ This database can be found under http://ec.europa.eu/budget/fts/index_en.htm

¹⁸⁵ Ibid.

¹⁸⁶ Ibid.

Figure 5: Financial Transparency System

A-Z Index | Sitemap | About this site | FAQ | What's New | Legal notice | Contact | Search | English (en)




FINANCIAL TRANSPARENCY SYSTEM

European Commission > Budget > Financial Transparency System (FTS)

Q FTS About FAQ Contact Help

Year 2014 Any Country Search for a beneficiary (name or VAT) Search



Responsible Department All

Action Type All

Subject of grant or contract Subject of grant or contract

Amount = 999999.99 €

display more options

Clear Search Search

This website lets you search through the **beneficiaries** of funding from the EU budget **paid by the Commission directly** (since 2007), and beneficiaries of the European Development Fund (since 2010).

Source: European Commission - Budget

3.3. FUNDS IN INDIRECT MANAGEMENT

KEY FINDINGS

- A small part of the EU budget is indirectly managed by entities entrusted with budgetary powers (e.g. third countries, international organisations, EIB/EIF) by the European Commission
- In such cases, the information on beneficiaries shall be made available on a relevant website of an EU body or the website of the partner entity
- A context in which partner countries are entrusted with funds could be development-related programmes for neighbourhood countries. Depending on the policy instrument and the recipient country, information is not always easily and directly accessible
- The EU can also entrust funds to international organisations such as the UN or World Bank when it is more efficient to do so. EuropeAid provides detailed information on the biggest recipients although more information could be made available in a more straightforward way
- Detailed reporting requirements apply for financial instruments in shared management, however, these can only concern the functioning and performance indicators as well as information on the financial intermediary but not the final beneficiary

3.3.1. Background

In addition, a small part of the EU budget is under ‘indirect management’ whereby the **European Investment Bank (EIB)** and the **European Investment Fund (EIF)**, **national agencies, international organisations, joint undertakings** (e.g. Public-Private-Partnerships) and **third countries** exercise budgetary powers delegated to them by the European Commission.

As for funds under indirect management, information on beneficiaries is made available by the EU partners responsible for allocating the funds and published on the website of the responsible agencies and EU bodies. The Commission also publishes data on third-country beneficiaries of development aid and humanitarian aid.

3.3.2. Legal requirements

The EU Financial Regulation mandates that the Union’s budget must be ‘established and implemented in accordance with the principles of unity, budgetary accuracy, annuality, equilibrium, unit of account, universality, specification, sound financial management which requires effective and efficient internal control, and transparency’.¹⁸⁷ By virtue of the **principle of transparency**, accounts, budgets and reports must be published.¹⁸⁸ This includes, for instance, the obligation for EU

¹⁸⁷ Article 6 of the Financial Regulation.

¹⁸⁸ Article 34 of the Financial Regulation.

institutions to publish in the Official Journal the respective 'consolidated annual accounts and the report on budgetary and financial management.'¹⁸⁹

Article 35 of the Financial Regulation gives rise to the Commission's basic requirement of publishing information of beneficiaries of EU funds.¹⁹⁰ In the context of EU funds under indirect management this means specifically that information on 'borrowing-and-lending operations contracted by the Union for third parties shall appear in Annex to the budget.'¹⁹¹ The Commission is also held to make available 'in an appropriate and timely manner, [...] information on recipients as provided by the entities, persons and Member States to which budget implementation tasks are entrusted under other methods of implementation.'¹⁹²

Article 35(3) of the Financial Regulation provides moreover that '[t]his information shall be made available with due observance of the requirements of confidentiality and security, in particular the **protection of personal data**. Where **natural persons** are concerned, the publication shall be limited to the name and locality of the recipient, the amount awarded and the purpose of the award. The disclosure of those data shall be based on **relevant criteria** such as the periodicity of award, or the type or importance of the award. The criteria for disclosure and the level of detail published shall take into account the **specificities of the sector and of each method of implementation**. The Commission shall be empowered to adopt delegated acts in accordance with Article 210 concerning the establishment of detailed rules on the publication of information on recipients. Where applicable, the level of detail and criteria shall be defined in the relevant sector-specific rules.'¹⁹³

Article 21 of the Rules of Application of the Transparency Regulation provide further detail on how the requirements of confidentiality and security should affect the publication of such data.¹⁹⁴ It provides that information on recipients of Union's funds awarded under indirect management 'shall be published on an internet site of the Union institutions, **no later than 30 June** of the year following the financial year in which the funds were awarded.'¹⁹⁵ In addition, the following information must, in principle, be published:

- the name of the recipient
- the locality of the recipient
- the amount awarded
- the nature and purpose of the measure¹⁹⁶

Article 22 Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 which links to Article 35 of the Financial Regulation) further states 'the delegation agreements shall require that information [...] is published according to a **standard presentation**, by those entrusted authorities

¹⁸⁹ Article 34 (2) of the Financial Regulation.

¹⁹⁰ Article 35 of the Financial Regulation.

¹⁹¹ Article 35 (1) of the Financial Regulation.

¹⁹² Article 35 (2) of the Financial Regulation.

¹⁹³ Article 35 (3) of the Financial Regulation.

¹⁹⁴ Commission Delegated Regulation (EU) No 1268/2012 of 29 October 2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union OJ L 362, 31.12.2012, p. 1–111 (hereafter referred to as 'Rules of Application of the Financial Regulation').

¹⁹⁵ Article 21(1) of the Rules of Application of the Financial Regulation.

¹⁹⁶ Article 21(2) of the Rules of Application of the Financial Regulation.

and bodies on their website. Furthermore, the '[t]he internet site of the Union institutions shall contain a **reference at least of the address of the website** where the information can be found if it is not published directly in the dedicated place of the internet site of the Union institutions [...]'].

As far as personal data of natural persons are concerned, 'the information published shall be **removed two years after** the end of the financial year in which the funds were awarded. The same shall apply to personal data referring to legal persons for whom the official title identifies one or more natural persons.'¹⁹⁷ The information referred to above shall moreover only be published as far as it relates to 'prizes, grants and contracts which have been awarded as a result of contests or grant award procedures or public procurement procedures.'¹⁹⁸ Information shall not be published for contracts that do not exceed the **de minimis threshold**.¹⁹⁹ The publication requirement is moreover waived if such 'disclosure risks threatening the rights and freedoms of individuals concerned as protected by the Charter of Fundamental Rights of the European Union or harm the commercial interests of the recipients.'²⁰⁰ The section below enquires whether these legal requirements are currently being complied with by the European Commission and the relevant third parties.

3.3.3. Research Findings

A small part of the EU budget is indirectly managed by entities entrusted with budgetary powers by the European Commission. According to Article 58 of the Financial Regulation, these can be third countries, international organisations, Public-Private-Partnerships, public law bodies or private law bodies with a public mission, persons entrusted with CFSP or the European Investment Bank (EIB) or its SME financing arm, the European Investment Fund (EIF). The total amount of funding in indirect management cannot be determined from the EU's draft budget or budget reports as the funding amounts are not broken down by **management mode**²⁰¹. Section III (the section including the EC's operational appropriations) of EU's 2015 budget spans more than 1,600 pages and includes a description of all budget lines.²⁰² But in order to determine how much money of an individual budget line was in indirect management, a number of further documents such as the basic act or any relevant implementing regulations would need to be consulted.²⁰³ Even those might not specify the management mode for the funds they authorise to be disbursed. For the purposes of this study we have selected three examples that we are analysing in more detail to evaluate the data transparency and accessibility with regard to indirect management.

¹⁹⁷ Ibid.

¹⁹⁸ Article 21(3) of the Rules of Application of the Financial Regulation.

¹⁹⁹ Ibid.

²⁰⁰ Article 21(4) of the Rules of Application of the Financial Regulation.

²⁰¹ European Commission, Draft General Budget for the financial year 2015 - Working Document Part IX "Funding to International organisations" COM(2014) 300, June 2014; European Commission/DG Budget, Report on budgetary and financial management, Financial Year 2015.

²⁰² EU, Euratom 2015/339, The European Union's general budget for the financial year 2015, 13.03.2015.

²⁰³ European Commission (2013), European Union - Public Finance, Luxemburg, p. 220.

Funding to third countries

Several EU programmes might include funds in indirect management by **partner countries**, esp. development-related programmes such as the Development Cooperation Instrument or humanitarian aid.²⁰⁴ In this section, we are focussing on the Instrument for Pre-Accession Assistance (IPA), which provides technical and financial assistance for reforms in EU candidate countries.²⁰⁵

The financial envelope set in the basic act for the implementation of **IPA II** (the successor of IPA I of the last MFF) is EUR 11,698,668,000 for MFF 2014 -2020, of which up to 4% shall be allocated to cross-border cooperation programme and annual appropriations shall authorised by the European Parliament and the Council each year²⁰⁶ The funds are combined from DG NEAR, EMPL, AGRI and REGIO.²⁰⁷ Some conditions for entrusting beneficiaries with budget implementation tasks are outlined in Article 13 of the Implementing Regulation, e.g. the existence of an internal control system.²⁰⁸ The following disbursements were made:

Table 8: IPA disbursements in 2014

COUNTRY	IPA I (IN EUR)	IPA II
Albania	288,139,323	0
Bosnia and Herzegovina (BiH)	370,377,054	3,532,478
Croatia	460,314,577	0
FYROM	273,049,040	0
Kosovo	486,699,110	0
Montenegro	143,423,580	0
Serbia	906,220,245	0
Turkey	2,578,261,545	0
Iceland	5,744,810	0
Multi-beneficiary	n/a	1,098,159

Source: 2014 Financial Report²⁰⁹

According to a recent report of the European Court of Auditors, pre-accession assistance is managed effectively through the IPA, in the case of Serbia.²¹⁰ The European Commission does **not currently**

²⁰⁴ European Commission, Development Cooperation Instrument, https://ec.europa.eu/europeaid/how/finance/dci_en.htm_en (accessed 17 May 2016)

²⁰⁵ European Commission, Instrument for Pre-Accession Assistance, http://ec.europa.eu/enlargement/instruments/overview/index_en.htm (accessed 14 May 2016).

²⁰⁶ Article 15 of Regulation (EU) no 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance (IPA II)

²⁰⁷ European Commission (2014), Annual Report on Financial Assistance for Enlargement, Luxembourg: Publications Office of the European Union, p. 23-24.

²⁰⁸ Commission Implementing Regulation (EU) No 447/2014 of 2 May 2014 on the specific rules for implementing Regulation (EU) No 231/2014 of the European Parliament and of the Council establishing an Instrument for Pre-accession assistance (IPA II).

²⁰⁹ European Commission (2014), Annual Report on Financial Assistance for Enlargement, Luxembourg : Publications Office of the European Union, p. 23-24.

seem to provide **a list of final beneficiaries** of the IPA on their own website. This might be because DG NEAR intervenes solely at the general commitment level of the IPA Programmes. They are not involved in the tendering and contracting of the assistance. Information about contracts with IPA beneficiaries signed during 2014 and 2015 is available at the level of the Contracting Authority in the beneficiary country and DG NEAR has provided us with the links most of the relevant websites.²¹¹ For example, in the case of Turkey, the link leads to a database (in English) where different programmes can be selected. The following information is made available:²¹²

- a) Contract no
- b) Beneficiary Name
- c) Project Duration in month(s)
- d) EU Contribution (EUR)
- e) TR Contribution (EUR)
- f) Total Contribution (EUR)

In the case of Serbia, the relevant website of the Government's Department of Contracting and Financing of EU Funded Programmes informs the visitor that a list 'will be available soon'.²¹³ Similarly, no current list can be found on the website of the Government of Albania's Directorate General of Funding and Contracting for EU funds and other donors. However, a long list of current expressions of interest is provided in both English and Albanian.²¹⁴ FYROM's Central Financing and Contracting Department provides a list of beneficiaries with the most recent signatures dating from March 2016.²¹⁵ It includes the following elements:

- a) Priority Axis
- b) Contract No.
- c) Title of contract
- d) Project Purpose (brief info)
- e) Contractor's name
- f) Beneficiary institution
- g) Contract value (€)
- h) IPA-NCF ratio
- i) Date of signature by CFCD
- j) End date
- k) Type of Contract

It appears that could be improved for some cases where data accessibility funds are implemented by third countries under IPA. In other cases, compliance is fully achieved. However, the location where this information is made available is not easy to find for a layperson.

²¹⁰ European Court of Auditors (2014), Special Report EU Pre-accession Assistance to Serbia, http://www.eca.europa.eu/Lists/ECADocuments/SR14_19/QJAB14019ENN.pdf, p. 34.

²¹¹ DG NEAR, Finance, Contracts & Audit (IPA), 19 May 2016.

²¹² Republic of Turkey, Central Finance and Contracts Unit, Grant contracts data base, <http://www.cfcu.gov.tr/grant-database> (accessed 19 May 2016).

²¹³ Republic of Serbia, Department for Contracting and Financing of EU Funded Programme, About Grants – Grant Beneficiaries, <http://www.cfcu.gov.rs/tekst.php?id=23> (accessed 14 June 2016).

²¹⁴ Republic of Albania, Ministry of Finance, Notifications, <http://cfcu.minfin.gov.al> (accessed 14 June 2016).

²¹⁵ FYROM, Central Financing and Contracting Department, Contracted Projects http://cfcfd.finance.gov.mk/?page_id=852 (accessed 14 June 2016).

Funding to international organisations

International organisations (IOs) are entrusted with the implementation of budgetary tasks by the EC when it is “**more efficient**” to fund an international organisation instead of acting directly. Generally, the main purposes are **humanitarian aid or research**.²¹⁶ In the working document Part IX accompanying the draft budget 2015 the European Commission has laid out the amounts committed to each IO.²¹⁷ It also explains why it recurs under indirect management through IOs: singular capacities of the relevant IO, specific expertise, optimisation of donor coordination, experience or presence, in country/region, neutrality or payment of membership fees are given as reasons. The table below lists the commitments for 2013, according to the working document.²¹⁸ However, information on how much was effectively disbursed could not be found in the budget reports.²¹⁹

Table 9: EC Commitments to International Organisations

INTERNATIONAL ORGANISATION	2013 COMMITMENTS (EUR)
European Space Agency (ESA)	373 205 934
European Bank for Reconstruction and Development (EBRD)	187 505 000
World Food Programme (WFP)	185 248 156
United Nations High Commissioner for Refugees (UNHCR)	184 031 486
United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)	149 814 812
United Nations Children's Fund (UNICEF)	133 889 067
The World Bank Group	102 828 397
International Committee of the Red Cross and Red Crescent	66 417 000
International Organization for Migration	66 381 643
International Fund for Agricultural Development (IFAD)	53 400 000
Other (further specified but not included here)	504 232 674

Source: European Commission, COM(2014) 300, June 2014, p.7

When searching further for the final beneficiaries of the funds listed, one finds a document entitled “List of international organisations beneficiaries 2015 (contracted in 2014)”, provided by the EC/EuropeAid²²⁰. In this document, the European Commission makes available the names of all IOs **having received EUR 15,000 or over from EU funds** together with a list of weblinks for each IO. At least theoretically, the interested citizen should be able to access information on final beneficiaries

²¹⁶ European Commission, Draft General Budget for the financial year 2015 - Working Document Part IX “Funding to International organisations” COM(2014) 300, June 2014.

²¹⁷ Ibid.

²¹⁸ Ibid.

²¹⁹ European Commission/DG Budget, Report on budgetary and financial management, Financial Year 2015.

²²⁰ European Commission, International Organisations, https://ec.europa.eu/europeaid/international-organisations_en (accessed 16 May 2016).

under those links. However, the web links do not link to relevant information in the majority of the cases. Often one is guided to the procurement section which merely lists information on open calls and conditions for suppliers. Positive exceptions are: '[p]rocurement contracts financed by the European Union' on the website of the International Trade Centre²²¹ and several 'Publication Notice of EU Funded Grants and Procurement Contracts' on the website of the Southern African Development Community²²² or to a lesser extent 'Letters of Agreement for EU funded projects with actions over USD 100,000' by the Food and Agricultural Organisation (FAO).²²³ The list of international organisations beneficiaries does not seem to exist for earlier years and no upload date is indicated so no conclusions drawn on the frequency of updates.

However, EuropeAid has made available a separate document on '**EuropeAid Financial Contributions to the United Nations - 2015-2015**'²²⁴ in which a list of final beneficiaries including the following information is presented:

- i) Contract Number
- ii) Domain Code
- iii) Contract Title
- iv) Contract Description
- v) Action Location
- vi) Contractor Signator Date
- vii) Total Cost (EUR)
- viii) EU Contribution (EUR)
- ix) EC Contracted as % of Total Programme
- x) Paid Amount.

A similar document exists for '**Financial Contributions of EuropeAid to the World Bank Group 2015-2015**' but not for contributions to other international organisations.²²⁵ Both statistics have been made available since 2012 on a yearly basis.²²⁶ A conversation with a policy officer from DG DEVCO revealed that two other databases exist: "DAC Stat" managed by the OECD²²⁷ which emerged in the context of the International Aid Transparency Initiative (IATI)²²⁸ where information on financial commitments should be provided on the **level of the financing decisions as well as information on disbursements** on contract level.²²⁹ Transparency and accessibility and data is thus provided for the two of the largest IO beneficiaries of EU funds by the EC itself but efforts are also made to promote information on funding for international aid more widely.

²²¹ International Trade Centre, Procurement, <http://www.intracen.org/itc/about/working-with-itc/procurement> (accessed 16 May 2016).

²²² Southern African Development Community, Awarded Contracts, <http://www.sadc.int/opportunities/procurement/awarded-contracts> (accessed 14 May 2016).

²²³ Food and Agriculture Organization, Statistics for Procurement Activities 2015, <http://www.fao.org/unfao/procurement/statistics-from-2010-2015/statistics-2015/en>, (accessed 14 May 2016).

²²⁴ European Commission, Statistics illustrating all EuropeAid financial contributions to the United Nations in 2015, http://ec.europa.eu/europeaid/statistics-illustrating-all-europeaid-financial-contributions-united-nations-2015_en (accessed 14 May 2016).

²²⁵ European Commission, Statistics illustrating all EuropeAid financial contributions to the World Bank Group in 2015, http://ec.europa.eu/europeaid/statistics-illustrating-all-europeaid-financial-contributions-world-bank-2015-1_en (accessed 14 May 2016).

²²⁶ European Commission, International Organisations, https://ec.europa.eu/europeaid/international-organisations_en (accessed 14 May 2016).

²²⁷ OECD, Development finance statistics, <http://www.oecd.org/development/stats> (accessed 18 May 2016).

²²⁸ IATI, IATI Registry, <http://www.iatiregistry.org>, (accessed 18 May 2016).

²²⁹ DG DEVCO, Brussels, 18 May 2016.

Funding to EIF/EIB (through financial instruments)

Our last example is EU funds in **indirect management through financial instruments** managed by the EIB or the EIF.²³⁰ The EIB is the EU's Investment Bank and the EIF is its SME financing arm²³¹. Financial instruments can be divided in debt (e.g. loan guarantees) and equity instruments (e.g. venture capital) as well as other risk-sharing instruments²³². Their purpose is to **remedy market failures and sub-optimal investment situations**.²³³ Financial instruments can **leverage** more funds (e.g. from the private sector) during implementation and have a potential for allocations to be partly reutilised after the programme ends (revolving factor).²³⁴ As such they are fundamentally different from grants. Different Directorates-General have recourse to them such as DG ENER, DG RTD, DG ECFIN or DG CNECT, e.g. for micro-finance facilities or SME guarantees.²³⁵ Detailed reporting and publication requirements apply to Financial Instruments.²³⁶

The European Commission's annual report, which is published according to **Art.140.8 of the Financial Regulation**, lists the following data for equity, debt and other risk-sharing instruments below²³⁷.

- a) Identification/basic act
- b) Description
- c) Financial institutions involved
- d) Aggregate budgetary commitments and payments
- e) Performance
- f) Evaluation of amounts returned
- g) Balance of fiduciary account
- h) Revenues and repayments
- i) Value of equity investments
- j) Impairments/called guarantees
- k) Leverage effect achieved
- l) Contribution to achievement of policy objectives

For individual financial instruments managed by the EIF, the EIF provides a **list of financial intermediaries** and an overview of their budgetary allocation.²³⁸ Information on final recipients is not provided by the EIF, which is likely a consequence of considerations concerning the protection of market-sensitive and personal data.

²³⁰ This section does not deal with financial instruments implemented in shared management through the ESIF.

²³¹ EIF, Who we are, http://www.eif.org/who_we_are/index.htm (accessed 14 June 2016).

²³² European Commission (2013), European Union - Public Finance, <http://bookshop.europa.eu/en/european-union-public-finance-pbKV0213825/>, p. 247.

²³³ European Commission (2013), European Union - Public Finance, <http://bookshop.europa.eu/en/european-union-public-finance-pbKV0213825/>, p. 249.

²³⁴ Ibid, p. 247.

²³⁵ Report from the Commission to the European Parliament and the Council on financial instruments supported by the general budget according to Art.140.8 of the Financial Regulation as at 31 December 2013, COM(2014) 686 final Brussels, 30.10.2014.

²³⁶ European Commission (2013), European Union - Public Finance, <http://bookshop.europa.eu/en/european-union-public-finance-pbKV0213825/>, p. 249.

²³⁷ Report from the Commission to the European Parliament and the Council on financial instruments supported by the general budget according to Art.140.8 of the Financial Regulation as at 31 December 2013, COM(2014) 686 final Brussels, 30.10.2014.

²³⁸ Below an example for the COSME instrument, EIF, Loan Guarantee Facility (COSME-LGF), Signatures as of 30/04/2016, http://www.eif.org/what_we_do/guarantees/single_eu_debt_instrument/cosme-loan-facility-growth/cosme_lgf_signatures.pdf (accessed 18 May 2016).

3.4. THE EUROPEAN DEVELOPMENT FUND

• KEY FINDINGS

- The EDF is a special case within the EU budget, as it is not part of the MFF and thus follows different budgetary rules, including the fact that it has its own funding rules.
- Local Advances in transparency have been recorded in some supported countries.
- The EIB operations have their own assessments and procedures which ensure transparency and the complaints mechanism even allows any stakeholder even not EU to address the European Ombudsman.
- Local capacity building is a necessity in the countries

3.4.1. Background

The European Development Fund, which has been in place since 1958, is a **particular case** when it comes to the EU funding mechanisms as it **lies outside the EU's multiannual financial framework** and is financed by direct contributions from EU Member States.²³⁹ Its main aim consists in providing development aid to African, Caribbean and Pacific countries and to overseas countries and territories.²⁴⁰ The European Development Fund uses its own contribution key and is covered by its own financial rules. It is hence paramount to stress that unlike the other funds subject to analysis in the present study (as well as other external policy actions), the EDF is **not financed by the EU's general budget** but rather established by an internal agreement of Member State representatives (sitting in the Council) and it is managed by a committee. Each EDF is generally governed by its own financial regulation. The Eleventh EDF, established by the **Revised Cotonou Agreement**, runs from 2014-2020.²⁴¹ The Eleventh EDF entered into force on 1 March 2015 after the signing of the Internal Agreement in June 2013.²⁴² The Internal Agreement specifies that the Eleventh EDF consists of EUR 30.5 billion²⁴³ and also provides a table that allows verification of the amount contributed by each Member State.²⁴⁴

This study has interviewed EU and EIB officers responsible of the for Nigeria, Haiti and Vanuatu for the purposes of the present study. The study timeframe and the difficulty to draw a clear strategy in terms of interviews for the funds has limited the scope of the analysis. The European Development Fund is managed by the local representation of the European Commission.²⁴⁵ Local beneficiaries do not

²³⁹ European Commission, European Development Fund, https://ec.europa.eu/europeaid/funding/funding-instruments-programming/funding-instruments/european-development-fund_en, (accessed 16 May 2016).

²⁴⁰ This website can be found under: https://ec.europa.eu/europeaid/funding/funding-instruments-programming/funding-instruments/european-development-fund_en.

²⁴¹ Agreement Amending for the Second Time the Partnership Agreement between the Members of the African, Caribbean and Pacific Group of States, of the one Part, and the European Community and its Member States, of the Other Part, Signed in Cotonou on 23 June 2000 as First Amended in Luxembourg on 25 June 2005, L 287, 04//11/2010, p.3.

²⁴² Internal Agreement between the Representatives of the Governments of the Member States of the European Union, meeting within the Council, on the financing of European Union aid under the multiannual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement, and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the Treaty on the Functioning of the European Union applies, OJ L 210, 6.8. 2013, 1.

²⁴³ See article 1(2)(a) of the Internal Agreement.

²⁴⁴ Ibid.

²⁴⁵ Pacific Community, Nouméa, May 12, 2016.

entertain any direct communication line with EU officials based in Brussels.²⁴⁶ It should be pointed out that in some instances beneficiary countries decide to delegate the management of the EDF to international organisations, which may in turn sub-delegate the management of some of the funds to local entities, such as institutions and organisations.²⁴⁷ It is however crucial to stress that in order to be able to manage EDF funds, these entities must fulfil seven requirements aimed at certifying the transparency and quality of its procedures.²⁴⁸ Transparency is accordingly an important factor when it comes to the choice of the entity administering funds received through the EDF.

3.4.2. Legal Requirements

Publication Requirements apply in the context of the EDF, underlining that the imperatives of transparency and accessibility also find expression in this domain of EU policy, even though it lies outside the EU budget.²⁴⁹ **Article 13 of the Regulation on Financial Regulations** applicable to the Eleventh EDF is specifically dedicated to ‘transparency’ and provides that the fund shall be ‘implemented and the accounts presented in accordance with the principle of transparency’.²⁵⁰ To this end, a number of measures are being taken, which are outlined below.

With respect to the transparency of EDF accounts it should be noted that the annual statement of commitments, payments and the amount of calls for contributions are published in the Official Journal of the European Union.²⁵¹ In addition, and for each financial year, the Commission has to draw up and approve the accounts of the EDF and also send them to the European Parliament, the Council as well as the Court of Auditors.²⁵² The European Investment Bank must furthermore send an annual report to the Council and the Commission concerning the EDF operations that are financed from the resources it manages.²⁵³ These various annual accounts can be downloaded online and provide overall balance sheets and cash-flow statements as well as other financial assessments of the fund overall.²⁵⁴ This online publication of EU accounts thus makes detailed information on the European Development Fund publically available. The EDF Regulation moreover foresees that accounts of the Eleventh EDF must moreover be published in the Union’s Official Journal together with a statement of assurance given by the Court of Auditors.²⁵⁵

3.4.3. The case of EDF funds in the investment facilities of the EU managed by the EIB

²⁴⁶ Ibid.

²⁴⁷ Ibid.

²⁴⁸ For 2014, the latest report that has been released to date, Communication from the Commission to the European Parliament, the Council, and the Court of Auditors, Annual Accounts of the European Development Fund 2014, COM(2015) 379 final 23/07/2015, available online: http://ec.europa.eu/budget/library/biblio/documents/FED/FED_2014_en.pdf (hereafter referred to as ‘The 2014 Annual Report on the EDF’).

²⁴⁹ Council Regulation (EU) 2015/323 of 2 March 2015 on the financial regulation applicable to the 11th European Development Fund OJ L 58, 3.3.2015, 17–38 (hereafter referred to as the ‘EDF Regulation’).

²⁵⁰ Article 13 (1) of the EDF Regulation.

²⁵¹ Article 13 (2) of the EDF Regulation.

²⁵² Article 11 (4) of the Internal Agreement.

²⁵³ Article 11 (5) of the Internal Agreement.

²⁵⁴ The 2014 Annual Report on the EDF, 10-45.

²⁵⁵ Article 43 (6) of the EDF Regulation.

With regard to the implementation of the investment facility managed by the European Investment Bank, the names of 'recipients of financial support under the Investment Facility shall be published by the EIB, unless such disclosure risks harming the commercial interests of the recipients, while duly observing the requirements of confidentiality and security, in particular the protection of personal data. The **criteria for disclosure** and the level of detail published shall take into account specificities of the sector and the nature of the Investment Facility.²⁵⁶ The most important innovation with regard to transparency and accessibility of information related to the European Development Fund is most likely the fact that since 2010 information on this fund is published online on the Financial Transparency System, the same website that contains all relevant information on EU funds under direct management that was referred to above.²⁵⁷ The subsequent section evaluates the practical operation of these legal requirements.

The European Union has been increasing the size and importance investment facilities, which are trust funds with EU budget funding as well as member state donors and some funds by financial institutions. These investment facilities²⁵⁸ provide guarantees for loans, subsidised interest rates or funding for technical assistance. Transparency of the EIB operations is achieved through a number of the tools.

All EIB operations under the investment facilities (including the names of recipients, the amount of the loans, etc.) are published on the EIB website in line with the EIB Group's Transparency Policy²⁵⁹ and reported in the Annual reports on the EIB activities under the investment facilities, with the corresponding Financial Statements²⁶⁰, in a way that is easily accessible to the public.

In addition, any member of the public has the right to request and obtain information and documents regarding an EIB operation under the Investment Facilities under the provisions of the EIB Group Transparency Policy, which is aligned with applicable EU legislation regarding transparency and access to information. EIB operations under the Investment Facilities are also published based on the reporting standard of the International Aid Transparency Initiative (IATI).²⁶¹

As for all the projects that it finances, the EIB applies to its operations under the Investment Facilities that technical, economic, financial, and environmental and social assessment of all the projects it finances are performed, and requests their compliance and alignment with EU and national laws and regulations, as well as the EIB Environmental and Social Standards (Including EIB Standard 10 on Stakeholder Engagement).²⁶²

If any stakeholder (including local affected communities, individuals, members of the public, NGOs, etc.) consider that the EIB has not examined sufficiently some aspects of a particular project or has committed some other instance of maladministration, they can make use of the internal EIB

²⁵⁶ Article 55 (3) of the EDF Regulation.

²⁵⁷ http://ec.europa.eu/budget/fts/faq_en.htm#faq7

²⁵⁸ ITF: Infrastructure Trust Fund for Africa ; NIF: Neighbourhood Investment Facility; WBIF: Western Investment Framework; LAIF: Latin America Investment Facility; LAIF: Latin America Investment Facility; IFCA: Investment facility for Central Asia; Asia Investment Facility; AIF: Asia Investment Facility; CIF : Caribbean Investment Facility; IFP: Investment Facility for the Pacific

²⁵⁹ <http://www.eib.org/infocentre/publications/all/eib-group-transparency-policy.htm>

²⁶⁰ <http://www.eib.org/infocentre/publications/all/investment-facility-annual-report-2015.htm>

²⁶¹ See: <http://www.eib.org/about/partners/cso/iati/index.htm>

²⁶² See: <http://www.eib.org/infocentre/publications/all/environmental-and-social-practices-handbook.htm>

Complaints Mechanism²⁶³. The complaint will trigger an independent internal review. If the complainants are not satisfied with the outcome of the complaint investigation or with the relevant measures taken by the EIB, they can lodge a complaint with the European Ombudsman for maladministration.²⁶⁴

3.4.4. Research Findings on overall transparency

In line with the legal requirements outlined above, the Commission releases its annual report on the European Development Fund online.²⁶⁵ It should also be pointed out that the *Internal Agreement* provides a table that allows verifying the amount contributed by each Member State for the current funding phase.²⁶⁶ The various **annual accounts** of the EU institutions referred to above can be downloaded online and provide overall balance sheets and cash-flow statements as well as other financial assessments of the fund overall.²⁶⁷ While this information can easily be found online by those who know what to look for, this is not the case for the layperson as it is not clearly evident that these annual accounts contain information on the European Development Fund and the information is presented in a rather complex and technical manner which can be difficult to make sense of.

In its 2014 report, the European Court of Auditors²⁶⁸ noted that national and supranational authorities 'have stressed the importance of applying the principles of transparency and accountability in a coherent and consistent way for all public funds used in response to the crisis.'²⁶⁹ Similarly to the Commission report, the 2014 ECA assessment provides a balance sheet and overview of cash flows.²⁷⁰ It also furnishes information regarding the called and uncalled fund capital by Member State²⁷¹ and the annual accounts of the EDF in 2014.²⁷² It is worth stressing that **no beneficiaries of the funds are named** and the information here is also provided in a manner that might be **difficult for an ordinary citizen to make sense of**. What is more accessible is the report highlighting the details of the EDF's investment facility, which contains a geographical analysis of risk concentrations of loans and receivable outlines how much money was received by individual countries. From this list it is apparent that Uganda, Kenya, Nigeria, and Regional ACP are the largest receivers of such funds.²⁷³ The report also analyses the facility's loan portfolio by industry sector of the borrower. Here, it can be seen that the industries receiving most loans are global loans and agency agreements; urban renovation, renovation and transport; electricity, coal and others, the tertiary sector; basic material and mining;

²⁶³ See : <http://www.eib.org/about/accountability/complaints/index.htm>

²⁶⁴ See : <http://www.eib.org/infocentre/publications/all/memorandum-of-understanding-between-the-eo-and-the-eib.htm>

²⁶⁵ For 2014, the latest report that has been released to date, Communication from the Commission to the European Parliament, the Council, and the Court of Auditors, Annual Accounts of the European Development Fund 2014, COM(2015) 379 final 23/07/2015, available online: http://ec.europa.eu/budget/library/biblio/documents/FED/FED_2014_en.pdf (hereafter referred to as 'The 2014 Annual Report on the EDF').

²⁶⁶ Ibid.

²⁶⁷ The 2014 Annual Report on the EDF, pp 10-45.

²⁶⁸ Hereafter referred to as the 'ECA'.

²⁶⁹ European Court of Auditors, Landscape Review: Gaps, Overlaps and Challenges: A Landscape Review of EU Accountability and Public Audit Arrangements(2014), 18.

²⁷⁰ Communication from the Commission to the European Parliament, the Council and the Court of Auditors, Annual Accounts of the European Development Fund 2014, COM (2015) 379 final, 11-18.

²⁷¹ Ibid, 30.

²⁷² Ibid, 63-73.

²⁷³ Ibid, 93.

roads and motorways; airports and traffic management systems.²⁷⁴ Similar reports have been drawn up for previous years.²⁷⁵

Information on the European Development Fund can thus be located online but it requires some skill and patience to find the relevant information. This system of scattered information, partly hidden away in annual reports, must be seen critically from a transparency and accessibility perspective. Stakeholders indeed consider that Commission's procedure is difficult to access and/or elusive.²⁷⁶ The data is difficult to access in the absence of specifically-dedicated websites. An important innovation starting in 2010 has thus been the inclusion of commitments for the Tenth EDF in the **European Transparency System**.²⁷⁷ As a result, information on the EDF is henceforth subject to the same publication rules as other forms of EU expenditure.²⁷⁸ The Financial Transparency System allows users to select information on the Ninth EDF as well as on the Tenth EDF under the 'Action Type' tab of the online database.²⁷⁹ No information is yet available concerning the operation of the Eleventh Development Fund for the year 2014.²⁸⁰ The database provides information regarding the total amount of committed spending per year as well as the number of commitment positions.²⁸¹ The user can then decide to access further information via the same database, including information on the amount of money contributed per Member State, and recipients of the funds.²⁸² Details regarding beneficiaries include:

- Subject of grant or contract
- Total amount
- Year
- Responsible department of the Commission
- Reference (budget)
- Budget line and number
- Action type
- Funding type
- Expense type
- Action location
- Geographical location²⁸³

While this initiative is laudable, the **lack of a project description** makes it difficult to understand to what end funds are allocated and spent. Stakeholders have also argued that having access to the list of beneficiaries of EU funds on the geographic region (not necessarily a country) would be preferable, especially for cross-border funding such as that provided through the EDF.²⁸⁴ The information provided is nonetheless much more expansive than that provided by the European Transparency System with regard to funds under direct management. It should also be stressed that in addition to

²⁷⁴ Ibid, 94.

²⁷⁵ Footnote a few.

²⁷⁶ Pacific Community, Nouméa, May 12, 2016

²⁷⁷ The FTS website is at : http://ec.europa.eu/budget/fts/faq_en.htm#faq7.

²⁷⁸ Ibid.

²⁷⁹ Ibid.

²⁸⁰ Ibid.

²⁸¹ Ibid.

²⁸² Ibid.

²⁸³ Ibid.

²⁸⁴ Pacific Community, Nouméa, May 12, 2016.

what has already been outlined, the EuropeAid website provides important information on the EU's international cooperation and development policies more generally.²⁸⁵ While the EDF is not at the centre of this website and the information it provides, it provides, for instance, an overview of the ACP-EU Partnership Agreement (the 'Cotonou Agreement').²⁸⁶ After having examined the various funds under direct, indirect, and shared management, the subsequent section introduces the main results of our examination as well as the thereto-connected policy recommendations.

3.4.5. The results of the case studies

Due to the location in different continents and their very different characteristics the situation in Nigeria, Haiti and Vanuatu has been analysed. For the purposes of this study, the offices responsible for the region have been approached to understand the situation. For the EIB operations only operations Nigeria by the Investment Trust Fund (ITF) have been addressed, i.e. from the investment facility for Africa. There have not been any recent EIB operations in Haiti and Vanuatu.

The European Commission has a policy to publish the financial agreements with the countries they operate in. Furthermore, the calls for proposals are published online, as well as project evaluations. Many projects have their own websites and information provision.

However, the key challenges are in the information provision to locals and issues affecting the local government. In some countries rules on financial management of public funds are far from EU standards, although the EU does require a level of standards when EU funds are being used and these demands have been reinforced. The EU budget for results new framework is also driving better quantification of results. This has of course a relevant impact on transparency and accessibility of information.

The EU's interventions, have a twofold influence in this area. The EU interventions require local consultations and the provision of information from the one hand, from the other, they involve often civil society organisations in projects. This help driving awareness and demands for more transparency locally, which in turn increases transparency also for operations where the EU offers budget support to the country.

The challenges vary strongly from one country to another and cannot be easily compared. A country like Nigeria, with 180 million inhabitants and 36 federal states poses a great challenge for the EU delegations in managing the operations, while the influence on the local authorities in improving their transparency and information system cannot be compared to the potential influence in much smaller developing countries.

In all cases, it is clear that more could be done to evaluate the transparency and availability of information for the local stakeholders. **An evaluating of transparency and accessibility of EDF assistance for local stakeholders could be undertaken.** Improved access to information on EU funding will always lead to better project proposals and to more efficient development cooperation

²⁸⁵ https://ec.europa.eu/europeaid/home_en (accessed 18 May 2016).

²⁸⁶ https://ec.europa.eu/europeaid/where/acp/overview/cotonou-agreement/index_en.htm_en (accessed 18 May 2016).

Delegations consider that improvements could be found to facilitate the data information provision, as the work of the delegations does not allow the management of large amounts of data to answer external requests.

The annexes show summaries of the operations in the case study countries and some responses from EU institutions.

Case study on the use of EDF funding in Nigeria main messages

The 11th EDF 2014-2020 allocates EUR 512 million across 3 sectors, mainly through budget support provision. The EDF National Indicative Programme focuses on 3 priority sectors: health, nutrition and resilience; sustainable energy and access to electricity; rule of law, governance and democracy. In addition, funding goes to in favour of civil society for their projects or to develop their capacity.

The administration of operations in Nigeria, including Transparency and availability of information for the local population is a big challenge, the country has a federal structure with 180 million inhabitants divided into 36 states. The administrative structures and the administrative capacity of civil servants in the states are a key issue. However, despite the known national shortcomings in terms of governance, the country is improving in the management of funds and their transparency. Civil society (which also the EU has promoted) has become more active in demanding more accountability by the authorities, including transparency.

The Ministry of National Planning is the main institution responsible for the information to the locals on much of the EU assistance, which is often through national budget support. Here the authorities are improving, although more is needed and the **EU can incentivise the changes under the budget for results approach.**

The EIB's procedures are different, as it is a financial institution offering loans to specific projects. It fulfils a number of transparency criteria which the bank deems sufficient, particularly towards the EU authorities and citizens. Loans suffer less from the control difficulties of grants. As for EU funds, projects managed by the EIB and the Africa Infrastructure Trust Fund, require a certain level of local consultation and transparency. In the end on local level visibility many of the visibility and transparency problems faced by EU projects are similar, but certain pitfalls that may occur with grants are less problematic, as loans have a different rationale and the need to recover costs and interest at final implementation, reducing some risks.

Case study on the use of EDF funding in Haiti main messages

The EU has allocated EUR 420 million under the 11th EDF for the period 2014-2020. The National Indicative Programme focuses on 4 priority sectors: State building and modernisation of the public administration; Education; Urban development and infrastructure; Food and nutritional security. Resilience is a cross-cutting priority for the 11th EDF programmes, according to the EU's full commitment with Linking Relief, Rehabilitation and Development (LRRD).

There is a lack of formal evaluation of transparency and accessibility of funds, although the feedback from civil society is sought. However, **there is a limited reach of the information to local**

stakeholders, delegations in general cannot tackle the local shortcomings. However, in Haiti the EU has a programme to help the structuring of civil society, so that information can in the future be passed "en cascade" from an umbrella organisation to its member organisations.

Like in other countries, the EU operations influence the practices and expectations of civil society groups, leading to better local guidelines and more demands for transparency. The delegation offers training for local stakeholders to learn how to develop proposals increasing capacity. This is very important because the stakeholders are usually having a very low capacity to design and manage projects. There is also a lack of internet access, lack of mobility and lack of education, which hampers operations.

A high demand for information on EU funding has been recorded in Haiti, but there is a need to further **develop "user friendly" procedures to improve transparency**, limiting the present complexity of information, which makes it difficult to communicate to stakeholders.

Case study on the use of EDF funding in Vanuatu, main messages

The functioning and transparency and accessibility of EDF 2014-2020 funding for Vanuatu has been presented to us by the European Commission Responsible Units and the delegation. **The EDF 2014-2020** National Indicative Programme for Vanuatu has rural development as focal area of support. Total amount for the envelope is 31 million euro, of which 25 for rural development, 3 for civil society and 3 for support to the office of the National Authorising Officer. Following Tropical Cyclone Pam, which hit Vanuatu in March 2015, additional funds from the EDF 11 Reserve have been committed (12.5 million euro). 10 million will support rural development. The remaining 2.5 million euro supplemented an existing EU budget support programme. The direct beneficiaries of the rural development programme are the smallholder farming households in the sectors of coconut, beef and fruit & vegetables in each of five provinces in Vanuatu.

The response by the Commission shows that transparency has increased in the country and the government is publishing regular expenditure reports. The response by the delegation is in the Annex. External stakeholders have full data accessibility of EDF operations.

The Vanuatu National Statistical Office (VNSO) has an independent status and collects data in the provinces. The VNSO has a transparent way of publishing its statistics, and EU support offered as budget support is paid in tranches, and each tranche requires an assessment by the government.

On transparency, the Government nowadays publishes **monthly** overviews on its public spending and revenues for the whole of the economy, as well as quarterly overviews of public spending for each of its Ministries with a narrative to explain the actual spending. Improved transparency has led to a high level corruption court case, which resulted in jailing 14 Parliamentarians, including 5 incumbent Ministers in 2015. The media openly published the events throughout the process.

Nevertheless, the quality of statistics is still sometimes poor, specially on macroeconomic analysis of the country, capacity building is still a necessity.

As the EDF programme starts in 2017, this new level of transparency cannot be evaluated for the EDF Funds.

4. OVERALL RESULTS OF THE STUDY'S ANALYSIS

KEY FINDINGS

- The study has identified a number of factors of success and failure when it comes to the transparency and accessibility of data relating to the EU funds
- Factors that can favour transparency and accessibility are i) maturity of the system, ii) stakeholder consultation, iii) evaluations, iv) reduction of complexity and v) a more efficient use of technology
- The impact of decentralisation remains unknown. While most stakeholders consider this factor to further transparency, some disagree.
- The implementation of these factors could help render more accessible a system that is difficult for the ordinary person to make sense of

This section provides an overview of our **key research findings** with regard to EU funds in direct, indirect and shared management, as well as of the European Development Fund. These findings are based on the lessons learned from desk research as well as the interviews with stakeholders that have been carried out with respect to all funds covered by this study.

4.1. SUCCESS AND FAILURE FACTORS RELATING TO TRANSPARENCY AND ACCESSIBILITY

This section enumerates a number of **factors of success and failure** that were identified regarding the transparency and accessibility of EU funds in the various Member States and regions that we have studied.

4.1.1. Decentralisation

The impact of domestic decentralisation arrangements on transparency and transparency and accessibility in the context of European funding mechanisms is an intriguing interrogation raised by the results of the present study, especially as result of the stakeholder interviews conducted. It is striking that **while most stakeholders were convinced that decentralisation furthers transparency and accessibility with regard to the various fund mechanisms, especially those in shared management, others have adopted a contrary position.** It has for instance been suggested that the decentralised administration of the funds in Germany, but also in Baden-Württemberg, which is subdivided into various districts administering the fund on a regional scale²⁸⁷, is furthering transparency and accessibility as activities can be specifically targeted at potential beneficiaries.²⁸⁸ Italian stakeholders agreed, stating that the decentralised administration of the funds, obtained by

²⁸⁷ The map of these districts can be found under Land Baden-Württemberg, ESF, Regionale ESF-Arbeitskreise, <http://www.esf-bw.de/esf/foerderung-beantragen-und-umsetzen/regionale-foerderung-foerderbereich-arbeit-soziales/regionale-arbeitskreise/> (accessed 4 May 2016).

²⁸⁸ AFB Arbeitsförderungsbetriebe GmbH, Karlsruhe, 4 May 2016.

strong coordination with national implementing authorities as well as the appointment of independent managers across the different funds implemented, is a factor furthering transparency and accountability in Italy.²⁸⁹ In France, where a recent decentralisation reform occurred which impacts on the administration of EU funds, it is considered that such decentralisation brings authorities closer to beneficiaries.²⁹⁰ Further, elected representatives of the region are considered to be closer to beneficiaries than national representatives and thus keener to ensure good governance.²⁹¹ In the context of Belgium it was put forward that the decentralised management of EU funding means that the managing authorities in Wallonia tend to be relatively familiar with, and work closely with, potential beneficiaries.²⁹² Overall, stakeholders accordingly consider decentralisation to be a factor furthering transparency and accessibility. Member States might share that assumption as many indeed operate decentralised systems and some, such as France, have recently updated their system of the administration of EU funds to include elements of decentralisation. Indeed, in France, the 2013 Act of Decentralisation regions are henceforth the managing authorities of EU funds, whereas previously the national level was in charge.²⁹³

Not all agree, however. Other stakeholders we interviewed suggested that decentralisation rather complicates transparency and accessibility.²⁹⁴ Some indeed consider that decentralisation can add confusion and a lack of transparency.²⁹⁵ Although an issue of a slightly different nature, it is worth mentioning that beneficiaries of the European Development Fund have argued that of the move towards centralised management of this fund by the Commission appears as to have improved transparency.²⁹⁶ This contrast is intriguing and could be the starting point of further research as the impact of decentralisation is indeed a pivotal question in a European Union committed to the principles of subsidiarity and multi-level governance. From our preliminary research it seems that decentralisation is, as such, a factor furthering good governance, but that it needs to be accompanied by the necessary harmonisation and centralisation elements to ensure coordination.

²⁸⁹ Ibid.

²⁹⁰ *Conseil Régional Auvergne*, Clermont Ferrand, May 9, 2016 ; *Conseil Régional Auvergne*, Clermont Ferrand, May 10, 2016 ; *Conseil Régional Rhône-Alpes*, Lyon, May 12, 2016

²⁹¹ Ibid.

²⁹² The Chamber (Belgian federal parliament lower house), Institutional agreement for the sixth state reform Accord, Brussels, 11 October 2011, http://www.lachambre.be/kvvcr/pdf_sections/home/FRtexte%20dirrupo.pdf (accessed 23 April 2016).

²⁹³ Legifrance, Loi n°2014-58 du 27 janvier 2014 de modernisation de l'action public territoriale et d'affirmation des métropoles, Article 78.

<https://www.legifrance.gouv.fr/affichTexteArticle.do?cidTexte=JORFTEXT000028526298&idArticle=JORFARTI000028526914&categorieLien=cid> ;

and Legifrance, Décret n°2014-580 du 3 juin 2014 relatif à la gestion de tout ou partie des fonds européens pour la période 2014 – 2020, <https://www.legifrance.gouv.fr/eli/decret/2014/6/3/ETLR1402319D/jo/texte>

²⁹⁴ Baden-Württemberg Ministry of Work, Social Affairs, Family, Women and Seniors, Stuttgart, 15 April 2016.

²⁹⁵ *Commissariat Général à l'égalité des territoires* (CGET), Europe-en-France, Une nouvelle architecture du Fonds social européen, <http://www.fse.gouv.fr/qu-est-ce-que-le-fse/en-savoir-plus-sur-les-programmes/le-programme-operationnel-national/article/une-nouvelle-architecture> (last accessed May 16, 2016)

²⁹⁶ Pacific Community, Nouméa, May 12, 2016

4.1.2. The Maturity of the System

As the system and administration of EU funding schemes **evolves and matures**, transparency and accessibility seem to improve, which is a promising foresight for the future. Local authorities that have been beneficiaries of funds in shared management have in fact suggested that the transparency and accessibility criteria have become more legible for them over time as they got used to the system.²⁹⁷ The maturity of the system of course also generates more knowledgeable individuals involved in the system's administration. Some have emphasised the importance of **working with experienced colleagues** when applying for funds in light of the heavy administrative burden involved.²⁹⁸ Stakeholders indeed consider that transparency and accessibility to the relevant information is limited in the absence of previous knowledge. To understand the lists of beneficiaries or other information on EU funds, one needs to have a certain understanding of the respective funds.²⁹⁹ With regards to the EARDF, farmers seem used to EU funds and can access information easily, but the issue remains for other potential beneficiaries.³⁰⁰ This is true for those administering the funds but also those applying for them. Some indeed consider that pre-existing knowledge is a prerequisite for the successful submission of a project in light of the complexity involved.³⁰¹

4.1.3. Stakeholder Consultation

Stakeholder consultations in the preparation and implementation of operational programmes under shared management seem to improve transparency and accessibility, at least for potential beneficiaries. Local authorities that have been beneficiaries of funds in shared management have suggested that the transparency and accessibility criteria have become more straightforward to them over time as they got used to the system but especially also as the respective region included them in consultation processes on funding periods.³⁰² In Italy, the creation of a multidisciplinary working group, which consists of representatives from the implementing authority and other institutional representatives³⁰³, has helped to facilitate the selection of applications, in particular by easing communication with enterprises submitting the applications.³⁰⁴

²⁹⁷ City of Mannheim, Mannheim, 11 May 2016.

²⁹⁸ Ibid.

²⁹⁹ It has been mentioned by several interviewees : *Conseil Régional Auvergne*, Clermont Ferrand, May 9, 2016 ; *Conseil Régional Auvergne*, Clermont Ferrand, May 10, 2016 ; Ministry of Agriculture, Regional Direction (DRAAF), Lempdes, May 9, 2016 ; *Conseil Régional Rhône-Alpes*, Lyon, May 12, 2016, *Communauté de communes de Sauxilange*, Sauxilange, May 10, 2016 ; *Agence de Services et de Paiement (ASP)*, Limoges, May, 13, 2016.

³⁰⁰ Ministry of Agriculture, Regional Direction (DRAAF), Lempdes, May 9, 2016.

³⁰¹ It has been mentioned by several interviewees : *Conseil Régional Auvergne*, Clermont Ferrand, May 9, 2016 ; *Conseil Régional Auvergne*, Clermont Ferrand, May 10, 2016 ; *Communauté de communes de Sauxilange*, Sauxilange, May 10, 2016 ; *Chambre Départementale de Commerce et d'industrie*, Mozac, May 9, 2016.

³⁰² City of Mannheim, Mannheim, 11 May 2016.

³⁰³ For more information visit ERDF Operational Programme 2007/20013 Lombardy, n° ERDF CCI 2007IT162PO006: <http://www.ue.regione.lombardia.it/shared/ccurl/383/394/POR%20FESR%20v%204.0%20120913.pdf>

³⁰⁴ Ibid.

4.1.4. Evaluations

The numerous evaluations of EU funding schemes that have been carried out over the past few years appear to have been able to pinpoint important points to improve the transparency and accessibility of information relating to EU funds.³⁰⁵ In Poland evaluations have shown that in order to improve transparency and accessibility there is a need to simplify the language used to convey information and to actively use the tools offered by social media and mobile technology.³⁰⁶ An Italian evaluations highlight that evaluation represents a key element for the accountability of public institutions whilst also encouraging active participation from citizens and civil society.³⁰⁷ **Evaluations are indeed carried out widely in the Member States we studied.** Finland is another example. It for instance carried out an evaluation of the operational program for the 2007-2010 funding period in 2011 regarding ERDF funding³⁰⁸ and also in France evaluations are being carried out.³⁰⁹ NGOs have moreover carried out reports on EU funds in Poland that have focused on access to local information points and of the creation of regional operational programs.³¹⁰ In addition, every two years a report on the activity of social organisations in monitoring committees is published by an NGO.³¹¹ While these are but some examples of evaluations that are currently being carried out, the results of such reports seem helpful in improving the administration of EU funds, and also of the transparency and accessibility requirements. This indeed allows for the pinpointing of issues that can be improved, which is promising for the functioning of the overall system.

4.1.5. Improving Communication

The establishment and improvement of communication surrounding EU funds is widely seen as a factor improving transparency and accessibility. Local administrators of funds for instance very much value the fact that the region clearly communicates the legal framework surrounding funds to them.³¹² This has **helped beneficiaries feel like the system is transparent.**³¹³ A municipality also stressed the central role of Baden-Württemberg's representation office in Brussels, which they have visited, among other things to get information on funding.³¹⁴ In Poland there are projects aimed at

³⁰⁵ Poland makes all evaluations of the funds accessible online. A database containing around 1130 evaluation reports carried out between 2002-2015 can be accessed under: www.ewaluacja.gov.pl For an example of such an evaluation in Germany, see Operationelles Programm "Chancen Fördern" – Der Europäische Sozialfonds in Baden-Württemberg. Evaluation des Kommunikationsplans, erstellt durch Uta Micic unter Mitarbeit von Kai Sattler und Jürgen Viedenz (2010).

³⁰⁶ Ibid

³⁰⁷ Available in English at

<http://www.opencoesione.gov.it/media/files/pillola-29/A%20bit%20of%20OpenCoesione%20n.%2021-Transparency%20of%20lists%20of%20beneficiaries%20of%20Structural%20Funds%20in%20Europe.pdf> (accessed 14 May 2016).

³⁰⁸ Structural Fund Programme Assessment 2007–2010. (2012). Edita Prima Oy, Helsinki.

http://www.rakenerahastot.fi/vanhat_sivut/rakenerahastot/tiedostot/arviointiraportit_2012/eakr_arviointiraportti_2012.pdf pp. 1-42

³⁰⁹ Commissariat général à l'égalité des territoires, *Vademecum de gouvernance État-Région, Programmes européens 2014 – 2020*, October 2014, p.14, <http://www.europe-en-france.gouv.fr/L-Europe-s-engage/Accord-de-partenariat/Vademecum-de-gouvernance-Etat-Regions> (last accessed March 28, 2016) 12.

³¹⁰ Raport z monitoringu 16 RPO 2014-2020, OFOP, Warszawa, 2015,

http://ofop.eu/sites/ofop.eu/files/raport_2015_organizacje_pozarzadowe_w_procesie_programowania_regionalnych_programow_operacyjnych.pdf, (last accessed 08 May 2016).

³¹¹ Raport z aktywności Pozarządowych członków Komitetów monitorujących programy Operacyjne na lata 2014-2020, OFOP, Warszawa, 2016,

http://monitorpozarzadowy.pl/upload/file/Raport_z_aktynosci_pozarzadowych_czlonkow_komitetow.pdf, (last accessed 08 May 2016)

³¹² Ibid.

³¹³ Ibid.

³¹⁴ City of Pforzheim, Pforzheim, 13 May 2016.

improving the communication about EU funds with the public at large through forms of mass culture, including TV shows.³¹⁵ A Polish study indeed confirmed that television is the most efficient communication tool with the public at large, including beneficiaries and potential beneficiaries.³¹⁶

In Lombardy, such communication is facilitated by the '*A Scuola di OpenCoesione*' initiative.³¹⁷ The program, designed for high school students, is composed of different sessions, spanning from the use of innovative procedures and interdisciplinary skills (e.g. public policies, ICT, digital capacity, open data analysis) to the on-site visits to public works and/or services financed by EU and national funds being developed in the territory.³¹⁸ Other public authorities organise a yearly event on 9 May in the context of which the EU funds are presented to the broader public.³¹⁹ The technical factor is considered to be a pivotal key of success with regard to transparency and accessibility.³²⁰ Indeed, providing a tool which is effective, useful and easy to maintain is considered to further these objectives.³²¹

Communication between beneficiaries and potential beneficiaries can also be furthered through **transnational networks**. Stakeholders have stressed the value that networks, including those of a transnational nature, have for their engagement with EU funding schemes. Local governments that have been beneficiaries have stressed the usefulness of city-networks in understanding and making the best use of funds. The city of Mannheim is, for instance, part of a network of cities in Germany and Austria, which meets three times a year in a different city. Discussions in this context on funding mechanisms have been very useful to this beneficiary.³²² Involving local governments that are often beneficiaries in the elaboration of the operational programme is also deemed beneficial.³²³ Beneficiaries have also stressed the usefulness of getting direct information from the Land but also from domestic city-networks, such as the *Deutscher Städtetag*.³²⁴ It is worth pointing out that some beneficiaries welcome the publication of data as they see this as a possibility to contact other beneficiaries, not necessarily regarding funding opportunities as such but those working on similar issues, in order to exchange information.³²⁵ This could be seen as a very interesting side-effect of transparency. The region Auvergne, in France, actively encourages such networking by organizing thematic working groups allowing for stakeholders to meet and administrators to share practical

³¹⁵ Ewaluacja on-going działań informacyjno-promocyjnych i szkoleniowych Instytucji Zarządzającej Programem Operacyjnym „Zrównoważony rozwój sektora rybołówstwa i nadbrzeżnych obszarów rybackich 2007-2013, Agrotec Polska Sp. z o.o., Warszawa, 2010, www.minrol.gov.pl/content/download/26270/146415/version/1/file/Raport%20Ko%C5%84cowy_infopromo_Ryby_FINAL.pdf, p.93. (last accessed 15 May 2016)

³¹⁶ Badanie ewaluacyjne w zakresie efektywności i skuteczności działań informacyjno – promocyjnych, prowadzonych w województwie mazowieckim przez instytucje zaangażowane we wdrażanie regionalnego komponentu PO KL 2007 – 2013; Public Profit Sp.z o.o., Poznań 2009, http://www.pokl.mazowia.eu/g2/oryginal/2015_07/b7955c06d9f0976d5379444b8fb5f4e9.pdf, (last accessed 10 May 2016) 57.

³¹⁷ "*A Scuola di OpenCoesione*" (ASOC), is an educational challenge and a MOOC (Massive Online Open Course), designed for Italian high-school students. ASOC was launched in 2013 within the open government strategy on cohesion policy carried out by the National Government, in partnership with the Ministry of Education and the Representation Office of the European Commission in Italy. The project is also supported by the European Commission's network of Europe Direct Information Centres. For more information, visit <http://www.ascuoladiopencoesione.it> (accessed 14 May 2016).

³¹⁸ Ibid.

³¹⁹ AFB Arbeitsförderungsbetriebe GmbH, Karlsruhe, 4 May 2016.

³²⁰ Pacific Community, Nouméa, May 12, 2016

³²¹ *Agence de Services et de Paiement (ASP)*, Limoges, May, 13, 2016 ; Pacific Community, Nouméa, May 12, 2016

³²² City of Mannheim, Mannheim, 11 May 2016.

³²³ Ibid.

³²⁴ City of Pforzheim, Pforzheim, 13 May 2016.

³²⁵ Ibid.

information with beneficiaries and potential beneficiaries.³²⁶ Communication across Europe would of course be facilitated if information were made available in English across Member States. This is not, however, currently the case. The German Federal Ministry of Agriculture, for instance, cited the reason for the omission to translate by the additional costs involved in translation and the lack of interest in such translation. A federal public servant indeed stated that he was unaware of the relevant authorities ever receiving requests for translation.³²⁷

4.1.6. Reducing Complexity

It is difficult to deny that the various EU funds are extremely complex and that any information related thereto is accordingly difficult to convey to relevant stakeholders. This has been **widely voiced** by those involved in the various EU funding mechanisms.³²⁸ All stakeholders interviewed in Poland, for instance, have noted that complexity is the main factor impeding transparency and accessibility in relation to the EU funds.³²⁹ Also in Finland, stakeholders identified that procedures and communication regarding EU funds can involve a high level of complexity, especially for beneficiaries who are novices to EU funding.³³⁰ French stakeholders consider that the administrative burden and the complexity of calculation method for advance and final payment create a lack of transparency.³³¹

While such complexity is intrinsic to the subject matter at hand and can accordingly not be eliminated, laudable best practices seeking to reduce complexity can be identified. Some consider that to strengthen transparency, the 'technocratic' language should be simplified to ensure accessibility of information.³³² One example worth mentioning is that of the *Leichte Sprache* ('easy language') initiative created by Baden-Württemberg, which applies to both the ESF and the ERDF. It is aimed at improving the accessibility of information for potential beneficiaries. The regional ESF website provides a link to a short document that provides an easy-to-read document.³³³ It introduces the EU and its funds as well as the ESF and its inherent goals.³³⁴ A specific section deals with the modalities of applying for funds.³³⁵ In addition, a five-minute video clip that explains the operation of the ESF was produced.³³⁶ A similar document is available on the ERDF website.³³⁷ Conveying the operation of the funds in easy language forms part of an overall policy of the region to make information more easily accessible.³³⁸

³²⁶ *Conseil Régional Auvergne*, Clermont Ferrand, May 10, 2016

³²⁷ Federal Ministry of Agriculture, Bonn, 4 May 2016.

³²⁸ Baden-Württemberg Ministry of Work, Social Affairs, Family, Women and Seniors, Stuttgart, 15 April 2016.

³²⁹ For a list of stakeholders interviewed in Poland, see annexes for the the relevant case study report.

³³⁰ Ministry of Employment and the Economy, Helsinki, 12 May 2016. Agency of Rural Affairs, Seinäjoki, 13 May 2016.

³³¹ It has been mentioned by several interviewees : Ministry of Agriculture, Regional Direction (*DRAAF*), Lempdes, May 9, 2016 ; *Conseil Régional Rhône-Alpes*, Lyon, May 12, 2016, *Communauté de communes de Sauxilange*, Sauxilange, May 10, 2016

³³² *Agence de Services et de Paiement (ASP)*, Limoges, May, 2, 2016 ; *Agence de Services et de Paiement (ASP)*, Limoges, May, 13, 2016 ; *Communauté de communes de Sauxilange*, Sauxilange, May 10, 2016

³³³ Land Baden-Württemberg, Der ESF 2014-20, Was ist der Europäische Sozialfonds (ESF)? Wer und wie wird gefördert?, <http://www.esf-bw.de/esf/leichte-sprache/europaeischer-sozialfonds-esf-allgemein/> (last accessed 3 May 2016).

³³⁴ *Ibid*, 1-2.

³³⁵ *Ibid*, 5-6.

³³⁶ This video is available under: <http://www.esf-bw.de/esf/youtube-film/>.

³³⁷ Land Baden-Württemberg, EFRE, Leichte Sprache, <https://efre-bw.de/leichte-sprache/> (accessed 4 May 2016).

³³⁸ Baden-Württemberg Ministry of Work, Social Affairs, Family, Women and Seniors, Stuttgart, 15 April 2016.

Complex information can also be communicated more easily by relying on **visual tools**. The Polish Ministry of Economic Development, for instance, developed the EU Grants Map.³³⁹ This map presents information concerning all projects implemented in Poland up to December 2015.³⁴⁰ The map is interactive and allows for searching by regions, counties, thematic scope, program, period, EU Fund, beneficiary and title of project.³⁴¹

Social media must also be mentioned at this stage. Polish regions indeed argue that Facebook and YouTube can be treated as an equivalent platform of information about EU funds to the official websites of the institutions.³⁴² In Poland there also are projects aimed at improving the communication about EU funds with the public at large through forms of mass culture, including TV shows.³⁴³ In Finland public authorities now attempt to communicate information on EU funds via social media.³⁴⁴ Meanwhile, Wallonia PS has relied on social media since the start of the 2007-2013 programme period increased its usage of multimedia and social media.³⁴⁵

4.1.7. Using Technological Tools More Efficiently

While technological tools are now used widely to improve the communication of EU funds to the public, this trend **should be further encouraged**. A number of interesting initiatives can be pinpointed that seek to publish all data related to EU funding schemes, in all their complexity, more easily to the public. In Finland, the EURA online monitoring system for structural funds has been created where funding applications are submitted, where funding decisions are made, and from where information is available instantly.³⁴⁶ In addition, there is the extensive SF Information Service, which is updated daily based on information aggregated from the monitoring system, and available in multiple languages, which could improve data transparency and accessibility in other contexts.³⁴⁷ In addition, Finland has other good examples of data transparency and accessibility, such as East and North Finland EU Office website and newsletter, and different events organised by national and regional agencies.³⁴⁸

The creation of a single, unified portal of knowledge on all funds is considered to further transparency and accessibility.³⁴⁹ An interesting initiative in this regard comes from Lombardy. *OpenCoesione* is Italy's first national web portal on the implementation of investment programmes.³⁵⁰ It was officially launched in 2012 with the aim of increasing transparency, making them public on a single web portal.

³³⁹ <http://www.mapadotacji.gov.pl/>, (last accessed 12 May 2016)

³⁴⁰ Ibid.

³⁴¹ Ibid.

³⁴² Youtube channel of the Mazovian Unit of EU Programmes Implementation:

<https://www.youtube.com/user/MJWPUTUBE>, (last accessed 10 May 2015)

³⁴³ Ewaluacja on-going działań informacyjno-promocyjnych i szkoleniowych Instytucji Zarządzającej Programem Operacyjnym „Zrównoważony rozwój sektora rybołówstwa i nadbrzeżnych obszarów rybackich 2007-2013, Agrotec Polska Sp. z o.o., Warszawa, 2010, www.minrol.gov.pl/content/download/26270/146415/version/1/file/Raport%20Ko%C5%84cowy_infopromo_Ryby_FINAL.pdf, p.93. (last accessed 15 May 2016)

³⁴⁴ Ministry of Employment and the Economy, Helsinki, 12 May 2016. Agency of Rural Affairs, Seinäjoki, 13 May 2016.

³⁴⁵ Wallonia PS Secretariat, Department for the Coordination of Structural Funds, Namur, 13 May 2016.

³⁴⁶ On this, see <https://www.eura2014.fi/hakija/?0> (accessed 13 May 2016)

³⁴⁷ Ibid, 19.

³⁴⁸ Ibid, 18.

³⁴⁹ www.funduszeuropejskie.gov.pl

³⁵⁰ Ibid.

³⁵¹ Dataset are updated every 2 months and published after three months from the reference date. ³⁵² In addition, using ISTAT's *shapefiles*³⁵³ related to regions, provinces and municipalities, data are displayed with user-friendly local maps till NUTS 3 level.³⁵⁴ According to the Partnership Agreement for 2014-2020, OpenCoesione will become the single national web portal. ³⁵⁵ Beside increasing the information on European public spending through structural funds, OpenCoesione's widget will be implemented in all regional and local authorities.³⁵⁶ Such a 'one-stop-shop' systems and information service for all funding mechanisms is also considered desirable in other parts of Europe, such as Finland.³⁵⁷

³⁵¹ Ibid.

³⁵² OpenCoesione, Roma, 11 May 2016.

³⁵³ ISTAT is the Italian National Institute of Statistics. Shapefiles are geospatial vector data format for geographic information system (GIS).

³⁵⁴ Nomenclature of territorial units for statistics, abbreviated NUTS is a geographical nomenclature subdividing the economic territory of the European Union (EU) into regions at three different levels. The NUTS is based on Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003

³⁵⁵ Italy Partnership Agreement for 2014-2020 - September 2014 - Bruxelles. The Italy Partnership Agreement can be accessed under the following link: <http://www.agenziacoessione.gov.it/it/AccordoPartenariato/> (accessed 14 May 2016 - in Italian).

³⁵⁶ OpenCoesione, Roma, 11 May 2016 (accessed 16 May 2016).

³⁵⁷ Entrepreneurship Society Boost Turku, 4 May 2016. University of Helsinki, Helsinki, 3 May 2016.

4.2. POSITIVE AND NEGATIVE SIDE EFFECTS OF DATA TRANSPARENCY AND ACCESSIBILITY

KEY FINDINGS

- A number of positive and negative side-effects of transparency and accessibility can be identified
- Negative side-effects relate mainly to the protection of personal data
- Positive side-effects include a better communication of the purpose of the EU to the wider public

One of the objectives of the present study was to highlight positive and negative side effects of data transparency and accessibility in relation to EU funding mechanisms. A summary of this is outlined below and these aspects are also addressed more extensively in the respective case studies.

Positive Side-Effects

It appears that the efforts to increase transparency and accessibility in the context of EU funding schemes have taken on their own dynamics as in some cases stakeholders **voluntarily go further** in promoting information regarding the funds. With respect to Germany, for instance, it was mentioned that in the context of the EAFRD and the EAFG, where most beneficiaries are still unhappy with the publication requirements, some are now more enthusiastic as especially in the Eastern *Länder* where farmers have started to voluntarily display information about the funding they receive on the occasion of their yearly 'day of open doors'.³⁵⁸ Some have also considered that publishing data on the funds might have the effect of better explaining the EU, and what it does, as well as its benefits, to citizens.³⁵⁹

Negative Side-Effects

Some consider that the efforts to increase transparency go too far, and indeed go against their objective in making some beneficiaries more reluctant to engage in the funding schemes. A public servant we interviewed in Baden-Württemberg indicated that in some cases **data collection can be excessive**, citing the example of the fact that where students participate in ESF-funded initiatives they are obliged to fill in questionnaires which require them to state, for instance, whether their parents are employed or not. This leads to student refraining from engaging in the initiative, as they are unwilling to provide this sensible information to third parties and, also, their fellow students.³⁶⁰ Concerns regarding data protection also arise more widely. With regard to the agricultural and fisheries funds, it was pointed out, still with respect to Germany, that there was a conscious decision to not extend publication of information any further than what was required by EU law as

³⁵⁸ Federal Ministry of Agriculture, Bonn, 4 May 2016.

³⁵⁹ City of Pforzheim, Pforzheim, 13 May 2016.

³⁶⁰ Ibid.

consultations with relevant stakeholders, such as agricultural interest groups and data protection agencies, revealed a reluctance to go beyond the strict minimum.³⁶¹

With regard to Poland, a negative side effect of transparency and accessibility of data regarding EU funds that has been highlighted is that, as a result of widespread publicity, there is now the **perception that EU funds as easy to acquire**.³⁶² This creates a certain expectation on behalf of potential beneficiaries and leads to disappointment where applications are unsuccessful. With regard to France, it was noted that transparency in relation to selection criteria has a side-effect of preventing submission as under the French system potential beneficiaries can themselves find out whether their project is eligible via an online tool prior to submission.³⁶³ A final unintended side effect of data transparency and accessibility that must be mentioned is that beneficiaries of agricultural subsidies under the EAGF in Belgium had taken legal action against the authorities on privacy ground for publishing data on their funding.³⁶⁴ In Wallonia complaints were also received concerning the publication of information of beneficiaries of the EFRD which they felt threatened the confidentiality of scientific research projects.³⁶⁵

³⁶¹ Federal Ministry of Agriculture, Bonn, 4 May 2016.

³⁶² Mazovian Unit of EU Programmes Implementation, Warsaw, 20 April 2016 and The Ministry of Economic Development (Managing Authority), Department Information and Promotion, Warsaw, 05 May 2016.

³⁶³ Ministry of Agriculture, Regional Direction (DRAAF), Lempdes, May 9, 2016.

³⁶⁴ Wallonia PS Directorate General for Agriculture, Natural Resources and the Environment, Namur, 9 May 2016.

³⁶⁵ Wallonia PS Secretariat, Department for the Coordination of Structural Funds, Namur, 13 May 2016.

5. EVIDENCE-BASED POLICY RECOMMENDATIONS

KEY FINDINGS

- This study has highlighted the complexity of a system that is difficult for the ordinary person to make sense of
- In order to improve this situation, a number of evidence-based policy recommendations have been identified. These include (i) better communication strategies, (ii) a better use of technology, (iii) the use of English in all Member States, (iv) rendering data-bases compatible, (v) relying on visualization tools, (vi) allowing for data to be aggregated.
- The EU should update the Financial Transparency System to render it more user-friendly

This section formulates a number of evidence-based policy recommendations on the basis of our research and analysis.

- In order to improve transparency and accessibility, public authorities at all levels involved in the administration should seek to **communicate information** on the funds in the easiest possible language, as done in the best practice examples provided above. To this end the best practices outlines above, essentially targeted at using easy language and technological tools, could be helpful for public authorities seeking to improve transparency and accessibility in the context of EU funds.
- **Technology** opens up new ways for transparency and we suggest that public authorities should follow the examples set by those Member States and regions that assemble data in one place. This does not exclude the parallel keeping of databases at subnational level. The Italian example of 'OpenCoesione' seems to be an interesting proto-type of such an initiative that could inspire others.
- In line with a suggestion made already by the 2009 study, we suggest that public authorities should make their various databases **'fully searchable and compatible'**, so as to make possible an EU-wide outlook of the data presented while preserving their local relevance.³⁶⁶ This also includes using English as a common language in addition to the national language(s) used. Unfortunately these recommendations have not been adopted by all Member States and regions, even though we agree that they could further transparency and accessibility .
- The use of **visualization tools**, such as digital maps, should also be encouraged as it facilitates the communication of a complex topic, such as that of the EU funds. As outlined above digital maps have now been adopted by some authorities administering EU funds and we believe that this could be useful to public authorities more widely.

³⁶⁶ p.10

- This study furthermore recommends that public authorities at all levels **ensure that data can be aggregated**. As this is a technological possibility now, full use should be made thereof as it would facilitate transparency and accessibility to a significant degree. This would also make data available for the scientific community so that more targeted and detailed research could be carried out, helping to create a better understanding of the true impact of these funding mechanisms.
- Finally, while the **Financial Transparency System** is a laudable initiative, it needs to be improved. At this stage the data has the benefit of being in one place but it is very difficult to make sense of due to, for instance, the absence of a project description.

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- Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008.
- Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the EMFF and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council, OJ L 149, 20.5.2014, p. 1–66 (referred to as the '**EMFF Regulation**').
- Regulation (EU) No 1301/2013 of the European Parliament and of the Council of 17 December 2013 on the ERDF and on specific provisions concerning the Investment for growth and jobs goal and repealing Regulation (EC) No 1080/2006 OJ L 347, 20.12.2013, p. 289–302 (referred to as the '**ERDF Regulation**').
- Regulation (EU) No 1304/2013 of the European Parliament and of the Council of 17 December 2013 on the European Social Fund and repealing Council Regulation (EC) No 1081/2006 OJ L 347, 20.12.2013, p. 470–486 (referred to as the '**ESF Regulation**').
- Regulation (EU) No 1300/2013 of the European Parliament and of the Council of 17 December 2013 on the Cohesion Fund and repealing Council Regulation (EC) No 1084/2006 OJ L 347, 20.12.2013, p. 281–288 (referred to as the '**Cohesion Fund Regulation**').
- Consolidated Version of the Treaty on European Union [2008] OJ C115/13.

ANNEX: CASE STUDY REPORTS

BELGIUM (WALLONIA)

CASE STUDY SUMMARY TABLE

COUNTRY: Belgium

REGION: Wallonia

AUTHOR: Jonatan Thompson

Theme	Aspects/questions included:
<p>1. Description of EU funds received in 2014 in the case study region³⁶⁷</p>	<ul style="list-style-type: none"> • Direct management: type of fund and value for each • Shared management: type of fund and value for each (value of EU contribution)
<p>2. Overview of stakeholders interviewed (select the applicable ones with a X)</p>	<ul style="list-style-type: none"> • Firms: SME, mid-caps, large • NGOs • Local authorities X • Universities/Research centres • Facilitators X • Other: Local development agency; Local employment agency, European Commission
<p>3. List of beneficiaries</p>	<ul style="list-style-type: none"> • Does the region provide merely the respective minimum information required or does it go beyond? <p>ESF: publication of information that goes beyond legal requirements ERDF: publication of information that goes beyond legal requirements EAGF and EAFRD: adhere to legal requirements but don't go further? EMFF: N/A for 2014-2020</p> <ul style="list-style-type: none"> • If it goes beyond, what is the additional information provided (e.g. location maps, more detailed project descriptions, impact data but also more generally project applications, minutes of meetings where funding decisions are made)? <p>ERDF: Member State co-financing rate as well as Wallonia co-financing and 'Other financing'. ESF: unique login code, type (project or action plan), axis, measure, and area (transitional or developed)</p> <ul style="list-style-type: none"> • How often is the data updated (annually as required or more frequently?)

³⁶⁷ This refers to amounts effectively paid, not amounts committed.

CASE STUDY SUMMARY TABLE**COUNTRY: Belgium****REGION: Wallonia****AUTHOR: Jonatan Thompson**

Theme	Aspects/questions included:
	<p>ERDF, ESF, EAGF and EAFRD: At least annually, more frequently on an ad-hoc basis MFF: N/A for 2014-2020</p> <ul style="list-style-type: none"> Is the list available in English (in addition to the national language/s) and are amounts listed in Euro (where the national currency is different)? <p>ERDF and ESF: Headings of the list are in English EAGF and EAFRD: The lists are available in English EMFF: N/A for 2014-2020</p> <ul style="list-style-type: none"> Is all of the information provided available in digital format? <p>Yes, except for EMFF: N/A for 2014-2020</p> <ul style="list-style-type: none"> Does the list of beneficiaries contain any personal identifiers which would allow the linking of data to other databases and can the data be aggregated? <p>ERDF: No ESF: Yes, for 2014-2020, each project has a unique eight-character login code EAGF and EAFRD: No EMFF: N/A</p>
4. Success and failure factors	<ul style="list-style-type: none"> Are <u>evaluations</u> of data transparency and accessibility being carried out? <p>No</p> <ul style="list-style-type: none"> What were the <u>success factors</u> in establishing data transparency and accessibility with regards to the different funds? <p>Single combined call for ERDF and ESF projects at the beginning of programming period Multimedia information materials and plain language usage Availability and help for potential beneficiaries</p>

CASE STUDY SUMMARY TABLE

COUNTRY: Belgium

REGION: Wallonia

AUTHOR: Jonatan Thompson

Theme	Aspects/questions included:
	<ul style="list-style-type: none"> • What were the <u>(potential) failure factors</u> in establishing data transparency and accessibility? How can these be prevented/overcome? <p>Administrative complexity – can be overcome by active communication and assistance by managing authority Delays Duplication in publication of beneficiary data – can be overcome by aggregating data in a single location</p> <ul style="list-style-type: none"> • Are there any (positive or negative) not-intended <u>side effects of data transparency and accessibility</u>? <p>Legal challenges from beneficiaries Partially informed negative press coverage</p>
<p>5. Sustainability and transferability</p>	<ul style="list-style-type: none"> • <u>What</u> should policy makers, programme managers, project managers and others willing to transfer this initiative to their contexts <u>bear in mind when applying the approach concerned in another setting</u>? <p>Close relationship of government to potential beneficiaries in Wallonia</p>
<p>6. Contextual factors</p>	<ul style="list-style-type: none"> • What governance factors have improved the transparency and accessibility? <p>Accessibility of public authorities</p> <ul style="list-style-type: none"> • What <u>conditions</u> have (positively or negatively) influenced transparency and accessibility? <p>Decentralisation, and the small size of the aquaculture sector, were positive factors</p> <ul style="list-style-type: none"> • Where is the highest <u>demand</u> for data transparency and accessibility felt? <p>Potential beneficiaries</p>
<p>7. Conclusions and recommendations</p>	<p>All legal requirements met for ERDF, ESF and agricultural funds. Publish 2007-2013 ESF list and 2014-2020 EMFF list.</p>

CASE STUDY SUMMARY TABLE**COUNTRY: Belgium****REGION: Wallonia****AUTHOR: Jonatan Thompson**

Theme	Aspects/questions included:
	Consider aggregating and centralising beneficiary data in one location.
List of main databases	

DESCRIPTION OF EU FUNDS RECEIVED

As regards EU funds under direct management, according to the European Commission's Financial Transparency System, in 2014 EUR 3,771,484 from the ECF, EUR 9,918,965 from the ERDF, EUR 4,650,055 from the ESF, EUR 8,967,174 from the EAFRD, EUR 10,045,119 from the EAGF and EUR 3,819,052 from the EMFF were committed in Belgium.³⁶⁸ The corresponding amount for funds under indirect management from the EDF is EUR 42,574,633. These commitments were, however, in most cases related to public procurement of services in connection with managing the fund, such as evaluation, control and audit, by the European Commission, which is headquartered in Belgium.³⁶⁹ These administrative expenditures form a relatively small proportion of each fund's total expenditure in Belgium,³⁷⁰ the larger share of which is subject to 'shared management' by Member State or regional authorities.³⁷¹ In contrast with the expenditure that is managed directly by the European Commission, the amounts paid out under shared management from these funds in Wallonia in any given year are not directly accessible for the public.³⁷²

For the programming period 2007-2013 as a whole, the following funds were committed under shared management to spending in Wallonia: EUR 731,744,466 from the EFRD,³⁷³ EUR 517,930,599 from the ESF,³⁷⁴ EUR 233,266,487 from the EAFRD,³⁷⁵ and EUR 6,300,000 from the EMFF.³⁷⁶ For 2014-

³⁶⁸ European Commission, Financial Transparency System, http://ec.europa.eu/budget/fts/index_en.htm (last accessed 13 May 2016).

³⁶⁹ Ibid. For example, for the ESF in Belgium, the Financial Transparency System lists 0 grants and 73 commitments for public procurement in 2014.

³⁷⁰ Ibid.

³⁷¹ Ibid.

³⁷² The main reason for not publishing annual payments was, according to two Walloon civil servants, not the burden of producing the information but rather a perceived lack of demand. Wallonia PS Directorate General for Agriculture, Natural Resources and the Environment, Namur, 13 May 2016; Wallonia PS Secretariat, Department for the Coordination of Structural Funds, Namur, 13 May 2016.

³⁷³ Government of Wallonia, Operational Programme – Convergence Hainaut – ERDF intervention, 125, http://europe.wallonie.be/sites/default/files/PO%20Convergence%20FEDER_Texte%20du%20PO%20CE%2019112015.pdf (last accessed 13 May 2016) (hereafter referred to as the 'Convergence OP'); Government of Wallonia, Operational Programme – Regional competitiveness and employment – ERDF intervention, 138, http://europe.wallonie.be/sites/default/files/PO%20Comp%C3%A9titivit%C3%A9%20FEDER_Texte%20du%20PO%20CE%2030112015.pdf (last accessed 13 May 2016) (hereafter referred to as the 'Regional Competitiveness OP').

³⁷⁴ European Commission – DG Employment, Social Affairs and Inclusion, The European Social Fund in the French-speaking area of Belgium, 2007-2013, 3, http://ec.europa.eu/employment_social/esf/docs/wallonia_en.pdf (last accessed 13 May 2016) (hereafter referred to as the 'ESF in French-speaking Belgium').

³⁷⁵ European Commission and Wallonia Public Service, Walloon rural development programme 2007-2013, 407, <http://agriculture.wallonie.be/n/PDR2007-2013.pdf> (last accessed 9 May 2016) (hereafter referred to as 'Walloon rural development 2007-2013').

³⁷⁶ Wallonia Public Service, Portal for Walloon Agriculture – Operational Programme for the Belgian Fisheries Sector, http://agriculture.wallonie.be/apps/spip_wolwin/article.php3?id_article=323 (last accessed 9 May 2016) (hereafter referred to as 'Belgian Fisheries Sector OP').

2020, the following funds have been committed to Wallonia: EUR 681,350,151 from the EFRD, EUR 614,284,408 from the ESF, EUR 264,031,878 from the EAFRD, and EUR 5,698,309 from the EMFF.³⁷⁷ No funds were committed to Wallonia from the ECF under shared management during either programming period.³⁷⁸

OVERVIEW OF STAKEHOLDERS INTERVIEWED

- A European Commission civil servant from DG REGIO, Brussels, 10 May 2016.
- A European Commission civil servant from DG REGIO, Brussels, 10 May 2016.
- A civil servant managing the ERDF in Wallonia, Namur, 13 May 2016.
- A civil servant managing the EAFRD in Wallonia, Namur, 13 May 2016.
- A civil servant managing the EMFF in Wallonia, Namur, 9 May 2016.
- A regional development agency which is a beneficiary of, and facilitator for, the ERDF in Wallonia, Namur, 11 May 2016.
- A regional employment agency which is a beneficiary of the ESF in Wallonia, Charleroi, 11 May 2016.

LIST OF BENEFICIARIES

The lists of beneficiaries of the EU funds are accessible and structured as follows:

1. The transparency and accessibility requirements for the *ERDF* and the *ESF* are fully devolved to the regional level in Belgium.³⁷⁹

As regards the *ERDF* in Wallonia, the Wallonia Public Service (Wallonia PS) Secretariat's Department for the Coordination of Structural Funds, which was established in connection with the 2007-2013 programmes to improve internal coordination in managing the regional funds, is responsible for all stages of programme management.³⁸⁰

As for the *ESF*, the European Social Fund Agency (ESF Agency) manages the ESF in Wallonia and Brussels on behalf of the Government of Wallonia, the French Community and the French Community Commission of the Brussels-Capital Region.³⁸¹ It should be noted that the information and data available for the ESF covers both the regions of Wallonia and Brussels.³⁸²

The Wallonia PS and the ESF Agency have set up a single website portal to publicise the ERD and ESF in Belgium: Plus Haut.³⁸³ The website displays (i) Information on operational programmes (ii) Information on funding opportunities (iii) Examples of operations, by operational programme and (iv) News and updates on the operational programmes, in accordance with the requirements of the

³⁷⁷ Ibid.

³⁷⁸ European Commission, Summary of the Partnership Agreement for Belgium, 2014-2020, 3, http://ec.europa.eu/contracts_grants/pa/partnership-agreement-belgium-summary_en.pdf (last accessed 9 May 2016) (hereafter referred to as 'Belgian Partnership Agreement Summary 2014-2020'). Note that the sum for ESF is for Wallonia and Brussels Region.

³⁷⁹ European Commission, Belgian Partnership Agreement Summary 2014-2020, 3.

³⁸⁰ Ibid, 3.

³⁸¹ ESF Agency – History, <http://www.fse.be/index.php?id=histoire> (last accessed 12 May 2016).

³⁸² Ibid.

³⁸³ Plus Haut et Plus Proche ('Higher and Closer'), <http://www.plushaut.be/> (last accessed 11 May 2016) (hereafter referred to as 'Plus Haut website').

Common Provisions Regulation.³⁸⁴ The Plus Haut website provides a searchable database of projects funded by the ERDF in Wallonia and the ESF in Wallonia and Brussels in the 2007-2013 period.³⁸⁵ The database contains over 1100 projects, and allows the user to search for individual projects by theme, postcode and keyword. The database only covers projects, not direct subsidies, as its purpose is to publicise examples of projects rather than to provide the complete statutory list of beneficiaries.³⁸⁶ Clicking on an entry enables the user to see detailed information on individual projects, but does not provide a full list of projects. The information provided for each individual project includes (i) Project name (ii) Project summary (iii) Supporting fund (iv) Programme (v) Beneficiary (vi) Total financing amount (vii) Union co-financing amount (viii) Member State co-financing amount (ix) Contact person names, email address, telephone number and (x) Address and postcode. It is available in French only.³⁸⁷

As concerns the statutory requirements to publish lists of beneficiaries, the Plus Haut website provides links to dedicated websites for the EFRD³⁸⁸ and ESF.³⁸⁹ These dedicated websites provide further information on the funds, including funding opportunities, information on individual projects, regulatory information, and lists of the beneficiaries of the respective funds, which are described below.³⁹⁰

As concerns the *ERDF*, information on beneficiaries in Wallonia is available for 2007-2013 as well as for 2014-2020.³⁹¹ The 2007-2013 data is divided into (1) convergence projects and (2) regional competitiveness and employment projects.³⁹²

The 2007-2013 lists include (i) Beneficiary name (ii) Portfolio name (iii) Project name (iv) Date of funding decision (v) Total budget (vi) Total, ERDF and Wallonia co-financing commitments (vii) Total, ERDF and Wallonia co-financing payments (viii) Date of completion.³⁹³ The list also states the last update, which was 5 January 2016, but the frequency of updates is not provided.³⁹⁴

The 2014-2020 data is provided in a single list that includes (i) Beneficiary name (ii) Operation name - portfolio (iii) Operation name - project (iv) Operation summary (v) Operation start state (vi) Operation end date (vii) Total eligible expenditure allocated to the operation (viii) Union co-financing rate and total amount (ix) Member State co-financing rate (x) Other financing (xi) Operation postcode (xii) Country (xiii) Category of intervention.³⁹⁵ The list also states the last update, which was 5 February 2016, but the frequency of updates is not provided.³⁹⁶ Hence, the 2014-2020 list meets the minimum requirements and moreover includes the Member State co-financing rate as well as other

³⁸⁴ Article 115 (1) (b) of the Common Provisions Regulation.

³⁸⁵ Plus Haut website.

³⁸⁶ Wallonia PS Secretariat, Department for the Coordination of Structural Funds, Namur, 13 May 2016.

³⁸⁷ Plus Haut website.

³⁸⁸ WalEurope – the ERDF in Wallonia, <http://europe.wallonie.be/> (last accessed 11 May 2016) (hereafter referred to as 'WalEurope').

³⁸⁹ ESF Agency, <http://www.fse.be/> (last accessed 11 May 2016) (hereafter referred to as 'ESF Agency website').

³⁹⁰ Plus Haut website, landing page.

³⁹¹ WalEurope.

³⁹² WalEurope, Projects approved 2007-2013, <http://europe.wallonie.be/?q=node/24> (last accessed 23 April 2016) (hereafter referred to as 'ERDF 2007-2013 list');

³⁹³ *Ibid.*

³⁹⁴ *Ibid.*

³⁹⁵ WalEurope, Projects approved 2014-2020, <http://europe.wallonie.be/?q=node/397>, (last accessed 23 April 2016) (hereafter referred to as 'ERDF 2014-2020 list').

³⁹⁶ *Ibid.*

financing.³⁹⁷ The 2014-2020 ERDF list contains 7 beneficiaries.³⁹⁸ Neither the 2007-2013 nor the 2014-2020 ERDF beneficiary lists provide personal identifiers that would allow for the linking of the data to other databases in order to aggregate the data.

The 2007-2013 lists are provided in the format of a searchable .pdf document and the 2014-2020 list is provided in .pdf and .xml format.³⁹⁹ The table headings are in French and English.

As regards beneficiaries of the *ESF*, the data for Brussels and Wallonia for the 2014-2020 funding period includes (i) Unique eight-character login code, (ii) Type (project or action plan), (iii) Axis, (iv) Measure, (v) Intervention category, (vi) Beneficiary name, (vii) Project name, (viii) Area (transitional or developed), (ix) Postcode, (x) Country, (xi) Start date, (xii) End date, (xiii) Total ESF financing, (xiv) Total eligible expenditure, and (xv) EU co-financing rate.⁴⁰⁰ The file name includes the last update, which was 13 April 2016, but the frequency of updates was not provided.⁴⁰¹ Hence, the 2014-2020 list meets the minimum requirements and moreover includes a unique login code, type (project or action plan), axis, measure, and area (transitional or developed).⁴⁰² The list contains 563 entries. The information is available in the form of an .xls spreadsheet.⁴⁰³ The headings of the table are provided in French and English.⁴⁰⁴ It should be noted that the list of beneficiaries for the 2007-2013 funding period is not available on the website.⁴⁰⁵

In sum, as regards transparency and accessibility of information on beneficiaries of the ERDF and ESF in Wallonia, the managing authorities publish information on beneficiary projects for publicity purposes throughout the database on the common Plus Haut website.⁴⁰⁶ This database is in itself not comprehensive (it excludes business subsidies) nor available in a format that complies with statutory requirements (it does not provide a full list of projects in a downloadable spreadsheet). The EU requirements are met by publishing separate .pdf and .xls files on the websites set up for the ERDF and ESF, respectively.⁴⁰⁷ The latter lists comply with EU requirements and go slightly beyond, but are somewhat less easy to locate than the Plus Haut database. It should be noted that the 2007-2013 ESF list is missing.⁴⁰⁸

2. As regards the *EAFRD* and the *EAGF*, both funds are managed at regional level by the Wallonia PS Directorate General for Agriculture, Natural Resources and the Environment.⁴⁰⁹

³⁹⁷ Section I of Annex VII of the Common Provisions Regulation.

³⁹⁸ WalEurope, ERDF 2014-2020 list.

³⁹⁹ WalEurope, ERDF 2007-2013 list; ERDF 2014-2020 list.

⁴⁰⁰ ESF Agency, ESF Projects 2014-2020, <http://www.fse.be/index.php?id=193> (last accessed 11 May 2016) (hereafter referred to as 'ESF 2014-2020 list').

⁴⁰¹ Ibid.

⁴⁰² Section I of Annex VII of the Common Provisions Regulation.

⁴⁰³ European Social Fund Agency, ESF 2014-2020 list.

⁴⁰⁴ Ibid.

⁴⁰⁵ ESF Agency, ESF Projects 2007-2013, <http://www.fse.be/index.php?id=191> (last accessed 11 May April 2016) (hereafter referred to as 'ESF 2007-2013 list').

⁴⁰⁶ Plus Haut website.

⁴⁰⁷ WalEurope; ESF Agency website.

⁴⁰⁸ ESF Agency, ESF 2007-2013 list.

⁴⁰⁹ Wallonia Public Service – Portal for Walloon Agriculture – European programmes, http://agriculture.wallonie.be/apps/spip_wolwin/article.php3?id_article=88 (last accessed 23 April 2016).

The Wallonia PS website's Portal for Walloon Agriculture section provides information on funding opportunities, access to funding applications, information on projects, background information on policies and the regulatory framework, and contact details for the managing authority.⁴¹⁰

The Wallonia authorities have established the Walloon network for regional development, the website of which contains information on the EAFRD operational programme as well as a number of regional initiatives.⁴¹¹

As concerns the publication of information on beneficiaries of the EAFRD and EAFG, the Wallonia Government and the Flemish Government have established a joint website to publish information on beneficiaries of the funds in accordance with Regulation (EU) No 1306/2013.⁴¹² The data can be searched via the website by (i) Name, (ii) Postcode, (iii) Municipality, (iv) Budget year, (v) Type of amount, and (vi) Range of amount.⁴¹³ The data can also be downloaded in full in .csv format.⁴¹⁴ The data covers the two last years.⁴¹⁵ From the financial year 2014 onwards the database provides information on natural as well as legal persons.⁴¹⁶ If the sum received is less than EUR 1,250 a year a unique code is given instead of the name of the beneficiary.⁴¹⁷ The website can be viewed in French, Dutch, German and English.⁴¹⁸

3. As for the *EMFF*, the operational programme is, like the EAGF and EAFRD, managed by the Wallonia PS Directorate General for Agriculture, Natural Resources and the Environment.⁴¹⁹ The Wallonia PS website's Portal for Walloon Agriculture - sub-section on fisheries and aquaculture, provides information on funding opportunities, access to funding applications, information on projects, background information on policies and the regulatory framework, and contact details for the managing authority.⁴²⁰ In terms of publicity, the webpage includes videos on completed projects, which are hosted by YouTube, making it possible to find them via YouTube, although the video names and descriptions do not include searchable keywords.⁴²¹ The managing authority also distributed over 1,000 promotional DVDs to potential beneficiaries.⁴²² In addition, for the 2014-2020 EMFF programme, the Wallonia PS has created an information brochure aimed at potential beneficiaries.⁴²³

⁴¹⁰ Wallonia Public Service – Portal for Walloon Agriculture, http://agriculture.wallonie.be/apps/spip_wolwin/article.php3?id_article=163 (last accessed 11 May 2016).

⁴¹¹ Walloon network for regional development, <http://www.reseau-pwdr.be/> (last accessed 13 May 2016)

⁴¹² Belgian Paying Agencies, <http://www.belpa.be/> (last accessed 9 May 2016) (hereafter referred to as 'Belpa website'); Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008, OJ L 347/549, 20.12.2013.

⁴¹³ Belpa website.

⁴¹⁴ Ibid.

⁴¹⁵ Ibid.

⁴¹⁶ Ibid.

⁴¹⁷ Ibid.

⁴¹⁸ Ibid.

⁴¹⁹ Wallonia Public Service – Portal for Walloon Agriculture – European programmes, http://agriculture.wallonie.be/apps/spip_wolwin/article.php3?id_article=88 (last accessed 23 April 2016).

⁴²⁰ Ibid.

⁴²¹ Wallonia Public Service – Portal for Walloon Agriculture – Fisheries and aquaculture (EFF – EMFF) – EMFF contacts, information and visibility, http://agriculture.wallonie.be/apps/spip_wolwin/article.php3?id_article=491 (last accessed 23 April 2016).

⁴²² Wallonia PS Directorate General for Agriculture, Natural Resources and the Environment, Namur, 9 May 2016.

⁴²³ Wallonia Public Service, EMFF 2014-2020, what projects will be supported in Wallonia?, <http://agriculture.wallonie.be/feamp/Brochure-FEAMP.pdf> (last accessed 12 May 2026).

As regards data on EMFF beneficiaries, the Wallonia PS website provides data for 2007-2013 which includes (i) Axis and measure (ii) Beneficiary name (iii) Project name (iv) Date of the award (v) Total project cost (vi) EMFF funding and (vii) Status (ongoing or completed).⁴²⁴ The webpage does not state when or how often it is updated. The information is in HTML format. The information is available in French only.⁴²⁵ The list contains 42 projects in all.⁴²⁶ For 23 projects, the webpage provides .pdf documents with the project location, unique project code and detailed description.⁴²⁷ No information is provided yet on beneficiaries of the EMFF in 2014-2020 as no projects have been approved yet.⁴²⁸

SUCCESS AND FAILURE FACTORS

A. The Wallonia PS has not carried out any specific evaluations of data transparency and accessibility for EU funding in Wallonia.⁴²⁹

B. As regards *success factors* in establishing data transparency and accessibility in Wallonia, for the ESF and ERDF the Walloon PS aimed to have a single combined call for projects at the beginning of the programming period in March 2014.⁴³⁰ Overall, applications for ESF and ERDF funding in the first call were equivalent to around 300% of the amounts available.⁴³¹ Hence, the approach of a single major call for projects appears to have been successful in generating visibility among the public and potential beneficiaries.⁴³²

The Walloon PS has, since the start of the 2007-2013 programme period, increased its usage of multimedia and social media.⁴³³ Moreover, the Wallonia PS has also encouraged its staff who administrate the funds to use simple and accessible language.⁴³⁴ The managing authorities of the ERDF and ESF also collaborated to set up a hotline to answer questions from potential beneficiaries and received over 1,000 telephone calls and emails between the launch and the deadline for the first call for projects.⁴³⁵ It should be noted that there is no single hotline that covers all EU funds in Wallonia or Belgium.

Concerning the ERDF and ESF, there is relatively high interest from media as well as students writing on the funds for university assignments, and the accessibility of the authorities appears to have been a positive factor for transparency and accessibility for the wider public.⁴³⁶

⁴²⁴ Wallonia Public Service – Portal for Walloon Agriculture – Fisheries and aquaculture (EFF – EMFF), http://agriculture.wallonie.be/apps/spip_wolwin/rubrique.php3?id_rubrique=55 (last accessed 23 April 2016).

⁴²⁵ Ibid.

⁴²⁶ Ibid.

⁴²⁷ Ibid.

⁴²⁸ Wallonia PS Directorate General for Agriculture, Natural Resources and the Environment, Namur, 9 May 2016; Wallonia Public Service – Portal for Walloon Agriculture – Fisheries and aquaculture (EFF – EMFF) – operations benefitting from regional and EMFF support, http://agriculture.wallonie.be/apps/spip_wolwin/article.php3?id_article=489 (last accessed 12 May 2016).

⁴²⁹ Wallonia PS Secretariat, Department for the Coordination of Structural Funds, Namur, 13 May 2016; Wallonia PS Directorate General for Agriculture, Natural Resources and the Environment, Namur, 13 May 2016.

⁴³⁰ Wallonia PS Secretariat, Department for the Coordination of Structural Funds, Namur, 13 May 2016.

⁴³¹ Ibid.

⁴³² Ibid.

⁴³³ Ibid.

⁴³⁴ Ibid.

⁴³⁵ Ibid.

⁴³⁶ Ibid.

C. As for *(potential) failure factors*, the complexity of the administrative and financial regulations relating to the EU funds were a concern shared by authorities and beneficiaries.⁴³⁷

Moreover, for the 2014-2020 period, another problem was the lengthy timeline for approval of the Belgian Operational Programme, which was only finalised in December 2014, nine months after the Wallonia PS had launched the first call for projects in March 2014.⁴³⁸ This delay caused uncertainty and contributed to the long period between the initial acceptance of projects in early 2015 and the final approval for disbursement of the funds only in December 2015.⁴³⁹

As regards publishing data on beneficiaries, it is noticeable that, for the ERDF and ESF, the Walloon PS have established separate databases with distinct purposes. The database on the Plus Haut⁴⁴⁰ website aims at publicising successful projects to potential beneficiaries and the wider public, while the managing authorities publish parallel lists of beneficiaries for the purpose of complying with EU requirements.⁴⁴¹ This duplication could potentially be confusing for a layperson. In the view of this author, one potential way to address this issue could be to centralise the data in a single, user-friendly online location to allow for easy aggregation.

D. As regards *unintended side effects* of data transparency and accessibility, beneficiaries of agricultural subsidies under the EAGF had taken legal action against the authorities on privacy ground for publishing data on their funding.⁴⁴² Secondly, as concerns the EFRD, some beneficiaries had complained about the publication of information which they felt threatened the confidentiality of scientific research projects.⁴⁴³ As a result, the Wallonia PS has begun to include clear conditions on consent to the publication of beneficiary data in all calls and funding agreements.⁴⁴⁴

An unintended consequence of data transparency has been that data is available to the media but sometimes without full contextual information which would justify expenditure on certain projects.⁴⁴⁵ For example, a 2010 investigation highlighted some projects which appeared spurious, possibly due in part to the access to partial information but without a narrative to justify the expenditure in relation to the overarching objectives of EU cohesion spending.⁴⁴⁶

SUSTAINABILITY AND TRANSFERABILITY

Several initiatives taken in Wallonia appear to be readily transferable to other contexts. Efforts to increase visibility through one major call for projects is one example. Another example is the widespread usage of multimedia to communicate projects, e.g. via the Plus Haut website. In addition, the practice of establishing a direct hotline for all questions related to the ESF and ERDF in Wallonia

⁴³⁷ Ibid; Regional employment agency, Charleroi, 11 May 2016.

⁴³⁸ Wallonia PS Secretariat, Department for the Coordination of Structural Funds, Namur, 13 May 2016; European Social Fund Agency, Call for projects, <http://www.fse.be/index.php?id=160> (last accessed 13 May 2016).

⁴³⁹ Regional development agency, Namur, 11 May 2016.

⁴⁴⁰ Plus Haut website.

⁴⁴¹ Wallonia PS Secretariat, Department for the Coordination of Structural Funds, Namur, 13 May 2016.

⁴⁴² Wallonia PS Directorate General for Agriculture, Natural Resources and the Environment, Namur, 9 May 2016.

⁴⁴³ Wallonia PS Secretariat, Department for the Coordination of Structural Funds, Namur, 13 May 2016.

⁴⁴⁴ Ibid.; Wallonia PS Directorate General for Agriculture, Natural Resources and the Environment, Namur, 9 May 2016.

⁴⁴⁵ European Commission DG REGIO, Brussels, 10 May 2016.

⁴⁴⁶ Ibid. The example given was Cynthia O'Murchu, EU funding problems exposed, Financial Times, 29 November 2010, <http://video.ft.com/691972173001/EU-funding-problems-exposed/World> (last accessed 11 May 2016).

could be readily adopted elsewhere.⁴⁴⁷ Interestingly, an initiative to produce a digital and print compendium of funded projects aimed at potential beneficiaries of the ERDF and ESF seemed to have been replicated in Romania, whose managing authorities have had informal exchanges on best practices with the Wallonia PS.⁴⁴⁸

Policy makers, programme managers, project managers and others willing to transfer initiatives to their contexts should bear in mind that Wallonia, like the rest of Belgium, has a tradition of a large public role in the economy.⁴⁴⁹ Hence private sector operators are relatively accustomed to, and well organised for, interacting with, and seeking support from, the public sector, which facilitates communication on EU funding programmes.⁴⁵⁰

⁴⁴⁷ Plus Haut website.

⁴⁴⁸ Wallonia PS Secretariat, Department for the Coordination of Structural Funds, Namur, 13 May 2016.

⁴⁴⁹ Economist Intelligence Unit, Belgium, <http://country.eiu.com/belgium> (last accessed 13 May 2016).

⁴⁵⁰ Wallonia PS Directorate General for Agriculture, Natural Resources and the Environment, Namur, 9 May 2016.

CONTEXTUAL FACTORS

A. Governance factors that improved transparency and accessibility?

One governance factor which has arguably improved the transparency and accessibility of information on EU funding in Wallonia relates to federalism. The decentralised management of EU funding in Belgium means that the managing authorities in Wallonia tend to be relatively familiar with, and work closely with, potential beneficiaries.⁴⁵¹

In the area of fisheries and aquaculture specifically, the strong decentralisation coupled with the limited size of the sector in Wallonia allows the Walloon PS to give considerable attention to potential beneficiaries, e.g. the Wallonia PS staff regularly attend the meetings of local trade associations to publicise the EMFF operational programme.⁴⁵²

B. What conditions have (positively or negatively) influenced transparency and accessibility?

The strong degree of decentralisation in Belgium, with successive reforms through the last two decades, also results in frequent institutional reforms which may divert energy from improving transparency and accessibility on public funding.⁴⁵³ It is notable in this regard that the Wallonia PS websites, with the exception of the Plus Haut website, all appear somewhat outdated and can be quite confusing for the layperson.⁴⁵⁴

C. Where is the highest demand for data transparency and accessibility felt?

The highest demand for transparency and accessibility came from potential beneficiaries.⁴⁵⁵ Interest from the media was focused on the launch of calls for projects and had somewhat subsided thereafter.⁴⁵⁶ As regards beneficiary data, there was agreement among the civil servants who were interviewed for this case study that there was a relatively low demand for the information in the lists of beneficiaries published in conformity with EU rules.⁴⁵⁷

⁴⁵¹ The Chamber (Belgian federal parliament lower house), Institutional agreement for the sixth state reform Accord, Brussels, 11 October 2011, http://www.lachambre.be/kvvcr/pdf_sections/home/FRtexte%20dirrupo.pdf (last accessed 23 April 2016).

⁴⁵² Wallonia PS Directorate General for Agriculture, Natural Resources and the Environment, Namur, 9 May 2016.

⁴⁵³ Wallonia PS Secretariat, Department for the Coordination of Structural Funds, Namur, 13 May 2016.

⁴⁵⁴ Plus Haut website; cf. Wallonia Public Service – Portal for Walloon Agriculture – European programmes, http://agriculture.wallonie.be/apps/spip_wolwin/article.php3?id_article=88 (last accessed 11 May 2016).

⁴⁵⁵ Wallonia PS Secretariat, Department for the Coordination of Structural Funds, Namur, 13 May 2016.

⁴⁵⁶ Ibid.

⁴⁵⁷ Ibid.; Wallonia PS Directorate General for Agriculture, Natural Resources and the Environment, Namur, 13 May 2016; Wallonia PS Directorate General for Agriculture, Natural Resources and the Environment, Namur, 9 May 2016.

CONCLUSIONS AND RECOMMENDATIONS

With regard to Belgium (Wallonia) our study has revealed that this region complies with the respective legal requirements in respect to most European funds in shared management at issue, that is to say the agricultural funds and the ESF as well as the ERDF for the current funding period. What is missing, however, is the publication of the list of ESF beneficiaries for the 2007-2013 funding period as well as the list of beneficiaries of the EMFF fund for the 2014-2020 funding period. We accordingly recommend that this be made publicly available as soon as possible.

LISTS OF “LISTS OF BENEFICIARIES”

Author	Title	Website	Funds	Access
Government of Wallonia	2007-2013 Approved Projects; 2014-2020 Approved Projects	http://europe.wallonie.be/?q=no de/24 de/397 ,	ERDF	12/5/2016
Government of Wallonia, French Community Commission of Brussels-Capital Region	ESF projects 2014-2020	http://www.fse.be/index.php?id=193	ESF (2014– 2020)	12/5/2016
Government of Wallonia and Flemish Government	Belgian Paying Agencies	http://www.belpa.be/	EAGF and EAFRD	12/5/2016
Government of Wallonia	Operations benefitting from regional and EMFF support	http://agriculture.wallonie.be/app/s/spip_wolwin/article.php3?id_article=489	EMFF (2007 – 2013)	12/5/2016

FINLAND

CASE STUDY SUMMARY TABLE

COUNTRY: Finland

AUTHOR: Sanna Suomalainen

Theme	Aspects/questions included:
1. Description of EU funds received in 2014 in the case study region⁴⁵⁸	ESF: 68 958 804 ERDF: 105 825 765 EMFF: 10 197 069 EAFRD: 332 522 548 EAGF: 518 408 334
2. Type of final beneficiaries interviewed (select the applicable ones with a x)	<ul style="list-style-type: none"> • Firms: SME, mid-caps, large • NGOs X • Local authorities X • Universities/Research centres X • Facilitators X • Other: ____
3. List of beneficiaries	<ul style="list-style-type: none"> • Does the region provide merely the respective minimum information required or does it go beyond? <p>ESF: publication of information that goes beyond legal requirements ERDF: publication of information that goes beyond legal requirements Agricultural funds: adherence to legal requirements EMFF: not available⁴⁵⁹ (webportal currently under maintenance)</p> <ul style="list-style-type: none"> • If it goes beyond, what is the additional information provided (e.g. location maps, more detailed project descriptions, impact data but also more generally project applications, minutes of meetings where funding decisions are made)? <p>ESF: (i) a brief project description, (ii) basic applicant information, (iii) Plan-specified summary of the project completion, (iv) Project target groups, (v) Public funding description (granted, used), (vi) Geographical target area, (vii) Estimates of project-specific monitoring information reported during the application phase, (viii) Horizontal principles (gender equality, sustainable development)</p>

⁴⁵⁸ This refers to amounts effectively paid, not amounts committed.⁴⁵⁹ Ministry of Agriculture and Forestry, Helsinki, 13 May 2016.

CASE STUDY SUMMARY TABLE

COUNTRY: Finland
AUTHOR: Sanna Suomalainen

Theme	Aspects/questions included:
	<p>ERDF: (i) a brief project description, (ii) basic applicant information, (iii) Plan-specified summary of the project completion, (iv) Project target groups, (v) Public funding description (granted, used), (vi) Geographical target area, (vii) Estimates of project-specific monitoring information reported during the application phase, (viii) Horizontal principles (gender equality, sustainable development)</p> <p>Agricultural funds: N/A</p> <p>EMFF: N/A⁴⁶⁰</p> <ul style="list-style-type: none"> • How often is the data updated (annually as required or more frequently?) <p>ESF: daily ERDF: daily Agricultural funds: annually EMFF: N/A⁴⁶¹</p> <ul style="list-style-type: none"> • Is the list available in English (in addition to the national language/s) and are amounts listed in Euro (where the national currency is different)? <p>ESF: the list is available in English and in the national languages Finnish and Swedish ERDF: the list is available in English and in the national languages Finnish and Swedish Agricultural funds: the list is available in English and in the national languages Finnish and Swedish EMFF:N/A⁴⁶²</p> <ul style="list-style-type: none"> • Is all of the information provided available in digital format? <p>ESF: yes ERDF: yes Agricultural funds: yes</p>

⁴⁶⁰ Ibid
⁴⁶¹ Ibid
⁴⁶² Ibid

CASE STUDY SUMMARY TABLE**COUNTRY: Finland****AUTHOR: Sanna Suomalainen**

Theme	Aspects/questions included:
	<p>EMFF: N/A⁴⁶³</p> <ul style="list-style-type: none"> Does the list of beneficiaries contain any personal identifiers which would allow to link the data to other databases and can the data be aggregated? <p>ESF: no ERDF: no Agricultural funds: no</p>
4. Success and failure factors	<ul style="list-style-type: none"> Are <u>evaluations</u> of data transparency and accessibility being carried out? <p>Structural funds: yes Agricultural funds: yes EMFF: yes</p> <ul style="list-style-type: none"> What were the <u>success factors</u> in establishing data transparency and accessibility with regards to the different funds? <p>Finland has a long tradition in promoting data transparency and accessibility of EU funds. Different stakeholder groups consider data transparency and accessibility as highly obvious. New ways of promoting data transparency and accessibility for heterogeneous stakeholder groups are constantly being considered.</p> <ul style="list-style-type: none"> What were the <u>(potential) failure factors</u> in establishing data transparency and accessibility? How can these be prevented/overcome? <p>Procedures and communication regarding EU funds are said to involve a high level of complexity, especially for beneficiaries who are novices to EU funding. Information regarding EU funds is presented in a certain style which may be difficult for beneficiaries, even though much attention has been paid to communication and language. These issues can be overcome by communication and guidance. Many actors mentioned that implementing a 'one-stop-shop' system/information service for all</p>

⁴⁶³ Ibid

CASE STUDY SUMMARY TABLE

COUNTRY: Finland
AUTHOR: Sanna Suomalainen

Theme	Aspects/questions included:
	<p>funding mechanisms would be ideal for potential beneficiaries.</p> <ul style="list-style-type: none"> • Are there any (positive or negative) not-intended <u>side effects of data transparency and accessibility</u>? <p>No. However, many actors interviewed mentioned that, even though lobbying of transparency and accessibility is highly important, going to extremes is not purposeful. Some beneficiaries interviewed mentioned that for especially novices bureaucracy related to funds (e.g. presentation of logos, detailed information regarding workshop/event participants) can be challenging and may feel pointless.</p>
<p>5. Sustainability and transferability</p>	<ul style="list-style-type: none"> • <u>What</u> should policy makers, programme managers, project managers and others willing to transfer this initiative to their contexts <u>bear in mind when applying the approach</u> concerned <u>in another setting</u>? <p>Laudable initiatives, such as EURA2014 and SF information service, should be quite easily transferable to other regions and Member States. Obviously, it must be taken into consideration that creation of similar portals requires resources.</p>
<p>6. Contextual factors</p>	<ul style="list-style-type: none"> • What governance factors have improved the transparency and accessibility? <p>Long traditions in promoting data transparency and accessibility of EU funding mechanisms.</p> <p>National and regional agencies are promoting transparency and accessibility, and thus information is available from different sources.</p> <ul style="list-style-type: none"> • What <u>conditions</u> have (positively or negatively) influenced transparency and accessibility? <p>Active operations of national and regional agencies in promoting EU funding for instance through their websites, in social media and in diverse events is very often considered as a factor for improving transparency and accessibility. It can, however, also negatively influence on transparency and accessibility if the potential beneficiary is unsure about where to look for relevant information.</p>

CASE STUDY SUMMARY TABLE**COUNTRY: Finland****AUTHOR: Sanna Suomalainen**

Theme	Aspects/questions included:
	<ul style="list-style-type: none"> Where is the highest <u>demand</u> for data transparency and accessibility felt? <p>In engagement with different media to reach new potential beneficiaries. Currently the list for EMFF beneficiaries is not available.⁴⁶⁴</p>
7. Conclusions and recommendations	The level of data transparency and accessibility is high in Finland. Successful initiatives have been made for decades and the aim/initiative for developing data transparency and accessibility is laudable.
Annex 1: List of main databases	

DESCRIPTION OF EU FUNDS RECEIVED

In the year 2014, Finland received EUR 10,197,069 from the EMFF; EUR 332,522,548 from EAFRD; EUR 105,825,765 from the ERDF; and EUR 68,958,804 from the ESF.⁴⁶⁵ This information was gathered from the Partnership Agreement that has been approved by the European Commission on 7 October 2014. In addition, Finland received EUR 518,408,334 from the EAGF.⁴⁶⁶ Finland will receive approximately EUR 74,393,168 from the EMFF, and EUR 2,380 408,338 from the EAFRD for the 2014-2020 funding period.⁴⁶⁷ Finland will receive EUR 786 776,918 from the ERDF for the 2014-2020 funding period.⁴⁶⁸ The country received EUR 1,097,650,567 for the period between 2007 and 2013 (from which EUR 3,125,552 was targeted to Åland).⁴⁶⁹ Regarding the ESF, Finland will receive EUR 512,684,177 for the 2014-2020 funding period.⁴⁷⁰ It received EUR 618,564,064 from ESF fund for the 2007-2013 funding period (from which EUR 3,125,552 was targeted to Åland).⁴⁷¹

TYPE OF FINAL BENEFICIARIES INTERVIEWED

⁴⁶⁴ Ibid, website is currently under maintenance.

⁴⁶⁵ On this, see the Partnership Agreement <https://www.rakennerahastot.fi/documents/10179/43217/kumppanuussopimus.pdf/>, pp.66 (last accessed 5 May 2016)

⁴⁶⁶ On this, see the 8th Financial Report from the Commission to the European Parliament and the Council on The European Agricultural Guarantee Fund 2014 Financial Year (COM(2015) 444 final), pp. 39.

⁴⁶⁷ On this, see the Total EU allocations of European Maritime and Fisheries Fund 2014-2020. The file can be accessed under the following link: http://ec.europa.eu/fisheries/cfp/emff/index_fi.htm (last accessed 13 May 2016)

⁴⁶⁸ Ibid, 2.

⁴⁶⁹ On this, see the Structural Funds Strategy of Finland for funding period 2007-2013. The file can be accessed under following link:

http://www.rakennerahastot.fi/vanhat_sivut/rakennerahastot/tiedostot/asiakirjat/rakennerahastostrategia_300720_07.pdf, pp. 65. (last accessed 13 May 2016)

⁴⁷⁰ Ibid, 2.

⁴⁷¹ Ibid, 6.

- A public servant administering the structural funds in Finland
- A public servant administering the structural funds in Finland
- An employee of a facilitator of the agricultural funds in Finland
- A beneficiary of the ERDF
- A beneficiary of the ESF

LIST OF BENEFICIARIES

The lists of beneficiaries of the various EU funds are accessible and structured as follows:

The transparency and accessibility requirements with regard to the *ESF* and *ERDF* are governed at national level in Finland. The Ministry of Employment and the Economy serves as a managing authority for both of these funds.⁴⁷² The audit authority for structural funds is the Ministry of Finance. The Ministry of Employment and the Economy is the authority in charge of publishing information regarding these funds.⁴⁷³ Information regarding the structural funds can easily be found from these national information sources such as from a central website of structural funds and from a database where project-specific information can be found. In addition, the central website directs to regional websites.⁴⁷⁴ Project-specific information is aggregated daily from a web-based control system, where funding decisions are made and information is available instantly.⁴⁷⁵ Data accessibility has improved in recent years, as it is now possible to locate relevant, project-specific information from a single database.⁴⁷⁶ Moreover, while from 2000–2006 project-specific information was split into different databases, these have been combined in 2007.⁴⁷⁷ One actor we interviewed mentioned that data transparency and accessibility has improved since the funding period 2007–2013, as the data regarding beneficiaries is now updated daily while in previous funding period it was updated weekly.⁴⁷⁸ Additionally, a Facebook site was launched in December 2013 to provide information for different stakeholder groups and potential beneficiaries through social media.⁴⁷⁹

Information regarding ESF and ERDF beneficiaries in the database is structured as follows: (i) a brief project description, (ii) basic applicant information, (iii) Plan-specified summary of the project completion, (iv) Project target groups, (v) Public funding description (granted, used), (vi) Geographical target area, (vii) Estimates of project-specific monitoring information reported during the application phase, (viii) Horizontal principles (gender equality, sustainable development).⁴⁸⁰ The SF information provides a search-function which allows for the screening by (i) free-form text search, (ii) fund, (iii) priority axis, (iv) specific objective, (v) geographical target area of the project operations, (vi) region/subregion/municipalities, and (vii) provided keyword.⁴⁸¹ Information is available in English

⁴⁷² On this, see information on structural funds: <https://www.rakennerahastot.fi/lait-ja-asetukset#VxyCMk1f1D8> (last accessed 10 May 2016)

⁴⁷³ On this, see information on audit of structural funds: <http://vm.fi/osastot> (last accessed 10 May 2016)

⁴⁷⁴ On this, see the main page of the central website: <https://www.rakennerahastot.fi/> (last accessed 15 May 2016)

⁴⁷⁵ Ministry of Employment and the Economy, Helsinki, 12 May 2016.

⁴⁷⁶ On this, see SF Information Service: <https://www.eura2014.fi/rrtiepa/> (last accessed 13 May 2016).

⁴⁷⁷ On this, see information on information distribution: <https://www.rakennerahastot.fi/documents/12248/64847/EURA+2014-yleisesittely+hankehakijoille.pdf/ed90c6c4-9a51-4f03-822d-bd371110ca7e> (last accessed 10 May 2016)

⁴⁷⁸ *Ibid.*, 18.

⁴⁷⁹ On this, see the information on Facebook: <https://www.facebook.com/rakennerahastot/?fref=ts> (last accessed 13 May 2016).

⁴⁸⁰ *Ibid.*, 19.

⁴⁸¹ *Ibid.*

and in the national languages Finnish and Swedish.⁴⁸² One actor interviewed also raised the importance of providing information in English in a way that individuals across Member States are able receive information how EU funding is spent.⁴⁸³

Information regarding ESF and ERDF beneficiaries was available in a relatively similar way in 2007-2013 funding period by containing (i) a brief project description, (ii) basic applicant information, (iii) Geographical target area, (iv) aims, results, and impacts, (v) project implementation summary, (vi) communication and distribution of best practices, (vii) Public funding description (granted, used), (viii) Horizontal principles (gender equality, sustainable development), and (ix) summary of final project report.⁴⁸⁴

The Agency of Rural Affairs is responsible for the use of agricultural aid and rural development EU funds in Finland.⁴⁸⁵ They maintain a specifically dedicated website and a digital service that contains information regarding beneficiaries of *EAGF* and *EAFRD*.⁴⁸⁶ These are available in national languages and in English. The data regarding beneficiaries is updated annually by the end of May.⁴⁸⁷ Finland has agreed to comply with the minimum requirements regarding publication of information of these funds.⁴⁸⁸ The list includes the (i) beneficiary, (ii) municipality, (iii) payment type, and (iv) national, *EAGF/EAFRD*, and total contribution to the project in Euro.⁴⁸⁹ The Agency of Rural Affairs has been active in social media, especially on Twitter, since June 2013.⁴⁹⁰ The Agency has distributed information regarding EU funding on Twitter.⁴⁹¹

The web-service that contains a list of beneficiaries of *EMFF* is now under maintenance, and will be available as soon as necessary improvements have been made.⁴⁹²

⁴⁸² Ibid

⁴⁸³ Ibid, 12.

⁴⁸⁴ Ibid, 19.

⁴⁸⁵ On this, see information on Agency of Rural Affairs: <http://www.mavi.fi/en/Pages/default.aspx> (last accessed 13 May 2016)
<https://tietopalvelu.mavi.fi/QvAJAXZfc/opendoc.htm?document=Published/raportointi.qvw&host=QVS%40qlik-ias&anonymous=true>

⁴⁸⁶ On this, see EU support payments data search service:

<https://tietopalvelu.mavi.fi/QvAJAXZfc/opendoc.htm?document=Published/raportointi.qvw&host=QVS%40qlik-ias&anonymous=true> (last accessed 13 May 2016)

⁴⁸⁷ Agency of Rural Affairs, Seinäjoki, 13 May 2016.

⁴⁸⁸ On this, see information on EU support information search service: <http://www.mavi.fi/en/about-the-agency/Pages/EU-support-information-search-service.aspx> (last accessed 13 May 2016)

⁴⁸⁹ Ibid, 19.

⁴⁹⁰ On this, see the information on Twitter: <https://twitter.com/maaseutuvirasto?lang=fi>

⁴⁹¹ Ibid.

⁴⁹² Ibid, 2.

SUCCESS AND FAILURE FACTORS

This section aims to present a number of factors of success and failure we identified regarding the transparency and accessibility of EU funds in Finland.

Finland carried out an evaluation of the operational program for the 2007-2010 funding period in 2011 regarding ERDF funding.⁴⁹³ The issues of transparency and accessibility were not central themes in this report as it focused on overall assessment. One section, however, touched on evaluation of the regime, and within which one theme was to analyse functionality of databases.⁴⁹⁴ Regarding ESF funding, Finland carried out an evaluation of the operational program in 2011. This report focused on operational issues such as co-operation in national and regional levels.⁴⁹⁵ Finland carried out an ex-ante evaluation for The Rural Development Programme for Finland for the 2014–2020 in 2014.⁴⁹⁶ Issues of data transparency and accessibility were discussed in the report.⁴⁹⁷ Regarding EMFF, European Maritime and Fisheries Fund Operational Programme for Finland for 2014-2020 was ex-ante evaluated.⁴⁹⁸ The evaluation provided interesting insights regarding data transparency and accessibility, even though the evaluation was conducted at a programme level.⁴⁹⁹

A number of success factors in establishing data transparency and accessibility in Finland can be identified. Finland has a long tradition of promoting data transparency and accessibility of EU funds.⁵⁰⁰ National websites (such as rakennerahastot.fi), regional websites for every region in Finland and information service databases have, based on stakeholder interviews, reached established position in Finland.⁵⁰¹ The findings that information is often searched from national rather than from supranational sources complement previous findings.⁵⁰² Based on interviews, different stakeholder groups consider the need for data transparency and accessibility as highly obvious.⁵⁰³ In addition, public servants interviewed mentioned that new ways of promoting data transparency and accessibility for heterogeneous stakeholder groups are constantly considered, for instance social

⁴⁹³ Structural Fund Programme Assessment 2007–2010. (2012). Edita Prima Oy, Helsinki. http://www.rakennerahastot.fi/vanhat_sivut/rakennerahastot/tiedostot/arviointiraportit_2012/eakr_arviointiraportti_2012.pdf (pp. 1-42)

⁴⁹⁴ Structural Fund Programme Assessment 2007–2010. Theme 1. (2012). Edita Prima Oy, Helsinki. http://www.rakennerahastot.fi/vanhat_sivut/rakennerahastot/tiedostot/arviointiraportit_2012/Loppuraportti_teema_1.pdf, pp. 1-42 (if same report as above, say 'ibid', and add page number- this is a different report, this is a Theme 1, of the evaluation)

⁴⁹⁵ The Evaluation of ESF operational programme for Continental Finland 2007-2013 in 2011. (2011). Edita Prima Oy, Helsinki.

http://www.rakennerahastot.fi/vanhat_sivut/rakennerahastot/tiedostot/arviointiraportit_2012/esr_arviointiraportti2012.pdf, pp. 1-61.

⁴⁹⁶ The ex-ante evaluation of the Rural Development Programme for Mainland Finland 2014-2020. (2014). Ministry of Agriculture and Forestry. Juvenes Print, Kuopio. http://mmm.fi/documents/1410837/1720628/MMM_M-S_ennakkoarviointi_22014_web.pdf/4b2352ae-a68a-408b-8489-a8935a432117, pp. 1-71.

⁴⁹⁷ Ibid, pp. 45-53.

⁴⁹⁸ European Maritime and Fisheries Fund Operational Programme for Finland for 2014-2020. (2015).

http://mmm.fi/documents/1410837/1801550/EMKR_Suomentoimintaohjelma2014-2020.pdf/3ff00d9f-f9f9-4d32-860e-556b6f9615e6, pp. 1-146.

⁴⁹⁹ Ibid, pp. 8-10.

⁵⁰⁰ Ibid, 18.

⁵⁰¹ Ministry of Employment and the Economy, Helsinki, 12 May 2016. University of Helsinki, Helsinki, 3 May.

⁵⁰² European Parliament. The Data Transparency Initiative and its Impact on Cohesion Policy Study. (2009).

⁵⁰³ Ministry of Employment and the Economy, Helsinki, 12 May 2016. Agency of Rural Affairs, Seinäjoki, 13 May 2016. Entrepreneurship Society Boost Turku, 4 May 2016. University of Helsinki, Helsinki, 3 May.

media has been incorporated to serve these initiatives.⁵⁰⁴ In addition, decentralisation was mentioned as one of the success factors.⁵⁰⁵

A number of potential failure factors were identified. Actors mentioned, that procedures and communication regarding EU funds can involve a high level of complexity, especially for beneficiaries who are novices to EU funding.⁵⁰⁶ Information regarding EU funds is presented in a certain style which may be difficult for beneficiaries, even though public servants interviewed mentioned that much attention has been paid to communication and language.⁵⁰⁷ In addition, administrative and financial processes were said to involve complexity.⁵⁰⁸ These issues can be overcome by clearer communication and guidance.⁵⁰⁹ Many actors mentioned that implementing a 'one-stop-shop' system/information service for all funding mechanisms would be ideal for potential beneficiaries.⁵¹⁰

A potential unintended side effect of data transparency and accessibility could be if the data collection is too broad and unfocused.⁵¹¹ Beneficiaries mentioned that data collection at this stage is already quite extensive in some cases, and should not go much further in the future.⁵¹² Beneficiaries mentioned that, for instance, presentation of logos and detailed information gathering regarding project workshops and event participants can be challenging and may feel pointless.⁵¹³ All actors agreed, however, that data transparency and accessibility are highly important aspects.⁵¹⁴

SUSTAINABILITY AND TRANSFERABILITY

Some data transparency and accessibility initiatives with regard to EU funds in Finland can be considered as transposable to other contexts. Especially, the EURA online monitoring system for structural funds, where funding applications are submitted, where funding decisions are made, and from where information is available instantly⁵¹⁵, and extensive SF Information Service, which is updated daily based on information aggregated from monitoring system, and available in multiple languages. This could improve data transparency and accessibility in other contexts.⁵¹⁶ In addition, Finland has other good examples of data transparency and accessibility, such as the East and North Finland EU Office website and newsletter, and different events organised by national and regional agencies.⁵¹⁷

⁵⁰⁴ Ministry of Employment and the Economy, Helsinki, 12 May 2016. Agency of Rural Affairs, Seinäjoki, 13 May 2016.

⁵⁰⁵ Ibid.

⁵⁰⁶ Ibid, 46.

⁵⁰⁷ Structural Fund Programme Assessment 2007–2010. Theme 1. (2012). Edita Prima Oy, Helsinki. http://www.rakenerahastot.fi/vanhat_sivut/rakenerahastot/tiedostot/arviointiraportit_2012/Loppuraportti_teema_1.pdf

⁵⁰⁸ Ibid, 46.

⁵⁰⁹ Ibid, 46.

⁵¹⁰ Entrepreneurship Society Boost Turku, 4 May 2016. University of Helsinki, Helsinki, 3 May.

⁵¹¹ Ibid.

⁵¹² Ibid.

⁵¹³ Ibid.

⁵¹⁴ Ibid, 46.

⁵¹⁵ On this, see <https://www.eura2014.fi/hakija/?0> (accessed 13 May 2016)

⁵¹⁶ Ibid, 19.

⁵¹⁷ Ibid, 18.

CONTEXTUAL FACTORS

The main contextual factor improving data transparency and accessibility is its long tradition of transparency initiatives.⁵¹⁸ In Finland, based on the interviews, data transparency and accessibility are considered as the obvious and only suitable approach, thus ways to improve data transparency and accessibility are constantly being considered.

One condition that has influenced transparency and accessibility is its promotion by national and regional agencies, meaning that information is available from different sources.⁵¹⁹

Where is the highest demand for data transparency and accessibility felt?

Many actors mentioned that implementing a 'one-stop-shop' system/information service for all funding mechanisms would be ideal for potential beneficiaries.⁵²⁰ Implementing authorities mentioned the importance of incorporating different media more extensively to promote information regarding EU funding, which would be valuable for reaching potential beneficiaries and different stakeholder groups.⁵²¹ In addition, currently the list of EMFF beneficiaries is unavailable due to website maintenance work.⁵²²

CONCLUSIONS AND RECOMMENDATIONS

The level of data transparency and accessibility is high in Finland. Successful initiatives have been made for decades and initiative for further developing data transparency and accessibility is laudable. Data transparency and accessibility could be further improved by considering whether implementing a 'one-stop-shop' system/information service for all funding mechanisms would be ideal in the Finnish context.

⁵¹⁸ Ibid, 18.

⁵¹⁹ Ibid, 18.

⁵²⁰ Ibid, 53.

⁵²¹ Ibid, 18.

⁵²² Ibid, 2.

LIST OF MAIN DATABASES

Author	Title	Website	Funds	Access
Agency of Rural Affairs	EU support payments data search service	https://tietopalvelu.mavi.fi/QvAJAXZfc/open doc.htm?document=Published/raportointi.qvw&host=QVS%40qlik-ias&anonymous=true	EAFG, EAFRD	13/5/2016
The Ministry of Employment and the Economy	SF Information Service 2007-2013	https://www.eura2007.fi/rrtiepa/index.php	ESF, ERDF	13/5/2016
The Ministry of Employment and the Economy	SF Information Service 2014-2020	https://www.eura2014.fi/rrtiepa/index.php	ESF, ERDF	13/5/2016
		N/A, unavailable, website under maintenance	EMFF	

FRANCE (AUVERGNE RHÔNE-ALPES)

CASE STUDY SUMMARY TABLE

COUNTRY: France

REGION: Auvergne Rhône-Alpes

AUTHOR: Chloé FABRE

Theme	Aspects/questions included:
1. Description of EU funds received in 2014 in the case study region⁵²³	See below
2. Overview of stakeholders interviewed (select the applicable ones with an X)	<ul style="list-style-type: none"> • Firms: SME, mid-caps, large • NGOs • Local authorities : X • Universities/Research centres • Facilitators : X • Managing authorities : X • Other: X (former managing authority, technical assistance services)
3. List of beneficiaries	<ul style="list-style-type: none"> • Does the region provide merely the respective minimum information required or does it go beyond? <p>Overall, yes for the ESF, the ERDF, the EARDF and the EAGF (with some minor differences from the regulation)</p> <ul style="list-style-type: none"> • If it goes beyond, what is the additional information provided (e.g. location maps, more detailed project descriptions, impact data but also more generally project applications, minutes of meetings where funding decisions are made) ? <p>Some exemplary projects are presented more in depth with a picture of the realisation and sometimes a contact name, for all of the structural and investment funds.</p> <ul style="list-style-type: none"> • How often is the data updated (annually as required or more frequently?) <p>The data on the European Structural and Investment Funds (ESIF) are compiled by the Agence de Service et Paiement (ASP), a national administration. They provide an informatics management system</p>

⁵²³ This refers to amounts effectively paid, not amounts committed.

	<p>(Synergie for ESF and ERDF and Osiris for EARDF) to managing authorities. Some regions do not use Synergie and develop their own systems. However, the ASP is able to annually extract information from those softwares, and therefore the list of beneficiaries is updated annually.</p> <ul style="list-style-type: none"> • Is the list available in English (in addition to the national language/s) and are amounts listed in Euros (where the national currency is different)? <p>The list is not available in English, however the title of the column for the 2014 – 2020 programming period are both in French and in English. The amount are in Euros.</p> <ul style="list-style-type: none"> • Is all of the information provided available in digital format ? <p>The information can be downloaded in an Excel file. For the ESF and ERDF file, however, the amounts are in text format which renders any calculation impossible without reformatting the spreadsheet. The naming of beneficiaries is not standardised: one beneficiary's name can be written in different ways for different projects which makes the research (for double funding, for instance, or for statistical analysis) less straightforward.</p> <p>For the CAP funds, the names of the beneficiaries are the same as for the different measure.</p> <ul style="list-style-type: none"> • Does the list of beneficiaries contain any personal identifiers which would allow to link the data to other databases and can the data be aggregated? <p>The lists do not contain any personal identifiers other than the name of the beneficiary.</p>
<p>4. Success and failure factors</p>	<ul style="list-style-type: none"> • Are <u>evaluations</u> of data transparency and accessibility being carried out? <p>An evaluation of the communication actions of the 2007 – 2013 programming period have been commanded by the Commissariat Général à l'Égalité des Territoires (former managing authority of the ERDF).</p> <p>The Region Rhône-Alpes will conduct an evaluation of the accessibility of ERDF and ESF. The process from the beginning of the project to the closure will be reviewed to identify what has been the most difficult and to evaluate where accompaniment is the most</p>

needed.

- What were the success factors in establishing data transparency and accessibility with regards to the different funds?

According to interviewees, one key factor is the political will.

Directly linked with this factor of the information to councillors and elected representatives on the European funds.

The technical factor is an important key of success. Indeed, providing a tool which is effective, useful and easy to maintain supports setting up transparency. For instance, in the case of the EARDF, the unique tool (Osiris) is a condition for the possibility of transparency (data reliability).

In addition, the concentration of information on one portal also facilitates communication and thus strengthens transparency (which is currently not necessarily the case for the different funds).

- What were the (potential) failure factors in establishing data transparency and accessibility? How can these be prevented/overcome?

1. The main difficulty which impacts on transparency and accessibility of EU funds is the complexity of procedures.

If the process of instruction is transparent to interviewees (especially for beneficiaries, who felt well informed about the process), the administrative burden and the complexity of calculation method for advance and final payment create a lack of transparency.

2. There is another factor limiting the access and transparency of information which is the need for previous knowledge. To strengthen transparency, "technocratic" language should be simplified to ensure accessibility of information.

3. In 2014, management of the funds was transferred from the local representation of the State (i.e.: prefectures) to the Region (Conseil Régional). To some interviewees, this created confusion and a lack of transparency. Indeed, one level has been added (the Region) without the State stepping back in some programmes (EARDF and ESF especially).

Decentralisation also increased the number of interlocutors with whom to gather information for the list of beneficiaries (as mentioned earlier, these exchanges are automatic through informatics systems). According to another interviewee,

decentralisation brings the authorities closer to beneficiaries. Further, elected representatives of the Region are closer to beneficiaries than national representatives and thus keener to ensure good governance.

4. Another failure factor is the scattering of information. The 2014 – 2020 programming period promotes the development of synergies and coordination between the ESIF. If information is available, all information on the funds is not available on the same portal:

- Are there any (positive or negative) not-intended side effects of data transparency and accessibility?

1. Data transparency is also seen by administrations as a tool to control that projects do not receive double funding from the EU. Currently on the EARDF, for instance, administrations contact each other to check whether or not a project is already financed. To be able to control double funding, the list of beneficiaries would need to include more financial information as well as being interoperable (naming identically, having a common referencing of beneficiaries, etc.).

2. The transparency on selection criteria has a side-effect of preventing submission. With regard to the EARDF, it has been required to publish grids used to rate and select projects. Potential beneficiaries are able to see if their project reaches the selection grade or not, and if not they will be deterred from submitting their project. This measure of transparency moves the selection from the programming committee to the potential beneficiaries.

3. No interviewee considers that publishing the list of beneficiaries raises concern with protection of privacy.

The managing authorities are very careful with information published especially when financing innovation projects; they sometimes reformulate the title of the project to ensure confidentiality.

For the AUDACE programme, in favour of mobility of unemployed person (part of Erasmus + programme), it has been decided to mention the service which accompanies the beneficiary instead of his/her name.

<p>5. Sustainability and transferability</p>	<ul style="list-style-type: none"> • <u>What</u> should policy makers, programme managers, project managers and others willing to transfer this initiative to their contexts <u>bear in mind when applying the approach</u> concerned in <u>another setting</u>? <p>1. As mentioned earlier, the information available on the list of beneficiaries is not perceived as useful for potential beneficiaries because it lacks informative value. Having a contact person who is knowledgeable of the funds and the available information appears of primary importance for stakeholders.</p> <p>2. There is a demand for more transparency in the calculation process regarding the amount of subsidy and the eligible expenses. When requiring final payment, beneficiaries discover rules or elements which limited the amount they received (i.e.: income received from renting the building financed by ERDF were deducted from the cost of the project while it was not foreseen by the beneficiary). In the case of the EDF, the interviewee also has difficulties to access to this information with the finance direction being completely separated from the thematic direction following the project.</p>
<p>6. Contextual factors</p>	<ul style="list-style-type: none"> • What governance factors have improved the transparency and accessibility? <p>1. The political will appears to be the most important factor, according to interviewees in relation to both managing authorities and representatives (MEPs, town councillor, etc.). The political will of the Region Auvergne to create an open data platform contributed to improving transparency and accessibility.</p> <p>2. The quality of the partnership has also contributed to improving transparency and accessibility. In the case of the EARDF in Auvergne, the Region paid attention to consulting stakeholders in rural development in the preparation of operational programme as well as ensuring the complementarity between the subsidies. Involving partners results in the mastery of the operational programme by them, they can thus be facilitators and provide information to potential beneficiaries. It also renders the transmission of information more fluid thus improving transparency.</p> <ul style="list-style-type: none"> • What <u>conditions</u> have (positively or negatively) influenced transparency and accessibility? <p>As mentioned earlier, for beneficiaries, one way of ensuring</p>

	<p>transparency and accessibility is to have a contact point which can provide information, orient toward relevant information and explain it.</p> <p>The centralisation of management by the Commission also appears to have improved transparency. Indeed, according to the beneficiary of the EDF, the responsibility lies with one sole actor and thus strengthens transparency as information is gathered on one single portal.</p> <ul style="list-style-type: none"> • Where is the highest <u>demand</u> for data transparency and accessibility felt? <p>1. It has to be noted that there does not seem to be a demand for transparency from beneficiaries. Their demand for transparency is rather on a legible and coherent regulation. Indeed, beneficiaries are interested in their project and its financing rather than on the global goal of the policy led by the fund. However, some beneficiaries are interested in this list for exchange of good practices.</p> <p>2. The simplification of the rules and procedures would constitute, according to facilitators, managing authorities or support services, a factor to improve transparency on EU funds. According to them, to be more transparent, it is of primary importance to be clearer and more straightforward.</p>
<p>7. Conclusions and recommendations</p>	<p>In Auvergne Rhône-Alpes, the regulations on transparency are respected for the 2014 – 2020 period. Information on beneficiaries were already available for the 2007 – 2013 period. Managing authorities are mobilised to facilitate access to EU funds with communication and training actions. The network of partners is also involved in disseminating information on EU funds.</p> <p>The publication of the lists of beneficiaries do not seem to facilitate information and accessibility of EU funds. First, the lists are not legible for the general public. Second, beneficiaries do not use these lists (or even know about them). They would be interested in more qualitative information on some projects. Third, to ensure the legibility of these lists, managing authorities would have to dedicate time and resources to explaining the administrative vocabulary and references used.</p> <p>The main difficulty in terms of transparency is the dissemination of information with no single portal gathering information on EU funds invested in the country or the region with links to more precise information. It creates the need for contact points to relay information.</p>
<p>List of main databases</p>	

A major reform occurred with the 2013 Act of Decentralisation, as regions are henceforth the managing authorities of EU funds, whereas previously the national level was in charge.⁵²⁴ Moreover, a 2015 law (Loi NOTRe) merged the previously 22 regions into 13 regions.⁵²⁵ For the region our study focuses on, Auvergne Rhône-Alpes, it appears that this has had little impact as the management of EU funds remains separated according to the previous division of the region.⁵²⁶ The two former regions are indeed very different, as while Rhône-Alpes is one of the richest NUTS 2 region of the EU, Auvergne is a transition region (GDP/head between 75% and 90% of EU-27 average) for the 2014 - 2020 period.⁵²⁷

THE CASE OF THE EDF IN FRENCH OCTS

The EDF is managed by the local representation of the Commission, the beneficiary has no contact with officials in Brussels.⁵²⁸ In the case studied, the EDF has been attributed to one of the OCTs which chose an international organisation to manage it.⁵²⁹ This international organisation also sub-delegates the management of some of the fund to local entities (institutions, organisations, etc.).⁵³⁰ To be able to manage the EDF, the organisation needs to fulfil seven pillars assessment certifying the transparency and quality of the procedures.⁵³¹

With regard to the access to information in the EDF, there is no easy access to complete information on the EDF. Having access to the list of beneficiaries of EU funds on the geographic region (not necessarily a country) would make sense, especially for border crossing funding such as the EDF.⁵³²

With regard to the transparency of the procedure, the Commission's procedure seems to be difficult to access and/or elusive.⁵³³ Also, the division between the financial management and the thematic management render the process rigid (fund management does not adapt to the needs of the project).⁵³⁴

⁵²⁴ Legifrance, Loi n°2014-58 du 27 janvier 2014 de modernisation de l'action public territoriale et d'affirmation des métropoles, Article 78, <https://www.legifrance.gouv.fr/affichTexteArticle.do?cidTexte=JORFTEXT000028526298&idArticle=JORFARTI000028526914&categorieLien=cid>;

and Legifrance, Décret n°2014-580 du 3 juin 2014 relatif à la gestion de tout ou partie des fonds européens pour la période 2014 – 2020, <https://www.legifrance.gouv.fr/eli/decret/2014/6/3/ETLR1402319D/jo/texte>

⁵²⁵ Legifrance, Loi n° 2015-991 du 7 août 2015 portant nouvelle organisation territoriale de la République, <https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000030985460&categorieLien=id>

⁵²⁶ Europe en Auvergne Rhône-Alpes, L'union Rhône-Alpes Auvergne, quel impact sur les programmes européens ?, <http://www.europe-en-auvergnerhonealpes.eu/>

⁵²⁷ European Commission, Structural Fund (ERDF and ESF) eligibility 2014 – 2020, http://ec.europa.eu/regional_policy/sources/what/future/img/eligibility20142020.pdf

⁵²⁸ Pacific Community, Nouméa, May 12, 2016

⁵²⁹ Ibid.

⁵³⁰ Ibid.

⁵³¹ European Commission, Terms of Reference for Pillard Assessments, https://ec.europa.eu/europeaid/funding/about-funding-and-procedures/audit-and-control/pillar-assessments_en (last accessed May 12, 2016) : "The Financial Regulation (FR) applicable to the General Budget of the European Union (EU) sets out that under indirect management the Commission can entrust budget implementation tasks to certain countries, organisations and bodies [...] These Entities must meet requirements with regard to seven 'Pillars' relating to the internal control system, the accounting system, an independent external audit and rules and procedures for providing financing from EU funds through grants, procurement and financial instruments and Sub-Delegation."

⁵³² Pacific Community, Nouméa, May 12, 2016

⁵³³ Pacific Community, Nouméa, May 12, 2016

⁵³⁴ Ibid.

With regard to the transparency of the project, the project manager publishes its annual report on the website of the project once it has been approved by the Commission.⁵³⁵ The report contains both explanations on the progress of the project and financial reports.⁵³⁶

The EDF is composed of several programmes (OCTs, ACP countries, etc.) which are not interlinked while geographically it would make sense to reinforce partnership.⁵³⁷

DESCRIPTION OF EU FUNDS RECEIVED IN 2014 IN THE CASE STUDY REGION

In 2014, EUR 38,512,788 have been programmed under ERDF for the Auvergne Rhône-Alpes Region and EUR 40,336,363 for the ESF.⁵³⁸ Between October 2013 and October 2014, EUR 3,030,762 have been paid for the EAGF and EUR 472,224 for the EARDF.⁵³⁹ The region does not benefit from EMFF.⁵⁴⁰

According to the FTS, 4 051 recipients received EUR 3,173,961,658 in 2014 in France. The FTS does not allow a breakdown by NUTS 2 regions.⁵⁴¹

OVERVIEW OF STAKEHOLDERS INTERVIEWED

For the case study on Auvergne Rhône-Alpes, the following authorities and beneficiaries have been interviewed:

- *Agence de Services et de Paiement* (service for ESF and ERDF and service for EARDF)
- *Commissariat à l'Égalité des Territoires* (service for ESF and ERDF since 2014)
- The managing authorities for the ESF, the ERDF and the EARDF (Regions)
- The former managing authority for the EARDF
- A municipality (beneficiary of the ERDF)
- Chamber of Commerce (beneficiary of the ERDF)
- An EDF operator

⁵³⁵ Ibid.

⁵³⁶ Ibid.

⁵³⁷ Ibid.

⁵³⁸ Calculated from the list of beneficiaries published by the ASP, <http://cartobenef.asp-public.fr/cartobenef/> (Last accessed May 6, 2016)

⁵³⁹ Calculated from the list of beneficiaries of CAP published by the ASP, <https://www.telepac.agriculture.gouv.fr/telepac/tbp/accueil/accueil.action> (Last accessed May 11, 2016)

⁵⁴⁰ It is not a littoral region

⁵⁴¹ Financial Transparency System, http://ec.europa.eu/budget/fts/index_en.htm, (Last accessed May 11, 2016)

LIST OF BENEFICIARIES

As regards the transparency and accessibility of data relating to these funds, a map of beneficiaries of the 2007-2013 period has been set up by the *Agence de Services et de Paiement* (ASP).⁵⁴² It provides a list of beneficiaries per region (prior to 2016) for ERDF and ESF funding. A list of beneficiaries is also available for the 2014 – 2020 period on the portal for ESIF.⁵⁴³

Concerning the *ESF and the ERDF*, publication requirements are dealt with by the *Agence de Services et de Paiement* (ASP)⁵⁴⁴:

The list takes the form of a *spreadsheet data format*, which allows data to be sorted, searched, extracted, compared, and easily published on the internet. It is accessible *through a single website or the single website portal* providing a list and summary of all operational programmes in that Member State. It is updated every 6 months.

The list includes the beneficiary name; the operation name; the operation start date; the operation end date; the total eligible expenditure allocated to the operation; the operation postcode or other appropriate location indicator; the country; the name of the category of intervention for the operation.

The list does not include the operation summary; the EU co-financing rate (per priority axis); the date of last update of the list of operations.

Beyond the legal requirements at EU level, the list of ESF and ERDF beneficiaries also publishes the amount of EU funds spent on the project.

For the ESF, the database has a total of 6,563 entries (2007 – 2013 programming period for Auvergne Rhône-Alpes). *For the ERDF*, the database has a total of 3,555 entries (2007 – 2013 programming period for Auvergne Rhône-Alpes). The list is drafted in *French and English* (for the 2014 – 2020 programming period⁵⁴⁵) and amounts are *listed in Euro*.⁵⁴⁶ The list provides *no personal identifiers* that allow for the linking of the data to other databases in order for data to be aggregated.⁵⁴⁷

With regards to *agricultural funds*, the *Agence de Services et de Paiement* publishes a list of beneficiaries.⁵⁴⁸ The portal summarises the requirement of the Regulation 1306/2013 and respects it fully. The list of beneficiaries is available for one year (currently from October 2013 to October 2014). Indeed, there is a *single website* per Member State⁵⁴⁹, the website includes a *search tool* that allows users to 'search for beneficiaries by either name, or municipality (...) or amounts received or by measures or by a combination thereof and to extract all the corresponding information as a single set

⁵⁴² *Agence de Services et de Paiement* (ASP), Map of Beneficiaries, <http://cartobenef.asp-public.fr/cartobenef/> (Last accessed May 6, 2016)

⁵⁴³ *Commissariat général à l'égalité des territoires* (CGET), Europe en France, List of beneficiaries, programming period 2014 – 2020 : <http://www.europe-en-france.gouv.fr/Rendez-vous-compte/Beneficiaires-des-fonds-2014-2020> (Last accessed April 29, 2016)

⁵⁴⁴ *Agence de Services et de Paiement* (ASP), Map of Beneficiaries, <http://cartobenef.asp-public.fr/cartobenef/> (Last accessed May 6, 2016)

⁵⁴⁵ *Commissariat général à l'égalité des territoires* (CGET), Europe en France, List of beneficiaries, programming period 2014 – 2020 : <http://www.europe-en-france.gouv.fr/Rendez-vous-compte/Beneficiaires-des-fonds-2014-2020> (Last accessed April 29, 2016)

⁵⁴⁶ *Agence de Services et de Paiement* (ASP), Map of Beneficiaries, <http://cartobenef.asp-public.fr/cartobenef/> (Last accessed May 6, 2016)

⁵⁴⁷ *Agence de Services et de Paiement* (ASP), Map of Beneficiaries, <http://cartobenef.asp-public.fr/cartobenef/> (Last accessed May 6, 2016)

⁵⁴⁸ *Agence de Services et de Paiement* (ASP), Publication des bénéficiaires des aides PAC, <https://www.telepac.agriculture.gouv.fr/telepac/tbp/accueil/accueil.action> (Last accessed May 11, 2016)

⁵⁴⁹ *Agence de Services et de Paiement* (ASP), list of beneficiaries of CAP published by the ASP, <https://www.telepac.agriculture.gouv.fr/telepac/tbp/accueil/accueil.action> (Last accessed May 11, 2016)

of data. The information is provided in the official language(s) of the Member State and/or in one of the three working languages of the Commission.

The information that is provided includes the name of the beneficiary, the municipality where the beneficiary is resident or registered, the postal code of the beneficiary, or the part of the postal code that identifies the municipality, the amount of payment corresponding to each measure financed by the funds (received by each beneficiary in the financial year concerned, including a breakdown of payment for each individual measure listed. The list does not include the sum of these amounts, nor the *nature and description* of the measures financed, including the nature and objective of each measure.⁵⁵⁰

On the portal Europe-en-France.eu, some exemplary projects are presented more in depth with a picture of the realisation and sometimes a contact name, for all of the structural and investment funds.⁵⁵¹ The *Commissariat à l'Égalité des Territoires (CGET)* which manages the portal is redesigning it to ensure a better accessibility of information.⁵⁵² The list of beneficiaries is thus updated annually.⁵⁵³

The lists are not available in English, however the title of the column for the 2014 – 2020 programming period for the ESF and ERDF is both in French and in English.

The information can be downloaded in an Excel file. For the ESF and ERDF file, however, the amounts are in text format which render any calculation impossible without reformatting the spreadsheet. The naming of beneficiaries is not standardised: a same beneficiary's name can be written in different ways for different projects which render the research (for double funding for instance, or for statistical analysis) less straightforward.

For the CAP funds, the name of the beneficiaries are the same for the different measure.

The lists do not contain any personal identifiers other than the name of the beneficiary.

With regards to accessibility of the data, the list of beneficiaries can be found on the ASP's website. However, one needs several clicks to reach them.

The map of beneficiaries and the list are not very user friendly and seem to be designed for those who already know the funds and how they function. It has to be noted that the list of beneficiaries of ESF and ERDF in Auvergne for the 2014 – 2020 period is also available on the open data portal of the *Conseil Régional*, in a more legible presentation.⁵⁵⁴ The region Rhône-Alpes uploads the list of beneficiaries annually on its portal for the ESF and the ERDF.⁵⁵⁵

Data on how to apply for funding is provided through a single portal per region (i.e: Europe-en-auvergne.eu or Europe-en-rhonealpes.eu). The calls for projects are also published on those websites.⁵⁵⁶

⁵⁵⁰ Article 57 (1) (b) of Regulation 908/2014.

⁵⁵¹ Commissariat Général à l'égalité des Territoires, Projets exemplaires, <http://www.europe-en-france.gouv.fr/Rendez-vous-compte/Projets-exemplaires/> (last accessed April 28, 2016)

⁵⁵² Commissariat Général à l'Égalité des Territoires (CGET), Paris, June 2, 2016

⁵⁵³ Agence de Services et de Paiement (ASP), Limoges, May, 13, 2016

⁵⁵⁴ Conseil Régional, *FEDER, FSE en Auvergne 2014 – 2020 : les projets cofinancés*, <http://opendata.auvergnerhonealpes.eu/data/feder-et-fse-en-auvergne-2014-2020-projets-cofinances/7-feder-et-fse-en-auvergne-2014-2020-projets-cofinances.htm?tab=informations> (last accessed May 10, 2016)

⁵⁵⁵ Conseil Régional Rhône-Alpes, Lyon, May 12, 2016

⁵⁵⁶ Conseil Régional Auvergne, Clermont Ferrand, May 9, 2016

Information on the processes of instruction, decision and managing of the ESIF is not explained online, nor the delay regarding instruction.

According to stakeholders, the instruction process is transparent.⁵⁵⁷ When submitting a project, one is informed of the process by managing authorities (including the date of the programming committee which decides on the attribution).⁵⁵⁸ The list of information to provide (along the instruction process) is also clear for the beneficiaries interviewed thanks to contacts with instructors. In Auvergne, it is the same person who conducts the instruction of the project which is a plus in terms of clearness of information thus for transparency and accessibility of information.⁵⁵⁹ In Rhône-Alpes, it is the same person from the instruction to the closure of the project (payment and control) for the ERDF, which is seen as a good practice.⁵⁶⁰

In Rhône-Alpes, a press release is published after each programming committee with the list of selected project, the amount financed and the title of the project.⁵⁶¹

The large majority of interviewees were not aware of the existence of the FTS.⁵⁶²

SUCCESS AND FAILURE FACTORS

A. Concerning *evaluation of data transparency and accessibility*, an evaluation of the communication actions of the 2007 – 2013 programming period have been realised by the *Commissariat Général à l'Égalité des Territoires* (former managing authority of the ERDF and now intervening in capacity building and support to the region⁵⁶³). The study has been realised through 5,200 phoned interviews.⁵⁶⁴ According to this study, only 25 % of French citizens consider themselves as being well informed on projects financed by the EU in France while the ratio was of 40 % in 2008.⁵⁶⁵ The study concludes that if potential beneficiaries such as farmers, organisations and outmost regions' inhabitants are to be well informed, they need to have access to practical information.⁵⁶⁶ The study also finds that legibility of information on the beneficiaries of European funds decreased from the previous study (realised in 2008).⁵⁶⁷

⁵⁵⁷ *Conseil Régional Auvergne*, Clermont Ferrand, May 9, 2016 ; *Conseil Régional Rhône-Alpes*, Lyon, May 12, 2016 ; *Communauté de communes de Sauxilange*, Sauxilange, May 10, 2016 ; *Chambre Départementale de Commerce et d'industrie*, Mozac, May 9, 2016

⁵⁵⁸ *Ibid.*

⁵⁵⁹ *Chambre Départementale de Commerce et d'industrie*, Mozac, May 9, 2016

⁵⁶⁰ *Conseil Régional Rhône-Alpes*, Lyon, May 12, 2016

⁵⁶¹ For instance, *Conseil Régional Rhône-Alpes*, *FEDER/FSE: Premier comité de programmation 2016*, <http://www.europe-en-rhonealpes.eu/1323-l-actualite-du-po-feder-fse-2014-2020.htm> (last accessed May, 12, 2016)

⁵⁶² *Conseil Régional Auvergne*, Clermont Ferrand, May 9, 2016 ; *Conseil Régional Rhône-Alpes*, Lyon, May 12, 2016 ; *Communauté de communes de Sauxilange*, Sauxilange, May 10, 2016 ; *Chambre Départementale de Commerce et d'industrie*, Mozac, May 9, 2016 ; *Agence de Services et de Paiement (ASP)*, Limoges, May, 13, 2016 ; *Pacific Community*, Nouméa, May 12, 2016 ; *Ministry of Agriculture, Regional Direction (DRAAF)*, Lempdes, May 9, 2016

⁵⁶³ *Commissariat général à l'égalité des territoires*, *Vademecum de gouvernance État-Région, Programmes européens 2014 – 2020*, October 2014, p.14, <http://www.europe-en-france.gouv.fr/L-Europe-s-engage/Accord-de-partenariat/Vademecum-de-gouvernance-Etat-Regions> (last accessed March 28, 2016)

⁵⁶⁴ *DATAR, Etude auprès du grand public sur l'Europe et les Fonds européens, Note de synthèse de l'étude qualitative et de l'étude quantitative*, December, Introduction. The study can be downloaded from [europe-en-france.gouv.fr](http://www.europe-en-france.gouv.fr) (last accessed May 10, 2016)

⁵⁶⁵ *Ibid.*, p.9

⁵⁶⁶ *Ibid.*, p.12

⁵⁶⁷ *Ibid.*, p.16 – 17

The stakeholders interviewed were not aware of a specific evaluation of data transparency and accessibility.⁵⁶⁸ According to one of the interviewees, it is of primary importance that information on the beneficiaries is made available, however, these lists of beneficiary do not provide legible and understandable information for general public.⁵⁶⁹

The Region Rhône-Alpes will conduct an evaluation of the accessibility of ERDF and ESF.⁵⁷⁰ The process from the beginning of the project to the closure will be reviewed to identify what has been the most difficult and to evaluate where accompaniment is the most needed.⁵⁷¹

B. Several **failure factors** have been identified: the complexity of the procedures (1), the need for previous knowledge and/or a network to access information (2), decentralisation (3), the dissemination of information (4).

The main difficulty which impacts on transparency and accessibility of EU funds is the **complexity of procedures**.

If the process of instruction is transparent to interviewees (especially for beneficiaries, who felt well informed on the process), the administrative burden and the complexity of the calculation method for advance and final payment create a lack of transparency.⁵⁷² The importance of documentation required is confirmed by the ASP which was faced with this complexity when setting up the information system to manage the funds (Synergie and Osiris).⁵⁷³

Moreover, especially on the EARDF, the rules change constantly, leading to financial risks for beneficiaries.⁵⁷⁴

The complexity also exists for managing authorities and it creates uncertainty. One of the reasons for the complexity is that **several actors intervene on one project, with multiple co-financing** (State, Region, Département and EU funds).⁵⁷⁵ These actors have different criteria of eligibility for the expenses of a project which increases complexity and reduces the accessibility and transparency of the process.⁵⁷⁶

Several authorities intervene in the life of a project, example of EARDF:

⁵⁶⁸ *Conseil Régional Auvergne*, Clermont Ferrand, May 9, 2016 ; *Conseil Régional Rhône-Alpes*, Lyon, May 12, 2016 ; *Communauté de communes de Sauxilange*, Sauxilange, May 10, 2016 ; *Chambre Départementale de Commerce et d'industrie*, Mozac, May 9, 2016 ; *Agence de Services et de Paiement (ASP)*, Limoges, May, 13, 2016 ; Pacific Community, Nouméa, May 12, 2016 ; Ministry of Agriculture, Regional Direction (DRAAF), Lempdes, May 9, 2016

⁵⁶⁹ *Conseil Régional Auvergne*, Clermont Ferrand, May 9, 2016

⁵⁷⁰ *Conseil Régional Rhône-Alpes*, Lyon, May 12, 2016

⁵⁷¹ *Ibid.*

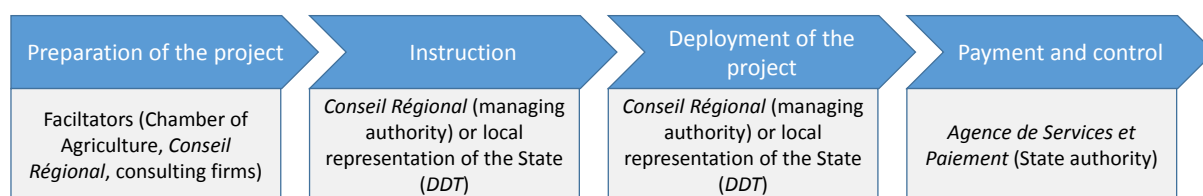
⁵⁷² It has been mentioned by several interviewees : Ministry of Agriculture, Regional Direction (DRAAF), Lempdes, May 9, 2016 ; *Conseil Régional Rhône-Alpes*, Lyon, May 12, 2016, *Communauté de communes de Sauxilange*, Sauxilange, May 10, 2016

⁵⁷³ *Agence de Services et de Paiement (ASP)*, Limoges, May, 2, 2016

⁵⁷⁴ Ministry of Agriculture, Regional Direction (DRAAF), Lempdes, May 9, 2016

⁵⁷⁵ It has been mentioned by several interviewees : Ministry of Agriculture, Regional Direction (DRAAF), Lempdes, May 9, 2016 ; *Conseil Régional Auvergne*, Clermont Ferrand, May 10, 2016 ; *Agence de Services et de Paiement (ASP)*, Limoges, May, 13, 2016

⁵⁷⁶ *Ibid.*



Simplifying the procedure of management could allow more transparency as well as accessibility to the funds.⁵⁷⁷

According to one interviewee, the **period for programming**, lasting only 6 years, is too short.⁵⁷⁸ Indeed, implementing authorities are either in preparation, revision, evolution of the programme, there is no moment where programmes are settled and function in a normal way. This creates instability and a lack of clarity for potential beneficiaries. For instance, on the LEADER programme, in 2016, the managing authority and delegated managing authority are still in a launching phase, and will be totally operational in 2017 when they will have to revise the policy.⁵⁷⁹

There is another factor limiting the access and transparency of information which is the **need for previous knowledge**. To understand the lists of beneficiaries or other information on EU funds, one needs to know what EU funds are.⁵⁸⁰ With regards to the EARDF, farmers are used to EU funds and can access information easily, but the issue remains for other potential beneficiaries.⁵⁸¹

To strengthen transparency, “technocratic” language should be simplified to ensure accessibility of information.⁵⁸² For instance, the summaries of the project are filled in by instructors and there is no communication specialist reformulating them, thus they are very technical and cannot be published for general public.⁵⁸³

When submitting a project, one also needs to have previous knowledge. Indeed, once one knows the process, it is not complex given that potential beneficiaries are accompanied throughout the process by managing authorities.⁵⁸⁴

This threshold also applies with regard to the network: once one is in the network of EU funds, information is reachable and understandable. One interviewee explains that beneficiaries are already known given the restricted scope of potential beneficiaries.⁵⁸⁵

In 2014, the management of the funds was transferred from the local representation of the State (i.e.: *prefectures*) to the Region (*Conseil Régional*).⁵⁸⁶ To some interviewees, it created confusion and lack of

⁵⁷⁷ Ibid.

⁵⁷⁸ Ministry of Agriculture, Regional Direction (DRAAF), Lempdes, May 9, 2016

⁵⁷⁹ Ibid.

⁵⁸⁰ It has been mentioned by several interviewees : *Conseil Régional Auvergne*, Clermont Ferrand, May 9, 2016 ; *Conseil Régional Auvergne*, Clermont Ferrand, May 10, 2016 ; Ministry of Agriculture, Regional Direction (DRAAF), Lempdes, May 9, 2016 ; *Conseil Régional Rhône-Alpes*, Lyon, May 12, 2016, *Communauté de communes de Sauxilange*, Sauxilange, May 10, 2016 ; *Agence de Services et de Paiement (ASP)*, Limoges, May, 13, 2016

⁵⁸¹ Ministry of Agriculture, Regional Direction (DRAAF), Lempdes, May 9, 2016

⁵⁸² *Agence de Services et de Paiement (ASP)*, Limoges, May, 2, 2016 ; *Agence de Services et de Paiement (ASP)*, Limoges, May, 13, 2016 ; *Communauté de communes de Sauxilange*, Sauxilange, May 10, 2016

⁵⁸³ Commissariat Général à l’Egalité des Territoires (CGET), Paris, June 2, 2016

⁵⁸⁴ It has been mentioned by several interviewees : *Conseil Régional Auvergne*, Clermont Ferrand, May 9, 2016 ; *Conseil Régional Auvergne*, Clermont Ferrand, May 10, 2016 ; *Communauté de communes de Sauxilange*, Sauxilange, May 10, 2016 ; *Chambre Départementale de Commerce et d’industrie*, Mozac, May 9, 2016

⁵⁸⁵ *Conseil Régional Auvergne*, Clermont Ferrand, May 9, 2016 ; *Conseil Régional Rhône-Alpes*, Lyon, May 12, 2016

transparency. Indeed, one level has been added (the Region) without the State stepping back in some programmes (EARDF and ESF especially).⁵⁸⁷ In the case of EARDF, for instance, some measures continue to be instructed and decided by the local representation of the State as delegated managing authority (*Direction Départementale des Territoires - DDT*),⁵⁸⁸ but those are not the same according to the region. For example, in Auvergne, the DDT intervenes only if the State is co-funding, in Rhône-Alpes, the DDT intervenes for all funding schemes directed toward farmers.⁵⁸⁹ Decentralisation also increased the number of interlocutors with whom to gather information for the list of beneficiaries (as mentioned earlier, these exchanges are automatic through informatics systems).⁵⁹⁰

According to another interviewee, decentralisation brings the authorities closer to beneficiaries.⁵⁹¹ Further, elected representatives of the Region are closer to beneficiaries than national representatives and thus keener to ensure good governance.⁵⁹²

Another failure factor is **the scattering of information**. The 2014 – 2020 programming period promotes the development of synergies and coordination between the ESIF.⁵⁹³ If information is available, all information on the funds is not available on the same portal:

- ESF and ERDF: information and the list of beneficiaries are available together with one website for both funds (europe-en-france.eu).
- EARDF: information is available on the same website as the one on ESF and ERDF but the list of beneficiaries is different. It is in a different format and available on another website (telepac.agriculture.gouv.fr).
- Directly and indirectly managed funds: information is spread according to the fund, there is no link from the portals Europe-en-Auvergne.eu or Europe-en-RhoneAlpes.eu. It seems merely impossible to have a global picture of the funds invested, the projects financed apart from the information available on the Commission's website (FTS).

The *Commissariat Général à l'égalité des territoires* (CGET) as coordinator and the Regions as managing authorities could be interested in setting up an observatory of European funds invested in France (also with a territorial approach).⁵⁹⁴

⁵⁸⁶ Legifrance, Loi n°2014-58 du 27 janvier 2014 de modernisation de l'action public territorial et d'affirmation des métropoles, Article 78, <https://www.legifrance.gouv.fr/affichTexteArticle.do?cidTexte=JORFTEXT000028526298&idArticle=JORFARTI000028526914&categorieLien=cid> ;

and Legifrance, Decret n°2014-580 du 3 juin 2014 relatif à la gestion de tout ou partie des fonds européens pour la période 2014 – 2020, <https://www.legifrance.gouv.fr/eli/decret/2014/6/3/ETLR1402319D/jo/texte>

⁵⁸⁷ *Commissariat Général à l'égalité des territoires* (CGET), Europe-en-France, Une nouvelle architecture du Fonds social européen, <http://www.fse.gouv.fr/qu-est-ce-que-le-fse/en-savoir-plus-sur-les-programmes/le-programme-operationnel-national/article/une-nouvelle-architecture> (last accessed May 16, 2016)

⁵⁸⁸ Ministry of Agriculture, Regional Direction (DRAAF), Lempdes, May 9, 2016 ; *Conseil Régional Auvergne*, Clermont Ferrand, May 10, 2016 ; *Agence de Services et de Paiement (ASP)*, Limoges, May, 13, 2016

⁵⁸⁹ Ministry of Agriculture, Regional Direction (DRAAF), Lempdes, May 9, 2016 ; *Conseil Régional Auvergne*, Clermont Ferrand, May 10, 2016 ; *Agence de Services et de Paiement (ASP)*, Limoges, May, 13, 2016 ; *Conseil Régional Auvergne*, Clermont Ferrand, May 10, 2016 ; *Conseil Régional Rhône-Alpes*, Lyon, May 12, 2016

⁵⁹⁰ *Agence de Services et de Paiement (ASP)*, Limoges, May, 2, 2016

⁵⁹¹ *Conseil Régional Auvergne*, Clermont Ferrand, May 9, 2016 ; *Conseil Régional Auvergne*, Clermont Ferrand, May 10, 2016 ; *Conseil Régional Rhône-Alpes*, Lyon, May 12, 2016

⁵⁹² Ibid.

⁵⁹³ 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 1083/2006 ; provision 2

Furthermore, information is accessible, but, as it is scattered, there is a need for it to be accompanied by someone who knows where to find useful information.⁵⁹⁵ One beneficiary, for instance, learned by chance, thanks to a training session, that European funding could apply to his project.⁵⁹⁶ Monitoring the publication of call for projects can represent a full time job.⁵⁹⁷ It renders the access to this information difficult for small structures.⁵⁹⁸

C. Several **success factors** have been identified: political will (1) and effective tools (2)

One key factor is the **political will**.⁵⁹⁹ In Auvergne, the president of the Region put a strong priority on digital and created an open data portal on which the list of projects co-financed with EU funds are available.⁶⁰⁰

Directly linked with this factor is the **information to councillors and elected representatives** on the European funds.⁶⁰¹ There have been regional elections in 2015 in France and the majority changed in Auvergne Rhone-Alpes, in consequence, information of representative is even more crucial.⁶⁰²

The technical factor is an important key of success.⁶⁰³ Indeed, providing a tool which is effective, useful and easy to maintain supports setting up transparency.⁶⁰⁴ For instance, in the case of the EARDF, the unique tool (Osiris) is a condition of possibility of transparency (data reliability).⁶⁰⁵ In addition, the concentration of information on one portal also facilitates communicating and thus strengthens transparency (which is not necessarily the case currently for the different funds).⁶⁰⁶

D. In establishing data transparency and accessibility, **side effect occurred** : first, list of beneficiaries could be used as a controlling tool, second, transparency has deter potential beneficiaries, third, the protection of privacy does not seem to constitute difficulty.

Data transparency is also seen by administrations as a tool to **control** that projects do not have **double funding** from the EU.⁶⁰⁷ Currently, on the EARDF for instance, administrations contact each other to check whether or not a project is already financed.⁶⁰⁸

To be able to control double funding, the list of beneficiaries would need to include more financial information as well as being interoperable (naming identically, having a common referencing of beneficiaries, etc.).⁶⁰⁹

⁵⁹⁴ *Agence de Services et de Paiement (ASP)*, Limoges, May, 2, 2016

⁵⁹⁵ *Conseil Régional Auvergne*, Clermont Ferrand, May 9, 2016 ; *Communauté de communes de Sauxilange*, Sauxilange, May 10, 2016

⁵⁹⁶ *Communauté de communes de Sauxilange*, Sauxilange, May 10, 2016

⁵⁹⁷ *Ibid.*

⁵⁹⁸ *Ibid.*

⁵⁹⁹ *Conseil Régional Auvergne*, Clermont Ferrand, May 9, 2016 ; Ministry of Agriculture, Regional Direction (*DRAAF*), Lempdes, May 9, 2016

⁶⁰⁰ *Conseil Régional Auvergne*, Clermont Ferrand, May 9, 2016

⁶⁰¹ *Ibid.*

⁶⁰² *Ibid.*

⁶⁰³ Pacific Community, Nouméa, May 12, 2016

⁶⁰⁴ *Agence de Services et de Paiement (ASP)*, Limoges, May, 13, 2016 ; Pacific Community, Nouméa, May 12, 2016

⁶⁰⁵ *Agence de Services et de Paiement (ASP)*, Limoges, May, 13, 2016

⁶⁰⁶ Pacific Community, Nouméa, May 12, 2016 ; *Conseil Régional Auvergne*, Clermont Ferrand, May 9, 2016

⁶⁰⁷ *Agence de Services et de Paiement (ASP)*, Limoges, May, 2, 2016 ; Ministry of Agriculture, Regional Direction (*DRAAF*), Lempdes, May 9, 2016 ; *Conseil Régional Rhône-Alpes*, Lyon, May 12, 2016

⁶⁰⁸ Ministry of Agriculture, Regional Direction (*DRAAF*), Lempdes, May 9, 2016

⁶⁰⁹ *Agence de Services et de Paiement (ASP)*, Limoges, May, 2, 2016

However, with the managing informatics system Synergie (for ESF and ERDF), beneficiaries are identified with their official number (SIRET), which allows for control internally.⁶¹⁰

In addition, this transparency measure could also be used on **state aid** control. This would imply that other financiers share information on the project they finance (especially local authority such as Département and Region).⁶¹¹

The **transparency on selection criteria** has a side-effect of preventing submission. With regard to the EARDF, it has been required to publish grids used to rate and select projects.⁶¹² Potential beneficiaries are able to see if their project can reach the selection grade or not, and if not they will be deterred from submitting their project. This measure of transparency moves the selection from the programming committee to the potential beneficiaries.⁶¹³

No interviewee considers that publishing the list of beneficiaries raises concern with protection of privacy.

The managing authorities are very careful with information published especially when financing innovation projects; they sometimes reformulate the title of the project to ensure confidentiality.⁶¹⁴

For the AUDACE programme, which favours mobility of unemployed persons (part of Erasmus + programme), it has been decided to mention the service which accompanies the beneficiary instead of his/her name.⁶¹⁵

SUSTAINABILITY AND TRANSFERABILITY

- To what extent are successful initiatives towards data transparency and accessibility (expected to be) transferable to other (country-) contexts? (Likert Scale)

Low level of transferability (1) – Moderate level of transferability (2) – High level of transferability (3)

The good practices and conditions of transferability identified are: having a contact person (1) and providing information on the calculation method (2).

As mentioned earlier, the information available on the list of beneficiaries is not perceived as useful for potential beneficiaries because it lacks informative value.

Having a contact person who is knowledgeable of the funds and the available information appears of primary importance for stakeholders. For instance, with regards to the EARDF, a logic of one-stop-shop service existed before decentralisation (based on the will of the ministry of

⁶¹⁰ Agence de Services et de Paiement (ASP), Limoges, May, 2, 2016

⁶¹¹ Agence de Services et de Paiement (ASP), Limoges, May, 2, 2016

⁶¹² Ministry of Agriculture, Regional Direction (DRAAF), Lempdes, May 9, 2016

⁶¹³ Ministry of Agriculture, Regional Direction (DRAAF), Lempdes, May 9, 2016

⁶¹⁴ Conseil Régional Rhône-Alpes, Lyon, May 12, 2016

⁶¹⁵ Conseil Régional Auvergne, Clermont Ferrand, May 10, 2016

Agriculture).⁶¹⁶ Currently, the same logic is applied with several services playing the role of one-stop-shop services (in that they are able to orient towards other services if necessary).⁶¹⁷

The Chamber of Agriculture plays a large role in supporting potential beneficiaries for funds of the Common Agricultural Policy (CAP). They seem to be more involved in supporting activities than other Chambers.⁶¹⁸ This raises the point of support services in preparations for potential beneficiaries who are not farmers.⁶¹⁹

Nevertheless, professionals of managing authorities are also keen on answering questions, helping and orienting potential beneficiaries throughout the preparation of their project.⁶²⁰ This support has been perceived as very useful by the beneficiaries interviewed.⁶²¹ It is done for all the ESIF.⁶²²

An interesting practice in terms of supporting activity is the programme set up by the Region Auvergne. One measure of the EARDF is demanding as it requires setting up a large partnership with different actors.⁶²³ The Region identified different actors and organised **thematic working groups** allowing them to get to know each other and then to create projects.⁶²⁴ Participants also benefit from information on how to prepare a project, how to present it, how to answer European funds calls, etc.⁶²⁵ The programme started in 2014, however there is no evaluation of the impact yet.⁶²⁶

The region Rhône-Alpes organised **several information meetings** (one per Département) and a launching seminar at the beginning of the 2014 – 2020 period.⁶²⁷ The aim was to present the operational programmes.⁶²⁸ They invited the previous beneficiaries, institutions and organisations, town council, and facilitators such as the chambers of commerce or agriculture. This meeting attracted a large number of participants.⁶²⁹

Furthermore, the Region Rhône-Alpes provides a contact form on its portal.⁶³⁰ The potential beneficiary can present his/her project.⁶³¹ The Region evaluates whether the project is eligible for EU funds or for other subsidies (from the Region) and informs the potential beneficiary (offering a meeting if the project may be eligible).⁶³²

There is a demand for **more transparency in the calculation process** for the amount of subsidy and the eligible expenses. When requiring final payment, beneficiaries discover rules or elements which limit the amount they received (i.e.: income received from renting the building financed by ERDF

⁶¹⁶ Ministry of Agriculture, Regional Direction (DRAAF), Lempdes, May 9, 2016

⁶¹⁷ Ministry of Agriculture, Regional Direction (DRAAF), Lempdes, May 9, 2016 ; *Conseil Régional Auvergne*, Clermont Ferrand, May 10, 2016

⁶¹⁸ Ministry of Agriculture, Regional Direction (DRAAF), Lempdes, May 9, 2016

⁶¹⁹ Ibid.

⁶²⁰ *Conseil Régional Auvergne*, Clermont Ferrand, May 9, 2016 ; *Conseil Régional Auvergne*, Clermont Ferrand, May 10, 2016 ; Ministry of Agriculture, Regional Direction (DRAAF), Lempdes, May 9, 2016 ; *Conseil Régional Rhône-Alpes*, Lyon, May 12, 2016 ; *Communauté de communes de Sauxilange*, Sauxilange, May 10, 2016 ; *Chambre Départementale de Commerce et d'industrie*, Mozac, May 9, 2016

⁶²¹ Ibid.

⁶²² Ibid.

⁶²³ *Conseil Régional Auvergne*, Clermont Ferrand, May 10, 2016

⁶²⁴ Ibid.

⁶²⁵ Ibid.

⁶²⁶ Ibid.

⁶²⁷ *Conseil Régional Rhône-Alpes*, Lyon, May 12, 2016

⁶²⁸ Ibid.

⁶²⁹ Ibid.

⁶³⁰ *Conseil Régional Rhône-Alpes*, Lyon, May 12, 2016

⁶³¹ Ibid.

⁶³² Ibid.

were deducted from the cost of the project while it was not foreseen by the beneficiary).⁶³³ In the case of the EDF, the interviewee also has difficulties to access to this information with the finance direction being completely separated from the thematic direction following the project.⁶³⁴

CONTEXTUAL FACTORS

A. The governance factors that improve the transparency and accessibility are: political will (1) and the quality of the partnership (2).

The **political will** appears to be the most important factor, according to interviewee.⁶³⁵ It implies both managing authorities and representatives (MEPs, town councillor, etc.). The political will of the Region Auvergne to create an open data platform contributed to improve transparency and accessibility.⁶³⁶ Since 2012, services dealing with information on the ERDF and the ESF participate in this open data platform.⁶³⁷ The list of beneficiaries for 2014 – 2020 is published on the platform.⁶³⁸ It is updated every three months.⁶³⁹ This platform is more easily accessible than the list of beneficiaries (3 clicks or less).

The **quality of the partnership** with stakeholders also contributes to improve transparency and accessibility. In the case of the ERDF in Auvergne, the Region paid attention to consult stakeholders of rural development⁶⁴⁰ in the preparation of operational programme as well as ensuring the complementarity between the subsidies.⁶⁴¹ Involving partners results in the mastery of the operational programme by them, they can thus be facilitators and provide information to potential beneficiaries.⁶⁴² It also renders the transmission of information more fluid thus improving transparency.⁶⁴³

B. The **centralisation of management by the Commission** also appears as improving transparency.⁶⁴⁴ Indeed, according to the beneficiary of the EDF, the responsibility relies on one sole actor and thus strengthens transparency and gathering information on one single portal.⁶⁴⁵ In addition, given that the Commission is the one requiring transparency, it is also able to provide the

⁶³³ *Communauté de communes de Sauxilange*, Sauxilange, May 10, 2016 ; *Chambre Départementale de Commerce et d'industrie*, Mozac, May 9, 2016

⁶³⁴ Pacific Community, Nouméa, May 12, 2016

⁶³⁵ *Conseil Régional Auvergne*, Clermont Ferrand, May 9, 2016

⁶³⁶ *Ibid.*

⁶³⁷ *Ibid.*

⁶³⁸ *Conseil Régional, FEDER, FSE en Auvergne 2014 – 2020 : les projets cofinancés*, <http://opendata.auvergnerhonealpes.eu/data/feder-et-fse-en-auvergne-2014-2020-projets-cofinances/7-feder-et-fse-en-auvergne-2014-2020-projets-cofinances.htm?tab=informations> (last accessed May 10, 2016)

⁶³⁹ *Ibid.*

⁶⁴⁰ For instance: Local representation of the ministry of agriculture, the chamber of agriculture.

⁶⁴¹ *Conseil Régional Auvergne*, Clermont Ferrand, May 10, 2016

⁶⁴² *Ibid.*

⁶⁴³ *Ibid.*

⁶⁴⁴ Pacific Community, Nouméa, May 12, 2016

⁶⁴⁵ *Ibid.*

tool permitting it.⁶⁴⁶ According to this interviewee, the creation and maintaining of tools is one of the key factors ensuring transparency.⁶⁴⁷

C. The *demand for transparency* arises from the beneficiaries (1) and from facilitators (2).

It has to be noted that there do not seem to be an expressed demand for transparency from beneficiaries.⁶⁴⁸ Their demand for transparency is rather on a legible and coherent regulation.⁶⁴⁹ Indeed, beneficiaries are interested in their project and its financing rather than on the global goal of the policy led by the fund.⁶⁵⁰

However, some beneficiaries are interested in this list for **exchange of good practices**.⁶⁵¹ For instance, one of the beneficiary uses the portal to have access to examples of project.⁶⁵² First, she realised that European funds do not only intervene in infrastructure projects, and second, she learned about good practices or discovered interesting ideas for projects.⁶⁵³ To her, this qualitative information is a good means of generating new projects.⁶⁵⁴ In January 2016, 6,000 pages on exemplary projects have been viewed.⁶⁵⁵

The list could also be used to create **partnerships** with other beneficiaries: with the theme of the project, information of the convention (budget, agenda, and type of action set up) and a contact, the list could allow actors to work together or to mutualise knowledge or outcomes of a project.⁶⁵⁶ Beneficiaries also demand practical information on how to manage the subsidy they receive with tips, dos and don't.⁶⁵⁷

The simplification of the rules and procedures would constitute, according to facilitators, managing authorities or support services, a factor to improve transparency on EU funds.⁶⁵⁸ According to them, to be more transparent, it is of primary importance to be clearer and more straightforward.⁶⁵⁹

CONCLUSION AND RECOMMENDATION

In Auvergne Rhône-Alpes, the regulations on transparency are respected for the 2014 – 2020 period. Information on beneficiaries was already available for the 2007 – 2013 period. Managing authorities

⁶⁴⁶ Ibid.

⁶⁴⁷ Ibid.

⁶⁴⁸ Ministry of Agriculture, Regional Direction (DRAAF), Lempdes, May 9, 2016 ; Agence de Services et de Paiement (ASP), Limoges, May, 2, 2016 ; Agence de Services et de Paiement (ASP), Limoges, May, 13, 2016 ; Chambre Départementale de Commerce et d'industrie, Mozac, May 9, 2016

⁶⁴⁹ Ministry of Agriculture, Regional Direction (DRAAF), Lempdes, May 9, 2016 ; Agence de Services et de Paiement (ASP), Limoges, May, 13, 2016 ; Chambre Départementale de Commerce et d'industrie, Mozac, May 9, 2016 ; Communauté de communes de Sauxilange, Sauxilange, May 10, 2016

⁶⁵⁰ Ibid.

⁶⁵¹ Communauté de communes de Sauxilange, Sauxilange, May 10, 2016

⁶⁵² Ibid.

⁶⁵³ Ibid.

⁶⁵⁴ Ibid.

⁶⁵⁵ Commissariat Général à l'Égalité des Territoires (CGET), Paris, June 2, 2016

⁶⁵⁶ Pacific Community, Nouméa, May 12, 2016

⁶⁵⁷ Pacific Community, Nouméa, May 12, 2016 ; Communauté de communes de Sauxilange, Sauxilange, May 10, 2016

⁶⁵⁸ Ministry of Agriculture, Regional Direction (DRAAF), Lempdes, May 9, 2016 ; Agence de Services et de Paiement (ASP), Limoges, May, 2, 2016 ; Agence de Services et de Paiement (ASP), Limoges, May, 13, 2016

⁶⁵⁹ Ministry of Agriculture, Regional Direction (DRAAF), Lempdes, May 9, 2016 ; Agence de Services et de Paiement (ASP), Limoges, May, 2, 2016 ; Agence de Services et de Paiement (ASP), Limoges, May, 13, 2016

are mobilised to facilitate access to EU funds with communication and training actions. The network of partners is also involved in providing information on EU funds.

The publication of the lists of beneficiaries do not seem to facilitate information and accessibility of EU funds. First, the lists are not legible for general public. Second, beneficiaries do not use these lists (or even know them). They would be interested in more qualitative information on some projects. Third, to ensure the legibility of these lists, managing authorities would have to dedicate time and resources to explaining the administrative vocabulary and references used.

The main difficulty in terms of transparency is the dissemination of information with no single portal gathering information on EU funds invested in the country or the region with links to more precise information. It creates the need for contact points to relay information.

LIST OF “LISTS OF BENEFICIARIES”

Author	Title	Website	Funds	Access
<i>Agence de Services et de Paiements</i>	Cartographie des bénéficiaires	http://cartobenef.aspublic.fr/cartobenef/	ESF – ERDF (2007 – 2016)	May 6, 2016
<i>Agence de Services et de Paiements</i>	Publication des bénéficiaires des aides PAC	https://www.telepac.agriculture.gouv.fr/telepac/tbp/accueil/accueil.action	EAGF and EARDF	May 11, 2016
<i>Commissariat général à l'égalité des territoires</i>	Bénéficiaires des fonds 2014 - 2020	http://www.europe-en-france.gouv.fr/Rendez-vous-compte/Beneficiaires-des-fonds-2014-2020	ESF – ERDF (2014 – 2020)	April 29, 2016
<i>Conseil Régional Auvergne</i>	FEDER, FSE en Auvergne 2014 – 2020 : les projets cofinancés	http://opendata.auvergne-rhonealpes.eu/data/feder-et-fse-en-auvergne-2014-2020-projets-cofinances/7-feder-et-fse-en-auvergne-2014-2020-projets-cofinances.htm?tab=informations	ESF – ERDF (2014 – 2020)	May 10, 2016

GERMANY (BADEN-WÜRTTEMBERG)

CASE STUDY SUMMARY TABLE	
COUNTRY: Germany	
REGION: Baden-Württemberg	
AUTHOR: Michèle Finck	
Theme	Aspects/questions included:
1. Description of EU funds received in 2014 in the case study region⁶⁶⁰	See below
2. Type of final beneficiaries interviewed (select the applicable ones with a x)	<ul style="list-style-type: none"> • Firms: SME, mid-caps, large • NGOs • Local authorities X • Universities/Research centres • Facilitators X • Other: Federal Ministry of Agriculture
3. List of beneficiaries	<p>Does the region provide merely the respective minimum information required or does it go beyond?</p> <p>ESF: publication of information that goes beyond legal requirements ERDF: no list is published Agricultural Funds: adherence to legal requirements but does not go beyond.</p> <ul style="list-style-type: none"> • If it goes beyond, what is the additional information provided (e.g. location maps, more detailed project descriptions, impact data but also more generally project applications, minutes of meetings where funding decisions are made)? <p>ESF: (i) a brief operation summary (ii) the operation's start and end dates, (iii) the postcode and country, (iv) the operation's website, (v) the name of the category of intervention for the operation and (vi) its specific objective. ERDF: N/A Agricultural Funds: N/A</p> <ul style="list-style-type: none"> • How often is the data updated (annually as required or more frequently?)

⁶⁶⁰ This refers to amounts effectively paid, not amounts committed.

CASE STUDY SUMMARY TABLE

COUNTRY: Germany
REGION: Baden-Württemberg
AUTHOR: Michèle Finck

Theme	Aspects/questions included:
	<p>ESF: annually ERDF: N/A Agricultural Funds: annually</p> <ul style="list-style-type: none"> Is the list available in English (in addition to the national language/s) and are amounts listed in Euros (where the national currency is different)? <p>ESF: yes ERDF: N/A Agricultural Funds: no</p> <ul style="list-style-type: none"> Is all of the information provided available in digital format? <p>ESF: yes ERDF: N/A Agricultural Funds: yes</p> <ul style="list-style-type: none"> Does the list of beneficiaries contain any personal identifiers which would allow to link the data to other databases and can the data be aggregated? <p>No.</p>
4. Success and failure factors	<ul style="list-style-type: none"> Are evaluations of data transparency and accessibility being carried out? <p>Yes</p> <ul style="list-style-type: none"> What were the success factors in establishing data transparency and accessibility with regards to the different funds? <p>Decentralisation</p> <ul style="list-style-type: none"> What were the (potential) failure factors in establishing data transparency and accessibility? How can these be prevented/overcome? <p>Decentralisation</p>

CASE STUDY SUMMARY TABLE

COUNTRY: Germany

REGION: Baden-Württemberg

AUTHOR: Michèle Finck

Theme	Aspects/questions included:
	<ul style="list-style-type: none"> Are there any (positive or negative) not-intended side effects of data transparency and accessibility? <p>Potential beneficiaries refrain from participation to avoid their data being collected (ESF). For agricultural funds farmers now advertise funding received on open days.</p>
5. Sustainability and transferability	<ul style="list-style-type: none"> What should policy makers, programme managers, project managers and others willing to transfer this initiative to their contexts bear in mind when applying the approach concerned in another setting? <p>Laudable initiatives in Baden-Württemberg, such as the explanation of the funds and their operation in an 'easy language' format should be easily transferrable to other regions and Member States as they are not context-specific.</p>
6. Contextual factors	<ul style="list-style-type: none"> What governance factors have improved the transparency and accessibility? <p>Effort to improve transparency and accessibility dates back in time.</p> <ul style="list-style-type: none"> What conditions have (positively or negatively) influenced transparency and accessibility? <p>Decentralisation has been mentioned as a factor improving but also burdening transparency and accessibility.</p> <ul style="list-style-type: none"> Where is the highest demand for data transparency and accessibility felt? <p>Media</p>
7. Conclusions and recommendations	<p>With regard to the agricultural funds, all legal requirements are complied with whereas with regard to the ESF Baden-Württemberg goes well beyond. We would, however, recommend that the list of beneficiaries of the ERDF is published online, which is not currently the case.</p>
Annex 1: List of main databases	

DESCRIPTION OF EU FUNDS RECEIVED

In the year 2014, Germany was committed EUR 442,759 from the Cohesion Fund; EUR 5,356,527 from the EAGF; EUR 396,413 from the EMFF; EUR 4,654,902 from the ERDF; and EUR 737,607 from the ESF.⁶⁶¹ This information was gathered from the database of the Financial Transparency System, which however only provides information on funds that come from the EU budget and are paid directly by the Commission. As such this database provides no information regarding the distribution of these funds per Member State. This information can however be accessed through the website of the European Commission's representation in Germany, which lists Baden-Württemberg's share in these various funds is as follows. The *Land* will receive around EUR 618 million from the EAFRD for the period between 2014 and 2020.⁶⁶² It received EUR 676 million from this fund in the 2007-2013 funding period.⁶⁶³ The Land is further receiving around EUR 247 million in EFRE funding for the 2014-2020 funding period, and received EUR 33 million thereof in 2014.⁶⁶⁴ Between 2007 and 2013 Baden-Württemberg touched EUR 143 million from this fund.⁶⁶⁵ Regarding the ESF, Baden-Württemberg will receive about EUR 260 million for the 2014-2020 funding period and received EUR 35 million thereof in 2014. In the 2007-2013 funding period, the *Land* received a total of EUR 266 million.⁶⁶⁶

TYPE OF FINAL BENEFICIARIES INTERVIEWED

- A public servant administering the ESF fund in Baden-Württemberg
- A public servant administering the EAFRD, the EAGF and the EMFF in the federal Ministry of Agriculture
- An employee of a facilitator of the ESF in Baden-Württemberg, in this case an organization in Karlsruhe dedicated to combating unemployment.⁶⁶⁷
- A beneficiary of the ERDF
- A beneficiary of the ERDF

LIST OF BENEFICIARIES

The transparency and accessibility requirements with regard to the *EAGF, the EAFRD and the EMFF* are governed at federal level in Germany. The Federal Ministry for Agriculture is the national authority in charge of publishing data related to the agricultural and fisheries funds.⁶⁶⁸ It has created a specifically dedicated website, which provides insights about the funds that are distributed by the federal level and the *Länder*.⁶⁶⁹ The website dealing with the EAFRD and the EAGF explains the respective funds⁶⁷⁰

⁶⁶¹ On this, see the Financial Transparency System database, which is online at http://ec.europa.eu/budget/fts/index_en.htm.

⁶⁶² European Commission in Germany, 'Europa vor Ort in Baden-Württemberg', <http://presseportal.eu-kommission.de/index.php?id=168#c2090> (last accessed 2 May 2016).

⁶⁶³ Ibid.

⁶⁶⁴ Ibid.

⁶⁶⁵ Ibid.

⁶⁶⁶ Ibid.

⁶⁶⁷ AFB Arbeitsförderungsbetriebe GmbH, whose website is at <http://www.afb-karlsruhe.de/de/ueber-uns.html> (last accessed 3 May 2016).

⁶⁶⁸ Bundesministerium für Ernährung und Landwirtschaft, Veröffentlichung der Empfänger von EU-Agrarzahlungen, <https://www.bmel.de/DE/Landwirtschaft/Foerderung-Agrarsozialpolitik/Texte/VeroeffentlichungEUZahlungen.html> (last accessed 3 May 2014).

⁶⁶⁹ Bundesanstalt für Ernährung und Landwirtschaft, Startseite, www.agrar-fischerei-zahlungen.de (last accessed 4 May, 2016)

and provides a search-form which allows for the screening by (i) the name of the beneficiary or (ii) post-code or municipality.⁶⁷¹ The database provides the opportunity of either displaying the total amount of funds received or the amount per measure. ⁶⁷² The website and its database are in German, no English translation is available. No similar database exists regarding the EMFF but the same website allows for the downloading of lists of EMFF beneficiaries per *Bundesland* in a .pdf format.⁶⁷³ In the year 2014, eleven beneficiaries received EMFF funding in Baden-Württemberg.⁶⁷⁴ The relevant .pdf document lists the (i) code of the operation, (ii) beneficiary, (iii) operation's name and the (iv) national and EMFF contribution to the project in Euro.⁶⁷⁵ This document is only available in German.⁶⁷⁶

With regard to these funds, Germany has thus decided to comply with the minimum requirements under EU law without going any further. This has been explained by the fact that consultations with relevant stakeholders, such as agricultural interest groups and data protection agencies, revealed a reluctance to go beyond the strict minimum.⁶⁷⁷ The fact that information is solely provided in German and not in English was explained by the additional costs involved in translation and the lack of interest in such translation. A federal public servant indeed stated that he was unaware of the relevant authorities ever receiving requests for translation.⁶⁷⁸ The website is updated yearly at the end of May, on 24 May in the 2016 calendar year. In addition, periodic updates are carried out in case the sum allocated to a specific beneficiary is changes.⁶⁷⁹

Concerning the *ESF*, Baden-Württemberg has established a specifically dedicated website, which provides information on the fund, and also allows for the downloading of an .xls file that lists the beneficiaries.⁶⁸⁰ This list provides information on (i) the name of the operation, (ii) the name of the beneficiary, and (iii) the total eligible expenditure allocated to the operation. It is worth noting that the list goes beyond the minimum requirements in also providing (i) an operation summary (which is very brief such as 'Förderprogramm Coaching 2015'), (ii) the operation's start and end dates, (iii) the postcode and country, (iv) the operation's website, as well as (v) the name of the category of intervention for the operation and (vi) its specific objective. The latter two take the form of codes composed for numbers and letters that are difficult for the layperson to understand. The database has a total of 1131 entries and was last updated on 1 December 2015. It is updated annually.⁶⁸¹ The list is drafted in German and English and amounts are listed in Euro. The list provides no personal identifiers that allow for the linking of the data to other databases in order for data to be aggregated. The website also has much information addressed at potential beneficiaries, publishing, for instance,

⁶⁷⁰ Ibid.

⁶⁷¹ It is worth noting that a maximum of 1.500 search results can be displayed at once. http://www.agrar-fischerei-zahlungen.de/agrar_suche_hilfe.html#q05

⁶⁷² Bundesanstalt für Ernährung und Landwirtschaft, Häufig gestellte Fragen zur Suche EU-Agrarfonds, <http://www.agrar-fischerei-zahlungen.de/Suche> (last accessed 5 May 2016).

⁶⁷³ Bundesanstalt für Ernährung und Landwirtschaft, Empfänger EU-Fischereifonds, http://www.agrar-fischerei-zahlungen.de/Fischerei_empfaenger (last accessed 5 May 2016).

⁶⁷⁴ This file can be accessed under the following link: http://www.agrar-fischerei-zahlungen.de/eff/BW/Veroeffentli_chung.pdf.

⁶⁷⁵ Ibid.

⁶⁷⁶ Ibid.

⁶⁷⁷ Federal Ministry of Agriculture, Bonn, 4 May 2016.

⁶⁷⁸ Federal Ministry of Agriculture, Bonn, 4 May 2016.

⁶⁷⁹ Federal Ministry of Agriculture, Bonn, 4 May 2016.

⁶⁸⁰ Land Baden-Württemberg, ESF 2014-20, Liste der Vorhaben, [http://www.esf-bw.de/esf/service/liste-der-vorhaben/](http://www.esf-bw.de/esf/service/liste-der-vorhaben/http://www.esf-bw.de/esf/service/liste-der-vorhaben/) (accessed 25 April 2016).

⁶⁸¹ Baden-Württemberg Ministry of Work, Social Affairs, Family, Women and Seniors, Stuttgart, 15 April 2016.

the 'methods and criteria' relied on to select projects for the 2014-2020 funding period.⁶⁸² It explains which organs take these decisions⁶⁸³ and outlines the principles of the EU that must be respected when making the decision of who receives financing.⁶⁸⁴ The website moreover provides the necessary forms to apply for financial support.⁶⁸⁵ For the 2007-2013 funding period, .pdf documents were published online that listed (i) the beneficiary name, (ii) the name of the operation, (iii) the year of authorisation and full payment, (iv) the funds allocated (in Euros), and (v) the total amount of funds allocated at the end of the funding period.⁶⁸⁶ Information was provided only in German, not in English.

With regard to the *ERDF*, Baden-Württemberg has different websites for each funding period. The website for the 2007-2013 funding period⁶⁸⁷ has devoted an entire section to transparency, which explains that publication of details regarding awards is a legal requirement and links to a .pdf document that lists all funds that have been allocated.⁶⁸⁸ This list, available in German only, lists (i) the name of the beneficiary, (ii) the designation of the operation, (iii) the year in which funding was authorized, and (iv) either the amount of funding authorized or the amount of funding paid out by the end of the project.⁶⁸⁹ The regional ERDF website for the 2014-2020 funding period dedicates a section to examples of projects that received funding and introduces those in much depth.⁶⁹⁰ However, to this date, no complete list of beneficiaries can be found on the website. The region's information and communication strategy with regard to the ERDF, however, foresees that such a list is to be released during the course of 2016.⁶⁹¹ The information provided for individual projects includes, for instance, the project name and location, the objectives and value of the project, its costs and the funding that was received from EU and national sources.⁶⁹² The website's 'download centre'⁶⁹³ provides the possibility to download a document that contains information regarding the selection criteria and methods of employed when awarding ERDF funding.⁶⁹⁴ Baden-Württemberg has established a communications strategy with regard to the ERDF in 2015.⁶⁹⁵ In light of recommendations arising from a 2011 evaluation, which highlighted that the ERDF is simply too

⁶⁸² Land Baden-Württemberg, Methodik und Kriterien für die Auswahl von Vorhaben im Rahmen der ESF-Förderperiode in Baden-Württemberg 2014-2020, http://www.esf-bw.de/esf/uploads/media/Auswahlkriterien_Stand_26.11.2014_02.pdf (accessed 20 April 2016).

⁶⁸³ *Ibid.*, 1-3.

⁶⁸⁴ *Ibid.*, 2.

⁶⁸⁵ Land Baden-Württemberg, ESF 2014-20, Förderung beantragen und umsetzen, <http://www.esf-bw.de/esf/foerderung-beantragen-und-umsetzen/foerderung-foerderbereich-arbeit-soziales-allgemein/> (accessed 25 April 2016).

⁶⁸⁶ For the year 2009, see for instance Land Baden-Württemberg, ESF 2007-2013, Verzeichnis der Begünstigten für Baden-Württemberg, https://esfbw.de/esf/fileadmin/user_upload/download

ds/Ministerium_fuer_Arbeit_und_Soziales/Verzeichnis_der_Beguenstigten/ESF_Liste_der_Beguenstigten_2007_sortiert_01.pdf

⁶⁸⁷ Land Baden-Württemberg, RWB-EFRE, <http://rwb-efre.baden-wuerttemberg.de/> (accessed 5 May 2016).

⁶⁸⁸ Land Baden-Württemberg, Verzeichnis der Begünstigten in Baden-Württemberg 2007-2013, http://www.rwb-efre.baden-wuerttemberg.de/doks/Verzeichnis%20der%20Beg%C3%BCnstigten%2031%2012%202014_V2.pdf (accessed 3 May 2016).

⁶⁸⁹ *Ibid.*

⁶⁹⁰ Land Baden-Württemberg, EFRE, Projektbeispiele, <https://efre-bw.de/projektbeispiele/> (accessed 3 May 2016).

⁶⁹¹ Land Baden-Württemberg, Aufstellung der durchzuführenden Informations- und Kommunikationsmaßnahmen im Jahr 2016 gemäß Anhang XII Nr. 4. Buchstabe i) der ESI-VO zur Kommunikationsstrategie des EFRE-Programms Baden-Württemberg 2014-2020 Innovation und Energiewende, <https://efre-bw.de/wp-content/uploads/%C3%9Cbersicht-Kommunikationsaktivit%C3%A4ten-2016.pdf> (accessed 1 May 2016).

⁶⁹² See, by way of example, EFRE Baden-Württemberg, Stadt Pforzheim – Einrichtung eines Kreativwirtschaftszentrums im Gebäude Emma-Jaege-Bad, <https://efre-bw.de/projektbeispiele/stadt-pforzheim-einrichtung-eines-kreativwirtschaftszentrums-im-gebäude-emma-jaege-bad/> (accessed 3 May 2016).

⁶⁹³ Land Baden-Württemberg, EFRE, Downloadcenter, <http://www.efre-bw.de/downloadcenter/> (accessed 2 May 2016).

⁶⁹⁴ EFRE-Programm 'Innovation und Energiewende' in Baden-Württemberg 2014-2020, Auswahlkriterien und –methodiken für Vorhaben (Projektauswahlprinzipien) Regelungen (2014).

⁶⁹⁵ EFRE-Programm Baden Württemberg 2014-2020, Kommunikationsstrategie (2015), <https://efre-bw.de/wp-content/uploads/Kommunikationsstrategie.pdf> (accessed 16 April 2016).

complex to easily convey to citizens, the decision was taken to focus on specific projects financed the fund rather than the ERDF as such.⁶⁹⁶ In order to implement this new strategy, BW has improved and modernised its internet presence and started highlighting the contribution of the ERDF to specific projects in the region.⁶⁹⁷ It has been announced that a review of this strategy will be carried out.⁶⁹⁸

SUCCESS AND FAILURE FACTORS

This section aims to enumerate a number of factors of success and failure we identified regarding the transparency and accessibility of EU funds in Baden-Württemberg.

Baden-Württemberg carried out an **evaluation** of the Transparency Initiative with regard to the ESF via a third party in 2010.⁶⁹⁹ Moreover, an ex-ante evaluation of the ESF operational program for the 2014-2020 funding period took place in 2014 via an institute for social research.⁷⁰⁰ The issues of transparency and accessibility were not, however, central themes in this report. One issue worth highlighting is that this institute also carried out consultations with the public in the context of Baden-Württemberg's ESF communications strategy in line with the operational program.⁷⁰¹ This survey, which was aimed primarily at identifying whether people are aware of the existence of the ESF, was carried out in 2015 and is to be repeated at the end of the funding period in 2020.⁷⁰² To this end, 1,000 telephone interviews were carried out in 2015.⁷⁰³ Of those surveyed, 40% indicated to already have heard about the ESF⁷⁰⁴ and 43% about the ESIF.⁷⁰⁵ Students knew less about the funds than professionals and men seemed to have much more knowledge thereof than women.⁷⁰⁶ Most of those who knew about the funds had heard about them on television (57%) or read about it in the news (39%).⁷⁰⁷ Of those who had heard about the ESF, 52% indicated that they did not know what its inherent objectives are.⁷⁰⁸ Only 3% of those surveyed, however, could actually name a project that had received ESF funding.⁷⁰⁹ Baden-Württemberg further plans to review its current communications strategy with regard to the ERDF 2014-2020 funding period in 2017 and again in 2021.⁷¹⁰

A number of **success factors** in establishing data transparency and accessibility in Baden-Württemberg have been pinpointed. It has, for instance, been suggested that the decentralised administration of the funds (in Germany, but also in Baden-Württemberg, which is subdivided into

⁶⁹⁶ Ibid, 2.

⁶⁹⁷ Ibid, 2.

⁶⁹⁸ Ibid, 11.

⁶⁹⁹ Operationelles Programm "Chancen Fördern" – Der Europäische Sozialfonds in Baden-Württemberg. Evaluation des Kommunikationsplans, erstellt durch Uta Micic unter Mitarbeit von Kai Sattler und Jürgen Viedenz (2010).

⁷⁰⁰ Institut für Sozialforschung und Gesellschaftspolitik, Erstellung der Ex-ante Evaluierung des Operationellen Programms des Europäischen Sozialfonds (ESF) Baden-Württemberg in der Förderperiode 2014-2020. Abschließender Bericht der Ex-Ante Evaluierung (2014), http://www.esf-bw.de/esf/uploads/media/Bericht_der_Ex-ante_BW_04.pdf.

⁷⁰¹ Institut für Sozialforschung und Gesellschaftspolitik, Ergebnisse der Bevölkerungsbefragung 2016 zur ESF Kommunikationsstrategie. Bericht im Auftrag des Ministeriums für Arbeit, Sozialordnung, Familie, Frauen und Senioren Baden-Württemberg (2016), http://www.esf-bw.de/esf/uploads/media/Bevoelkerungsbefragung_ESF_2015_160302_02.pdf.

⁷⁰² Ibid, 1.

⁷⁰³ Ibid, 1.

⁷⁰⁴ Ibid, 2.

⁷⁰⁵ Ibid, 3.

⁷⁰⁶ Ibid, 3. (51% of men knew about the ESIF and 48% about the ESF whereas the numbers for women were 34% respectively 32%).

⁷⁰⁷ Ibid, 6.

⁷⁰⁸ Ibid, 7.

⁷⁰⁹ Ibid, 8.

⁷¹⁰ Land Baden-Württemberg, EFRE Programm Baden-Württemberg 2014-2020, Innovation und Energiewende, Bewertungsplan (2015), https://efre-bw.de/wp-content/uploads/Bewertungsplan_EFRE-2014-2020-BW_BA-genehmigt-23-06-2015.pdf (accessed 3 May 2016).

various districts administering the fund⁷¹¹) is furthering transparency and accessibility as activities can be specifically targeted at potential beneficiaries.⁷¹²

With regard to **(potential) failure factors** it is worth noting that the funds and their related procedures are said to be too complex to communicate easily.⁷¹³ It has, in this context, been deplored that the procedures are even becoming ever more complex.⁷¹⁴ A key complicating factor is considered to stem from the fact that with each funding period new regulations apply, which fund administrators need time to familiarise themselves with.⁷¹⁵ One actor we interviewed also indicated that the decentralised implementation of the fund contributes to such complexity.⁷¹⁶

Positive / negative side effects of data transparency and accessibility

One public servant we interviewed in Baden-Württemberg indicated that in some cases data collection goes too far, citing the example of the fact that where students participate in ESF-funded initiatives they are obliged to fill in questionnaires which require them to state, for instance, whether their parents are employed or not. This leads to students refraining from engaging in the initiative, as they are unwilling to provide this sensible information to third parties and, also, their fellow students.⁷¹⁷

More positive side-effects of data transparency and accessibility include the fact that, in the context of the EAFRD and the EAFG, where most beneficiaries are still unhappy with the publication requirements, some are now more enthusiastic as especially in the Eastern *Länder* where farmers have started to voluntarily display information about the funding they receive on the occasion of their yearly 'day of open doors'.⁷¹⁸

SUSTAINABILITY AND TRANSFERABILITY

At least a number of data transparency and accessibility initiatives with regard to EU funds in Baden-Württemberg seem to be readily transposable to other contexts. One example worth mentioning is that of the **Leichte Sprache** ('easy language') initiative, which applies to both the ESF and the ERDF. It is aimed at improving the accessibility of information for potential beneficiaries. The regional ESF website provides a link to a short document that provides an easy-to-read document.⁷¹⁹ It introduces the EU and its funds as well as the ESF and its inherent goals.⁷²⁰ A specific section deals with the modalities of applying for funds.⁷²¹ In addition, a five-minute video clip that explains the operation of

⁷¹¹ The map of these districts can be found under Land Baden-Württemberg, ESF, Regionale ESF-Arbeitskreise, <http://www.esf-bw.de/esf/foerderung-beantragen-und-umsetzen/regionale-foerderung-foerderbereich-arbeit-soziales/regi-onale-arbeitskreise/> (accessed 4 May 2016).

⁷¹² AFB Arbeitsförderungsbetriebe GmbH, Karlsruhe, 4 May 2016.

⁷¹³ Baden-Württemberg Ministry of Work, Social Affairs, Family, Women and Seniors, Stuttgart, 15 April 2016.

⁷¹⁴ Ibid.

⁷¹⁵ Ibid.

⁷¹⁶ Ibid.

⁷¹⁷ Ibid.

⁷¹⁸ Federal Ministry of Agriculture, Bonn, 4 May 2016.

⁷¹⁹ Land Baden-Württemberg, Der ESF 2014-20, Was ist der Europäische Sozialfonds (ESF)? Wer und wie wird gefördert?, <http://www.esf-bw.de/esf/leichte-sprache/europaeischer-sozialfonds-esf-allgemein/> (last accessed 3 May 2016).

⁷²⁰ Ibid, 1-2.

⁷²¹ Ibid, 5-6.

the ESF was produced.⁷²² A similar document is available on the ERDF website.⁷²³ Conveying the operation of the funds in easy language forms part of an overall policy of the region to make information more easily accessible.⁷²⁴ Another transferable initiative is that Stuttgart organises a yearly event on 9 May in the context of which the EU funds are presented to the broader public.⁷²⁵

It is interesting to point out that public servants have told us that they do rely on the relevant website of the EU Commission to see how other Member States public data with regard to the EAFG, the EAFRD and the EMFF.

CONTEXTUAL FACTORS

A. Governance factors that improved transparency and accessibility?

It is worth noting that BW already attempted during the 2007-2013 funding period to improve the visibility and transparency of the ESF through a number of combined factors, including presence at local events, the production and distribution of brochures and other promotional material, internet presence and newsletter, marketing ware, the creation of a logo and a slogan ("*Chancen fördern*"), and the facilitation of contact with the relevant administration.⁷²⁶

B. What conditions have (positively or negatively) influenced transparency and accessibility?

Some have argued that the decentralised administration of the funds is furthering transparency and accessibility as activities can be specifically targeted at potential beneficiaries.⁷²⁷ Other interview partners, however, argued that decentralisation rather complicates transparency and accessibility.⁷²⁸

C. Where is the highest demand for data transparency and accessibility felt?

With regard to the data published on the EAFG, the EAFRD and the EMFF, interest by stakeholders and also the media was high in the context of the first round of publication but has diminished ever since.⁷²⁹ The databases of the different funds also seem of use to local administrators of funds who say they have regard to what is happening in other parts of Germany to inform their own policies.⁷³⁰

CONCLUSIONS AND RECOMMENDATIONS

Overall, compliance with the relevant legal requirements in Baden-Württemberg is good, especially with regard to the ESF, EMFF and agricultural funds. Indeed, With regard to the agricultural funds, all

⁷²² This video is available under: <http://www.esf-bw.de/esf/youtube-film/>.

⁷²³ Land Baden-Württemberg, EFRE, Leichte Sprache, <https://efre-bw.de/leichte-sprache/> (accessed 4 May 2016).

⁷²⁴ Baden-Württemberg Ministry of Work, Social Affairs, Family, Women and Seniors, Stuttgart, 15 April 2016.

⁷²⁵ AFB Arbeitsförderungsbetriebe GmbH, Karlsruhe, 4 May 2016.

⁷²⁶ Operationelles Programm 'Chancen Fördern' – der Europäische Sozialfonds in Baden-Württemberg. Evaluation des Kommunikationsplans (2010), 10, http://www.esfbw.de/esf/fileadmin/user_upload/downloads/Evaluationsberichte_Publizitaet/BW_Evaluationsbericht_Kommunikation_Endversion.pdf (accessed 20 April 2016).

⁷²⁷ AFB Arbeitsförderungsbetriebe GmbH, Karlsruhe, 4 May 2016.

⁷²⁸ Baden-Württemberg Ministry of Work, Social Affairs, Family, Women and Seniors, Stuttgart, 15 April 2016.

⁷²⁹ Federal Ministry of Agriculture, Bonn, 4 May 2016.

⁷³⁰ AFB Arbeitsförderungsbetriebe GmbH, Karlsruhe, 4 May 2016.

legal requirements are complied with whereas with regard to the ESF Baden-Württemberg goes well beyond with laudable initiatives, such as that of 'easy language' which is a good best practice of facilitating access to information on the various European funds in shared management to the broader public. With regard to the ERDF, however, there is still considerable room for improvement to the extent that no list of beneficiaries had been published at the time we carried out our research. The main recommendation with regard to Baden-Württemberg is that this list be made publicly available as soon as possible.

LIST OF “LISTS OF BENEFICIARIES”

Author	Title	Website	Funds	Access
Bundesanstalt für Ernährung und Landwirtschaft	Startseite	www.agrar-fischerei-zahlungen.de	EAFG, EAFRD, EMFF	4/5/2016
Land Baden-Württemberg	ESF 2014-20, Liste der Vorhaben	http://www.esf-bw.de/esf/service/liste-der-vorhaben	ESF	25/4/2016
Land Baden-Württemberg	Verzeichnis der Begünstigten in Baden-Württemberg 2007-2013	http://www.rwb-efre.baden-wuerttemberg.de/doks/Verzeichnis%20der%20Beg%C3%BCnstigten%2031%2012%202014_V2.pdf	ERDF (2007 – 2013)	3/5/2016
Land Baden-Württemberg		n/a https://efre-bw.de does not yet contain a list of beneficiaries	ERDF (2014 – 2016)	3/5/2016

ITALY (LOMBARDIA)

CASE STUDY SUMMARY TABLE	
COUNTRY: Italy REGION: Lombardy AUTHOR: Filippo Teoldi	
Theme	Aspects/questions included:
1. Description of EU funds received in 2014 in the case study region	<ul style="list-style-type: none"> • Direct management: In 2014, 8 projects (EUR 1,109,787 of EU contribution)⁷³¹. In the entire 2014-2020 programming period, the total amount of funded projects in Lombardy will be EUR 205,735,513,000. • Shared management^{732 733}: In 2014, Italy spent: <ul style="list-style-type: none"> - N/A from EMFF⁷³⁴ - EUR 90.5 million from ERDF; - EUR 125.6 million from ESF; - EUR 128.5 million from EAFRD;
2. Overview of stakeholders interviewed (select the applicable ones with an X)	<ul style="list-style-type: none"> • Firms: SME, mid-caps, large X • NGOs X • Local authorities X • Universities/Research centres • Facilitators • Other: Ministry of Economic Development, OpenCoesione
3. List of beneficiaries	<ul style="list-style-type: none"> • Does the region provide merely the respective minimum information required or does it go beyond? ESF: adherence to legal requirements and additional information ERDF: adherence to legal requirements EAFRD: adherence to legal requirements EMFF: no list is published • If it goes beyond, what is the additional information provided (e.g. location maps, more detailed project descriptions, impact data but also more generally project applications, minutes of meetings where funding decisions are made)?

⁷³¹ According to Regional Decree n°2973, In 2014 30 projects were eligible. Among those, 8 have obtained funding, 7 have not passed the selections, 3 were admitted in the ranking without obtaining the funding and for the remaining 12 was still pending the evaluation process. Source: Regional Decree n°2973 – 19 December 2014

⁷³² Certification body, Lombardy Region, Milan, 17 May 2016

⁷³³ Data refers to amounts effectively paid, not amounts committed.

⁷³⁴ For EMFF, see section 3. In 2014, Italy spent 200.000 EUR from the 2007-2013 former EMFF ("Fondo per la Pesca") and 14,5 million from the European Territorial Cooperation (ETC).

<p>Using Lombardy's website, list of beneficiaries for ESF and ERDF includes: (i) Local identifier of operation (ii) Unique project code (empty)⁷³⁵, (iii) Beneficiary Fiscal Code;</p> <p>Using the national single portal (<i>OpenCoesione.it</i>), list of beneficiaries for ESF and ERDF includes: (i) the operation's website, (ii) category of intervention with specific objectives (iii) local and geo maps (iv) programmers and actuators subjects (v) number and description of the Operational Axis (vi) NACE⁷³⁶ (vii) Status of the projects⁷³⁷ (viii) expected start and end date of the projects (ix) regional co-financing rate (x) private co-financing rate⁷³⁸.</p> <ul style="list-style-type: none"> • How often is the data updated (annually as required or more frequently?) <p>ESF: at least every 6 months ERDF: at least every 6 months EAFRD: annually EMFF: N/A</p> <ul style="list-style-type: none"> • Is the list available in English (in addition to the national language/s) and are amounts listed in Euro (where the national currency is different)? <p>ESF: yes ERDF: yes EAFRD: yes EMFF: N/A</p> <ul style="list-style-type: none"> • Is all of the information provided available in digital format? <p>ESF: yes ERDF: yes EAFRD: no EMFF: N/A</p> <ul style="list-style-type: none"> • Does the list of beneficiaries contain any personal identifiers which would
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⁷³⁵ The Unique Project code ("*Codice Unico Progetto*") is a code given at the approval of the allocation of resources. After the conclusion of the project, it remains in the national database.

The Unique Project code is identified with an alphanumeric string of 15 characters. For more information: http://www.cipecomitato.it/it/in_primo_piano/mip_cup/cup/cup_che_cosa.html (accessed 15 May 2016). According to the regional authority civil servant interviewed, the Unique project code column is empty due to delay between local and national authorities.

⁷³⁶ For more information of NACE classifications (Nomenclature des Activités Économiques dans la Communauté Européenne), see http://ec.europa.eu/eurostat/ramon/nomenclatures/index.cfm?TargetUrl=LST_NOM_DTL&StrNom=NACE_REV2&StrLanguageCode=FR (accessed 17 May 2016)

⁷³⁷ "Status of the projects" can be *ongoing, not started or finished*.

⁷³⁸ For the entire list of available variable on *OpenCoesione* database, see the metadata.xls available on http://www.opencoesione.gov.it/opendata/Metadati_attuazione.xls (only in Italian, accessed 17 May 2016)

	<p>allow to link the data to other databases and can the data be aggregated?</p> <p>Using Lombardy's website and National single portal's website (Opencoesione.it):</p> <p>YES. Personal fiscal code (ID) and Unique project code</p>
<p>4. Success and failure factors</p>	<ul style="list-style-type: none"> • Are <u>evaluations</u> of data transparency and accessibility being carried out? Yes: Since 2010, OpenCoesione carries out an annual evaluation related to transparency and lists of beneficiaries at European level where around 363 ERDF and ESF Operational Programmes authorities are surveyed. • What were the <u>success factors</u> in establishing data transparency and accessibility with regards to the different funds? 1) Decentralisation of the governance of funds; 2) Creation of innovative procedures in order to simplify the procedures; 3) Early adoption of IT infrastructures and IT technologies. • What were the <u>(potential) failure factors</u> in establishing data transparency and accessibility? How can these be prevented/overcome? Fragmentation of EU and national legislation that hinders compliance of programming authorities⁷³⁹. In 2014 – 2020 programming period, smaller projects on average require higher effort by beneficiaries to comply with transparency requirements.⁷⁴⁰ • Are there any (positive or negative) not-intended <u>side effects of data transparency and accessibility</u>? Transparency and accessibility require the collection of data. This practice results in increased bureaucracy and higher efforts in applying to the call.⁷⁴¹
<p>5. Sustainability and transferability</p>	<ul style="list-style-type: none"> • <u>What</u> should policy makers, programme managers, project managers and others willing to transfer this initiative to their contexts <u>bear in mind when applying the approach</u> concerned <u>in another setting</u>? High level of transferability thanks to a mix of governance factors that can easily be replicated, as well as initiatives that stem from long-term investments (especially on early adoption of IT technologies), thus easily transferrable with IT investments.

⁷³⁹ Ministry of Economic Development, Rome, 5 May 2016.

⁷⁴⁰ ESF beneficiary, Milan, 13 May 2016.

⁷⁴¹ ESF and ERDF beneficiaries, Milan, 13 May 2016.

	Limits imposed by EU and national regulations can present an opportunity if the attitude towards transparency and data accessibility legislation is proactive. This translates to the need of promotion of funds, IT investments and institutional cooperation between national and regional authorities.
6. Contextual factors	<ul style="list-style-type: none"> • What governance factors have improved the transparency and accessibility? <p>Mix between balancing decentralisation at regional level and cooperation schemes between national and regional authorities</p> <ul style="list-style-type: none"> • What <u>conditions</u> have (positively or negatively) influenced transparency and accessibility? <p>Early adoption of IT technologies has helped enforcing a flexible system that relies on a “common language” both at regional and national level.</p> <ul style="list-style-type: none"> • Where is the highest <u>demand</u> for data transparency and accessibility felt? <p>Media and academia</p>
7. Conclusions and recommendations	Transparency and accessibility of data is a prerequisite for an accountable system that should pursue evaluation of projects as its main objective. Evaluation could help citizens understanding the utility of public resources and EU funds. The European Commission should include mandatory micro-evaluation reports on EU public funds.
Annex 1: List of main databases	See Annex 1

DESCRIPTION OF EU FUNDS RECEIVED

In the year 2014, Italy received EUR 510,111 from the Cohesion Fund; EUR 878,738 from the EAFG; EUR 7,750,234 from the EMFF; EUR 1,793,809 from the ERDF; and EUR 132,000 from the ESF. This information was gathered from the database of the Financial Transparency System, which however only provides information on funds that come from the EU budget and are paid directly by the Commission. As such this database provides no information regarding the distribution of these funds per Member State⁷⁴².

Italy, through 75 national and regional programs, benefits from European Structural Investment Fund (ESIF) funding of EUR 42.7 billion over the period 2014-2020 while National budget allocated to

⁷⁴² On this, see the Financial Transparency System database, which is online at http://ec.europa.eu/budget/fts/index_en.htm

structural funds reaches EUR 30.9 billion.⁷⁴³ During the previous programming period 2007 – 2013, Italy has benefited from EUR 27.9 billion funding from the European Commission, and EUR 31 billion from national resources.⁷⁴⁴ At National level - depending on the managed fund - different actors and Ministerial bodies have the responsibility to manage and coordinate the funds.⁷⁴⁵ OpenCoesione, an initiative of open government depending directly from the Presidency of the Council of Ministries, provides information and data on cohesion policies, utilisation of structural funds, as well as general information on projects and beneficiaries.⁷⁴⁶ In addition to ministerial bodies and national agencies, regional and local authorities cooperate to the implementation process.

In Italy, the general strategy of Open Government has been pursued as part of the Digital Agenda in adherence to the principles of Open Government Declaration and the International Open Data Charter.⁷⁴⁷ With respect to the transparency of public investments and funds, the main legal provisions are:

- a) "*Codice dell'amministrazione digitale*", which provides that data and documents of public administration should be "open by default", promoting their further utilisation and development.⁷⁴⁸
- b) "*Decreto Trasparenza*", which provides the principle of transparency as "*total accessibility of information about the organisation and activities of public administration, in order to encourage widespread forms of control over the pursuit of official duties and on use of public resources*". The Decree governs the procedures relating to the disclosure requirements on the websites of public administrations.⁷⁴⁹

In addition to national provisions, specific references to transparency of projects and funded entities are contained in the Cohesion Action Plan,⁷⁵⁰ following the commitments undertaken by the Italian Government as a result of the European Summit of the 26th October 2011, as well as the Partnership Agreement for 2014-2020⁷⁵¹, adopted on the 29th of October 2014, which identifies OpenCoesione as a single national website for the 2014-2020 programming period⁷⁵², as required by Article 115 of Regulation (EU) 1303/2013.⁷⁵³

Lombardy, located in the northern part of Italy,⁷⁵⁴ over the period 2007–2013 has benefited from ERDF (EUR 532 million⁷⁵⁵) and ESF (796 million⁷⁵⁶) funding, and will receive resources for more than

⁷⁴³ On this, see the Cohesion Data, which is online at <https://cohesiondata.ec.europa.eu/>.

⁷⁴⁴ CIPE Decision n.166/2007. In addition, for the 2007-2013 programming period see "*Relazione Annuale 2015 - I rapporti finanziari con l'Unione Europea e l'utilizzazione dei Fondi comunitari*", Italian Court of Auditors - Decision 1/2016.

⁷⁴⁵ In particular, the Territorial Cohesion Agency, Ministry of Economic Development, Ministry of Agriculture, Food and Forestry Policies and the Ministry of Labour and Social Policies.

⁷⁴⁶ On this, see Box 1.0 and <http://www.opencoesione.gov.it/> (accessed 15 May 2016 - in Italian).

⁷⁴⁷ Art. 47 of 5/2012 Legislative Decree - 9th February 2012 ("*Disposizioni urgenti in materia di semplificazione e di sviluppo*" – G.U. n.33, 9-2-2012).

⁷⁴⁸ 7/2005 Legislative Decree - 7 march 2005 ("*Codice dell'amministrazione digitale*" – G.U. n.112, 16-5-2005)

⁷⁴⁹ 33/2013 Legislative Decree - 14 march 2013 ("*Riordino della disciplina riguardante gli obblighi di pubblicit a, trasparenza e diffusione di informazioni da parte delle pubbliche amministrazioni*" - GU n.80, 5-4-2013)

⁷⁵⁰ Cohesion Action Plan, 15-11-2011, Fabrizio Barca, Minister of territorial cohesion.

⁷⁵¹ Italy's Partnership Agreement for 2014-2020 - September 2014 - Bruxelles. The Italy's Partnership Agreement can be accessed on the following link: <http://www.agenziacoessione.gov.it/it/AccordoPartenariato/> (accessed 14 May 2016 - in Italian).

⁷⁵² Section 4.2 of the Italy Partnership Agreement for 2014-2020 - September 2014 - Bruxelles

⁷⁵³ According to EU Regulation 1303/2013 - Chapter II - Article 115: 1. *Member States and managing authorities shall be responsible for: (a) drawing up communication strategies; (b) ensuring the establishment of a single website or a single website portal providing information on, and access to, all operational programmes in that Member State, including information about the timing of implementation of programming and any related public consultation processes; [...]*

⁷⁵⁴ In the 2007-2013 programming period, Lombardy was eligible to Objective 2. "Region" in Italy are defined as geographic area at Eurostat NUTS 2 level.

EUR 1.8 billion during the current phase 2014–2020. Looking at the thematic breakdown during the current programming cycle, funds will be divided into the ERDF, ESF and EAFRD. The ERDF and ESF both account for more than EUR 970.4 million (European and national contributions) over the period 2014–2020.⁷⁵⁷ In particular the ERDF will focus on 6 different axes, while the ESF develops four different areas.⁷⁵⁸ In addition the EAFRD - in the framework of the Rural Development programme for Lombardy - will be worth more than EUR 1.1 billion⁷⁵⁹ and will comprise 6 different areas of intervention.⁷⁶⁰

TYPE OF FINAL BENEFICIARIES INTERVIEWED

- A public servant administering EU funds at ministerial level;
- A public servant coordinating the Open-government initiative OpenCoesione⁷⁶¹;
- A public servant administering the ESF funds in Lombardy;
- A public servant administering the ERDF funds in Lombardy;
- A public servant working at the Certification body in Lombardy;
- A beneficiary of the ERDF;
- A beneficiary of the ESF;

⁷⁵⁵ 210 million from EU contribution, 321 million from national contribution. On the 31st-december-2015, total certified expenditure was 604 million. Source: www.opencoesione.gov.it (accessed 15 May 2016)

⁷⁵⁶ 337 million from EU contribution, 459 million from national contribution. On the 31st-december-2015, total certified expenditure was 483 million. Source: www.opencoesione.gov.it (accessed 15 May 2016)

⁷⁵⁷ Session of the Regional Council of Lombardy No. 73 of the 11th July, 2014.

⁷⁵⁸ For ERDF: Axis I - Enhancing Research, technological development and innovation; Axis - II Improving the access to the ICT, their use and quality; Axis - III Promoting competitiveness of SMEs; Axis IV - Supporting the transition towards a low carbon emission economy in all sectors; Axis V - Sustainable urban development; Axis VI Tourism strategy for internal areas.

For ESF: Axis I Employment and Labour; Axis II Social Inclusion; Axis III Education and Training; Axis IV Better Public Administration .

⁷⁵⁹ 499 millions from EU, 659 millions from National resources. The budget in 2014-2020 programming period is 113 millions bigger than the previous programming period. . Source: Decision n. 3895, Rural Development Program 2014-2020

⁷⁶⁰ Axis I - Knowledge transfer and innovation in agriculture, forestry and rural areas; Axis II - Competitiveness of agricultural sector and sustainable forestry; Axis III - Food chain organisation, including processing and marketing of agricultural products, animal welfare and risk management in agriculture; Axis IV - Restoring, preserving and enhancing ecosystems related to agriculture and forestry; Axis V - Resource efficiency and climate; Axis Social inclusion and local development in rural areas

⁷⁶¹ see Box 1.0

LIST OF BENEFICIARIES

Lombardy implements the ESF, ERDF, EAFRD and EMFF funds.⁷⁶² EAGF in the 2014–2020 programming will not be implemented in Lombardy.⁷⁶³ While for ERDF and ESF the responsibilities lie with the regional implementing authority, for the EAFRD and the EMFF, the responsibility of publishing data is to be found at national level, specifically on the portal “*Agenzia per le erogazioni in Agricoltura (AGEA)*”.⁷⁶⁴

EARDF

In the specific section on payments related to the agricultural and rural development beneficiaries, Lombardy's regional portal links directly to the national database.⁷⁶⁵ The AGEA website, through a search-form, provides information on agricultural beneficiaries, including information (i) the name of the beneficiary, (ii) postal code (iii) municipality, (iv) region and (v) the amount of payment corresponding to each measure financed by the funds (received by each beneficiary in the financial year concerned, including a breakdown of payment for each individual measure listed as well as the sum of these amounts), (vi) the nature and description of the measures financed, including the nature and objective of each measure.⁷⁶⁶ Although complete, the website does not allow for regional search criteria, making it impossible to select beneficiaries of a single region.⁷⁶⁷ The website and its database are both in Italian and English but the database is not downloadable. Each project/beneficiary can be clicked, showing a detail page that does not contain any additional information with respect to the beneficiary of the projects funded.⁷⁶⁸

EMFF

The EMFF is under direct responsibility of the Ministry of Agriculture, Food and Forestry Policies.⁷⁶⁹ The National Operating Program was approved on the 25th of November 2015.⁷⁷⁰ Due to overlaps between the 2007–2013 and 2014–2020 programming periods, lists of beneficiaries at regional level are only available until 2013.⁷⁷¹

ESF and ERDF

⁷⁶² ERDF and ESF Regional civil servant, Milan, 10 May 2016.

⁷⁶³ Ibid.

⁷⁶⁴ On this, see <http://www.sian.it/pubblAimu/start.do?lang=en>. The website is both in Italian and English. (accessed 14 May 2016) In particular, “*Notice is hereby given that, by 31 May 2016, the data relating to payments received by the beneficiaries in the financial year 2015 are published on the portal Agea pursuant to art. 111 of the EU Regulation. 1306/2013 and Chapter VI of the Implementing Regulation EU n. 908/2014. The publication is carried out using the tools provided by telematic Government Code, pursuant to art. 3 bis of Law no. 241/90 and subsequent amendments to Law no. 69/2009. The rights conferred by the rules on the protection of personal data and the procedures applicable for exercising these are covered by Directive 95/46 / EC of the European Parliament and of the Council of 24 October 1995.*”

⁷⁶⁵ <http://www.opr.regione.lombardia.it/cs/Satellite?c=Page&childpagename=ProgrammazioneComunitaria%2FMLayout&cid=1213318869228&pagename=PROCOMWrappere> (accessed 10 May 2016).

⁷⁶⁶ On this, see <http://www.sian.it/pubblAimu/beneficiari/start.do> (accessed 14 May 2016).

⁷⁶⁷ Ibid.

⁷⁶⁸ Ibid.

⁷⁶⁹ On this, see <https://www.politicheagricole.it/flex/cm/pages/ServeBLOB.php/L/IT/IDPagina/8752%20> (accessed 14 May 2016).

⁷⁷⁰ Decision C(2015) 8452-25/11/2015. The national OP is available at <https://www.politicheagricole.it/flex/cm/pages/ServeAttachment.php/L/IT/D/7%252F5%252Fa%252FD.8070dcefd2630bd877dc/P/BLOB%3AID%3D8752/E/pdf> (accessed 15 May 2016)

⁷⁷¹ On this, see <http://www.ue.regione.lombardia.it/cs/Satellite?c=Page&childpagename=ProgrammazioneComunitaria%2FPROCOMLayout&cid=1213327549224&p=1213327549224&pagename=PROCOMWrappere> (accessed 15 May 2016)

Concerning the ESF and ERDF, Lombardy has a dedicated section on the website that conveniently displays information on funds and regulations, as well as on the European regional policy.⁷⁷² In addition, the section contains information on all the operational funds implemented. For the ESIFs implemented in Lombardy, the following information are available: (i) General Information on the Program; (ii) Monitoring Committee, (iii) Call for application, (iv) List of Beneficiaries, (v) Communication, (vi) General Documentation, and (vii) Contacts.⁷⁷³

Focusing the analysis on beneficiaries, Lombardy's regional portal has registered an improvement in the transparency and accessibility of data.⁷⁷⁴ For the 2007-2013 programming period, lists of beneficiaries for ESF and ESRF were available only in Italian and in digital format (.pdf). Although in line with minimum requirements foreseen by regulation, the information reported was hardly manageable and exportable to other context.⁷⁷⁵ For the 2014-2020 programming period, the list of beneficiaries of ESF and ESRF are available also in English and in user-friendly digital format (.xls and .csv).⁷⁷⁶

ESF and ESRF list of beneficiaries provide information on (i) the Name of Operation, (ii) the Name of beneficiary, (iii) total eligible expenditure, (iv) Operation summary, (v) Operation start and end date, (vi) EU co-financing rate, (vii) Post-code and Country, (viii) Category of intervention, and (ix) Date of last update of the list of operations. Additional information such as (i) Local identifier of operation⁷⁷⁷, (ii) Unique project code⁷⁷⁸ and (iii) Beneficiary fiscal code is available on the published lists.⁷⁷⁹

Although the column "Unique project code" results empty,⁷⁸⁰ the number reported in the "Beneficiary fiscal code" can be used as a personal identifier thus helping the linking of data to other databases, especially those already published at national level by OpenCoesione.⁷⁸¹ Moreover, both "operation summary" and "category of intervention" help to understand the nature of the program and its main objectives. ESF has 184 entries and has been updated on the 31st December 2015, while the ERDF list of beneficiaries reports only 40 entries and was updated on the 18th of December 2015.⁷⁸² Data on beneficiaries are updated at least every 6 months, thus contributing to increase the utilization and appeal of data.⁷⁸³

⁷⁷² On this, see www.ue.regione.lombardia.it (accessed 12 may 2016).

⁷⁷³ Ibid.

⁷⁷⁴

⁷⁷⁵ Ibid.

⁷⁷⁶ On this, see the 2014-2020 Lombardy database, which is online at <http://www.ue.regione.lombardia.it/> (accessed 14 May 2016). In addition, label "Description of the programme" is the only label in Italian.

⁷⁷⁷ Local ID of operation ("*Codice Locale Progetto*") is the code assigned to the project in the local system.

⁷⁷⁸ The Unique Project code ("*Codice Unico Progetto*") is a code given at the approval of the allocation of resources. After the conclusion of the project, it remains in the national database.

⁷⁷⁹ On this, see the 2014-2020 Lombardy database, which is online at <http://www.ue.regione.lombardia.it/> (accessed 14 May 2016). The column of the spreadsheet, at the last date of consultation (14 May 2016) was empty.

⁷⁸⁰ The Unique Project Code column is empty due to delay between local and national authorities. ERDF and ESF Regional civil servant, Milan, 10 May 2016.

⁷⁸¹ On this, see OpenCoesione database, which is online <http://www.opencoesione.gov.it/opendata/> (accessed 14 May 2016)

⁷⁸² For ESF see http://www.ue.regione.lombardia.it/shared/ccurl/291/174/Lista_Beneficiari_FSE%202014-2020_31.12.2015.xlsx (accessed 15 May 2016)

For ERDF see

<http://www.ue.regione.lombardia.it/shared/ccurl/692/621/Elenco%20beneficiari%20FESR%20v1%2020151218.csv> (accessed 15 May 2016).

⁷⁸³ On this, see <http://www.ue.regione.lombardia.it/> (accessed 14 May 2016). In addition, ERDF and ESF Regional civil servant, Milan, 10 May 2016.

In addition to data on beneficiaries, it has been reported that complementary materials related to EU funds, providing additional information for enterprises, NGOs and local authorities when submitting their application are extremely useful for all the stakeholders involved.⁷⁸⁴ The guidelines are directly available on the portal of the regional implementing authority, which lists useful information on requirements of the projects to be submitted, criteria for the selection of beneficiaries and thematic breakdowns established by regional and EU development plans.⁷⁸⁵

Other relevant information concerns the eligible expenditure that might fall under the co-financing rules, eligibility requirements as well as practical information on the *call* and the process of application.⁷⁸⁶ In order to increase and develop a more engagement-led communication plan for the ESF and ERDF funds, Lombardy has published the communication strategy with regard to these funds.⁷⁸⁷ The report included guidelines for a more impactful and efficient communication plan.⁷⁸⁸ In this framework, a new website for Lombardy will be online by October 2016.⁷⁸⁹

This initiative follows requests to interact directly with the implementing authority in a user-friendly environment, which eventually could help modernise not only the portal but also the information published.⁷⁹⁰

⁷⁸⁴ ESF and ERDF beneficiaries, Milan, 13 May 2016.

⁷⁸⁵ On this, see the guidelines published on Lombardy's website:

<http://www.regione.lombardia.it/cs/Satellite?c=Attivita&childpagename=HomeSPRL%2FWrapperBandiLayout&cid=1213773448142&p=1213773448142&packedargs=locale%3D1194453881584&menu-to-render=1213301212544&pagename=HMSPRLWrapper&tipologia=Bandi+Europei> (last accessed on 14 May 2016).

⁷⁸⁶ Ibid.

⁷⁸⁷ ESF Communication Plan

http://www.ue.regione.lombardia.it/shared/ccurl/444/768/Allegato1_Strategia%20comunicazione%20POR%20FSE%202014-2020%20Regione%20Lombardia.pdf (accessed on 15 May 2016); ERDF Communication plan <http://www.ue.regione.lombardia.it/shared/ccurl/755/719/Strategia%20comunicazione%20POR%20FESR%202014-2020%20Regione%20Lombardia.pdf> (accessed on 15 May 2016);

⁷⁸⁸ Ibid.

⁷⁸⁹ ERDF and ESF Regional civil servant, Milan, 10 May 2016.

⁷⁹⁰ Ibid.

BOX 1.0 – The governmental initiative OpenCoesione⁷⁹¹

After the 2011 Cohesion Action Plan, an important initiative of the Italian government in 2012 was to launch a single web portal that could provide aggregate data on European structural and investment funds.⁷⁹² *OpenCoesione* is Italy's first national web portal on the implementation of investments programmed in the 2007-2013 cycle by Regions and State Central Administrations via cohesion policy resources.⁷⁹³ It had the aim of increasing transparency, using data already available at central national department (*RGS - IGRUE*) and making them public on a single web portal.⁷⁹⁴ Publication of data from 2012 on allowed Italian citizens to evaluate if and how implementation projects meet their objectives and whether financial resources are allocated effectively.⁷⁹⁵ The web portal contains information about each project carried out with the objective of implementing cohesion policy, and more specifically: funds used, places and categories, subjects involved and implementation timeframes. Datasets are updated every two months and published three months from the reference date.⁷⁹⁶ In addition, using ISTAT's *shapefiles*⁷⁹⁷ related to regions, provinces and municipalities, data are displayed with user-friendly local maps till NUTS 3 level.⁷⁹⁸ Maps also show the number of projects located at each level and the corresponding amount of resources allocated (total public sector funding and actual expenses).⁷⁹⁹ Users can easily download raw data or surf through interactive diagrams itemised by expenditure categories, places and type of intervention.⁸⁰⁰ According to the Partnership Agreement for 2014-2020, *OpenCoesione* will become the single national web portal.⁸⁰¹ Besides increasing the information on European public spending through structural funds, *OpenCoesione*'s widget will be implemented in all regional and local authorities.⁸⁰² In addition, one of the future objectives of *OpenCoesione*, according to our interviewees, will be to aggregate all Italian application financed by European structural funds.⁸⁰³

⁷⁹¹ For more information, visit www.opencoesione.gov.it (accessed on 15 May 2016);

⁷⁹² Ibid

⁷⁹³ Ibid.

⁷⁹⁴ Ibid.

⁷⁹⁵ Ibid.

⁷⁹⁶ *OpenCoesione*, Roma, 11 May 2016.

⁷⁹⁷ ISTAT is the Italian National Institute of Statistics. *Shapefiles* are geospatial vector data format for geographic information system (GIS).

⁷⁹⁸ Nomenclature of territorial units for statistics, abbreviated NUTS is a geographical nomenclature subdividing the economic territory of the European Union (EU) into regions at three different levels. The NUTS is based on Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003

⁷⁹⁹ For more information, visit www.opencoesione.gov.it

⁸⁰⁰ Ibid.

⁸⁰¹ Italy's Partnership Agreement for 2014-2020 - September 2014 - Bruxelles. The Italy's Partnership Agreement can be accessed under the following link: <http://www.agenziacoessione.gov.it/it/AccordoPartenariato/> (accessed 14 May 2016 - in Italian).

⁸⁰² *OpenCoesione*, Roma, 11 May 2016. (accessed 16 May 2016)

⁸⁰³ Ibid.

SUCCESS AND FAILURE FACTORS

The aim of this section is to enumerate a number of success and failure factors regarding the transparency and accessibility of EU funds in Lombardy. The main positive features of the experience in Lombardy pointed out by regional authorities vary depending on the fund implemented.⁸⁰⁴ In general, the main lessons learned are:

1. **Decentralisation of the governance of funds**, obtained by strong coordination with national implementing authorities as well as the appointment of independent managers across the different funds implemented;⁸⁰⁵
2. **Creation of innovative procedures**, such as the Multidisciplinary Working Group⁸⁰⁶ for the simplification of the applications (see below), established to simplify the procedures, with a specific focus on beneficiaries, in order to help them to apply to the calls;⁸⁰⁷
3. **Early adoption of IT infrastructures and IT technologies**. The *first mover advantage* dates back to the 2000 – 2006 programming cycle, not only in the implementation of an intensive regional IT programme, but also through the launch of a single national web portal (cfr Box 1) in 2012.⁸⁰⁸

One of the main hurdles encountered by the regional implementing authority is the lack of specific competences relating to the main axes of the funds.⁸⁰⁹ In Lombardy, the ERDF fund during the 2007–2013 phase envisaged projects spanning energy to infrastructure, research and development to sustainable mobility.⁸¹⁰ In a single region those competences, both in terms of contents and managerial skills, needed to be found in external contexts in coordination with national implementing authorities.⁸¹¹

In this framework, the creation of a Multidisciplinary Working Group, which consists of representatives from the implementing authority and other institutional representatives⁸¹², has helped to facilitate the selection of applications, in particular by easing the communication with the enterprises submitting the applications.⁸¹³ The working group aims at simplifying the procedures, lowering the burden of bureaucracy for applicants and helping all beneficiaries in applications for EU funding projects.⁸¹⁴

Finally, one of the main success factors that can be highlighted in the Lombardy experience is the early adoption of IT protocols and technologies are likely to be extremely helpful in the current 2014–

⁸⁰⁴ERDF and ESF Regional civil servant, Milan, 10 May 2016.

⁸⁰⁵ Ibid.

⁸⁰⁶ Regional Decree n. 1871 – 15 March 2016.

⁸⁰⁷ ERDF and ESF Regional civil servant, Milan, 10 May 2016.

⁸⁰⁸ Ibid.

⁸⁰⁹ Ibid.

⁸¹⁰ For more information visit ERDF Operational Programme 2007/20013 Lombardy, n° ERDF CCI 2007IT162PO006: <http://www.ue.regione.lombardia.it/shared/ccurl/383/394/POR%20FESR%20v%204.0%20120913.pdf>

⁸¹¹ ERDF and ESF Regional civil servant, Milan, 10 May 2016.

⁸¹² For more information visit ERDF Operational Programme 2007/20013 Lombardy, n° ERDF CCI 2007IT162PO006: <http://www.ue.regione.lombardia.it/shared/ccurl/383/394/POR%20FESR%20v%204.0%20120913.pdf>

⁸¹³ Ibid.

⁸¹⁴

2020 programming cycle.⁸¹⁵ Committed investments starting from 2006 have ensured higher compliance standards as the new regulations phased in, smoothing the process of publication of data both towards beneficiaries and national institutions. The same principle has been applied at national level, specifically through OpenCoesione, among the first open government initiatives in Europe on data accessibility of EU funded projects.⁸¹⁶

On the contrary, one of the critical factors often reported by all the civil servants interviewed, is the fragmentation of legislation. On the one hand, EU regulation referring to the 2014–2020 programming phase, although still in an early stage, has been reported to increase complexity *vis-à-vis* the previous cycle, both with regard to financial procedures as well as with respect to transparency.⁸¹⁷ On the other hand, other national institutions require additional procedures regarding transferability of public funds toward the private sector.⁸¹⁸ As already mentioned, national legislation approved in 2013 increased the burden of proof with respect to beneficiaries of public funds, adding to the bureaucracy of the process and its relative administrative complexity.⁸¹⁹

Beneficiaries interviewed also report that projects financed in the current 2014 – 2020 programming phase provide, on average, smaller financing than the previous programming. This, in addition to increased bureaucracy, consequently results in higher requests regarding administrative and financial data, which could discourage inexperienced and comparatively smaller applicants.⁸²⁰

SUSTAINABILITY AND TRANSFERABILITY

The first initiative worth mentioning regarding transparency and accessibility of data in Italy is the evaluation survey carried out annually by OpenCoesione⁸²¹. Started in 2010,⁸²² the survey analyses the data of lists of beneficiaries published by 363 ERDF and ESF Operational Programmes of the 27 EU countries of the 2007-2013 Programming, by directly visiting all the sites of the Managing Authorities of the Member States.⁸²³

In the last year, additional information was also collected via an online questionnaire, available for about 30 per cent of EU Operational Programmes, focusing on all the local implementing authorities of the European Union.⁸²⁴ The main assumption of this initiative is that evaluation represents a key

⁸¹⁵ ERDF and ESF Regional civil servant, Milan, 10 May 2016.

⁸¹⁶ OpenCoesione, Roma, 11 May 2016

⁸¹⁷ ERDF and ESF Regional civil servant, Milan, 10 May 2016.

⁸¹⁸ Ministry for Economic Development, Rome, 5 May 2016. For more on this please visit (in Italian): <http://www.anticorruzione.it/portal/rest/jcr/repository/collaboration/Digital%20Assets/anacdocs/MenuServizio/FAQ/Trasparenza/FAQ-Trasparenza-numerate.pdf> (accessed 15 May 2016)

⁸¹⁹ 33/2013 Legislative Decree - 14 March 2013 ("*Riordino della disciplina riguardante gli obblighi di pubblicità, trasparenza e diffusione di informazioni da parte delle pubbliche amministrazioni*") – G.U. n.80, 5-4-2013)

⁸²⁰ ESF and ERDF beneficiaries, Milan, 13 May 2016.

⁸²¹ Available in English at

<http://www.opencoessione.gov.it/media/files/pillola-29/A%20bit%20of%20OpenCoesione%20n.%2021-Trasparenza%20of%20lists%20of%20beneficiaries%20of%20Structural%20Funds%20in%20Europe.pdf> (accessed 14 May 2016).

⁸²² The survey was active already in 2010 although OpenCoesione was not officially reporting to the Presidency of the Council of Ministers.

⁸²³ Croatia has not been evaluated since the country joined EU-28 on the 1st July 2013.

⁸²⁴ The report is available in English, see

<http://www.opencoessione.gov.it/media/files/pillola-29/A%20bit%20of%20OpenCoesione%20n.%2021-Trasparenza%20of%20lists%20of%20beneficiaries%20of%20Structural%20Funds%20in%20Europe.pdf> (accessed 14 May 2016).

element for the accountability of public institutions and can encourage active participation from citizens and civil society.⁸²⁵

In addition, OpenCoesione implements “*A Scuola di OpenCoesione*”.⁸²⁶ The program, designed for Italian high school students, is composed of different sessions, spanning the use of innovative procedures and interdisciplinary skills (e.g. public policies, ICT, digital capacity, open data analysis) to on-site visits to public works and/or services financed by EU and national funds being developed in the territory.⁸²⁷

Part of the effort to spread knowledge on public funds is testified by the activity of monitoring the achievements and utilization of resources through “*Monitoring Marathons*” (*Moni-thons*).⁸²⁸ The aim of “*Monitoring Marathons*” is to promote the citizen monitoring of funded projects. In particular, Monithon is a web platform in which citizens can actively engage with open government data and extract valuable information.⁸²⁹ Technology and interactive visualisation tools are also available on the Monithon website, helping citizens play with the data and follow the most interesting projects.⁸³⁰

Aside from practical examples, interviews helped shed light on the methodology used to “fertilise” the environment and spread initiatives regarding transparency of public funds and accessibility of data.⁸³¹ Many of these achievements have been possible thanks to a strong collaboration between national and regional authorities, coordination of resources and compromise on sensible topics.⁸³² As an example, all the open government data publicly available is the result of a negotiation on key variables that all implementing authorities were requested to register and communicate homogeneously to the national certifying bodies.⁸³³ This *incremental improvement* methodology has helped in correcting mistakes, both at national and regional level, while also ensuring collaboration between the different institutions involved in the implementation of the funds.⁸³⁴

Limits imposed by EU and national regulations can present an opportunity if the attitude towards transparency and data accessibility legislation is proactive. This, as it emerged in the case study of Lombardy, translates to the need of promotion of funds, IT investments and institutional cooperation between national and regional authorities.⁸³⁵

⁸²⁵ Ibid.

⁸²⁶ “*A Scuola di OpenCoesione*” (ASOC), is an educational challenge and a MOOC (Massive Online Open Course), designed for Italian high-school students. ASOC was launched in 2013 within the open government strategy on cohesion policy carried out by the National Government, in partnership with the Ministry of Education and the Representation Office of the European Commission in Italy. The project is also supported by the European Commission’s network of Europe Direct Information Centres. For more information, visit <http://www.ascuoladiopencoesione.it> (accessed 14 May 2016).

⁸²⁷ Ibid.

⁸²⁸ For more on *Monithon* information, visit <http://www.monithon.it> (accessed 14 May 2016)

⁸²⁹ Ibid.

⁸³⁰ Ibid.

⁸³¹ See Appendix 2 for the list of interviewed.

⁸³² OpenCoesione, Rome, 11 May 2016

⁸³³ Article 11, Law n.3/2003 (cfr. “Progetto Unitario”) in which the Unique Project Code has become a tool to uniquely identify each public investment project through a common and valid coding for all governments and for individuals, public and private, involved in the life cycle of projects.

⁸³⁴ Ibid.

⁸³⁵ ERDF and ESF Regional civil servant, Milan, 10 May 2016

CONTEXTUAL FACTORS

With respect to governance, successful initiatives at regional level were implemented by balancing decentralisation, which in Lombardy envisaged the autonomous designation of managers across the different axes of EU funds, and national obligations, specifically through a collaborative scheme following an *incremental approach*.⁸³⁶ This has helped in establishing minimum standards on measurement of data, as well as on protocols regarding the implementation of the above-mentioned funds.⁸³⁷

Although governance is key to ensuring a smooth process, some exogenous conditions have played a major role: early adoption of IT technologies has helped in enforcing a flexible system that relies on a *common language* while ensuring flexibility and independence of regional implementing authorities.⁸³⁸ Today, just before another major change consisting of a shift of the responsibility of dissemination and publicity back to the national level, this collaboration will count on decentralised contribution and already tested monitoring skills developed at national level.⁸³⁹

Finally, data transparency demand by two different categories over the last years has shaped the offer of public data: media and academia have driven the development of tools and procedures available to the public.⁸⁴⁰ This behavior, partially rooted in the territory and within the public debate over the topic, could be also looked at as a result of the increasing importance of public funds in the landscape of national investments.⁸⁴¹

CONCLUSIONS AND RECOMMENDATIONS

The case study reported above highlights the importance of several factors in the development of a transparent and accessible ecosystem with respect to European public funds. While efforts need to be made in establishing stronger cooperation agreement at EU level, it has often been reported that transparency is hardly helpful when not followed by scientific evaluation at the level of single projects.⁸⁴² It is necessary that evaluation take place not only at regional and national level but more importantly at the level of single projects. Interviewees have suggested that public lists of beneficiaries should contain a thoughtful description of the project and its main achievements, not only with respect to the financial resources received but also on the impact that those resources have had on other variables,⁸⁴³ leveraging on counterfactual and causal effect methodologies.⁸⁴⁴ The definition of measures to quantify project's impact should be urgently agreed in order to effectively spend public funds and make the process more efficient. The transparency of the system should lead to the availability of data for the scientific community: the accessibility of data is necessary but not sufficient condition for the use of public funds.

⁸³⁶ Ibid.

⁸³⁷ Ibid.

⁸³⁸ ERDF and ESF Regional civil servant, Milan, 10 May 2016.

⁸³⁹ Article 115 (2) of the Common Provisions Regulation suggest that data shall be accessible through a single website.

⁸⁴⁰ OpenCoesione, Rome, 11 May 2016

⁸⁴¹ Ibid.

⁸⁴² Ibid.

⁸⁴³ ESF and ERDF beneficiaries, Milan, 13 May 2016.

⁸⁴⁴ See IRVAP (2012) Counterfactual impact evaluation of Cohesion policy: impact and cost-effectiveness of investment subsidies in Italy & Perotti-Teoldi (2014)

List of “Lists of beneficiaries”

LEVEL	DATABASE	WEBSITE	UPDATE
Database-national level	List of beneficiaries of European Funds (2007-2013) in Italy	http://www.opencoesione.gov.it/opendata/soggetti_FS0713.zip	31 March 2016
	List of Projects of European Funds (2007-2013)	http://www.opencoesione.gov.it/opendata/progetti_FS0713.zip	31 March 2016
	Examples of projects financed in Italy through FSE	http://ec.europa.eu/esf/main.jsp?catId=46&langId=it&keywords=&theme=0&country=386&list=1 b	
Database-regional level (Lombardy) <u>2007-2013</u> <u>Programming Period</u>	List of beneficiaries of Lombardy ERDF 2007-2013 -	http://www.ue.regione.lombardia.it/shared/ccurl/719/342/Lista%20Beneficiari%20al%20aprile%202016.pdf	4th April 2016
	List of beneficiaries of Lombardy ESF 2007-2013 - year 2015	http://www.ue.regione.lombardia.it/cs/Satellite?c=Redazionale_P&childpagename=ProgrammazioneComunitaria%2FDetail&cid=1213786451768&packedargs=NoSlotForSitePlan%3Dtrue%26menu-to-render%3D1213331157032&pagename=PROCOMWrapper	
	List of beneficiaries of Lombardy ESF 2007-2013 - year 2014	http://www.ue.regione.lombardia.it/cs/Satellite?c=Redazionale_P&childpagename=ProgrammazioneComunitaria%2FDetail&cid=1213716763439&packedargs=NoSlotForSitePlan%3Dtrue%26menu-to-render%3D1213331157032&pagename=PROCOMWrapper	
	List of beneficiaries of Lombardy ESF 2007-2013 - year 2013	http://www.ue.regione.lombardia.it/cs/Satellite?c=Redazionale_P&childpagename=ProgrammazioneComunitaria%2FDetail&cid=1213678235687&packedargs=NoSlotForSitePlan%3Dtrue%26menu-to-render%3D1213331157032&pagename=PROCOMWrapper	
	List of beneficiaries of Lombardy ESF 2007-2013 - year 2012	http://www.ue.regione.lombardia.it/cs/Satellite?c=Redazionale_P&childpagename=ProgrammazioneComunitaria%2FDetail&cid=1213606593091&packedargs=NoSlotForSitePlan%3Dtrue%26menu-to-render%3D1213331157032&pagename=PROCOMWrapper	
	List of beneficiaries of Lombardy ESF 2007-2013 - year 2011	http://www.ue.regione.lombardia.it/cs/Satellite?c=Redazionale_P&childpagename=ProgrammazioneComunitaria%2FDetail&cid=1213503684070&packedargs=NoSlotForSitePlan%3Dtrue%26menu-to-render%3D1213331157032&pagename=PROCOMWrapper	
	List of beneficiaries of Lombardy ESF 2007-2013 - year	http://www.ue.regione.lombardia.it/cs/Satellite?c=Redazionale_P&childpagename=ProgrammazioneComunitaria%2FDetail&cid=1213412006666&packed	

	2010	args=NoSlotForSitePlan%3Dtrue%26menu-to-render%3D1213331157032&pagename=PROCOM Wrapper	
	List of beneficiaries of Lombardy ESF 2007-2013 - year 2009	http://www.ue.regione.lombardia.it/cs/Satellite?c=Redazionale_P&childpagename=ProgrammazioneComunitaria%2FDetail&cid=1213331143599&packedargs=NoSlotForSitePlan%3Dtrue%26menu-to-render%3D1213331157032&pagename=PROCOM Wrapper	
	List of beneficiaries of Lombardy ESF 2007-2013 - year 2008	http://www.ue.regione.lombardia.it/cs/Satellite?c=Redazionale_P&childpagename=ProgrammazioneComunitaria%2FDetail&cid=1213296618202&packedargs=NoSlotForSitePlan%3Dtrue%26menu-to-render%3D1213331157032&pagename=PROCOM Wrapper	
Database-regional level (Lombardy <u>2014-2020</u> Programming Period)	List of beneficiaries of Lombardy ERDF 2014-2020 -	http://www.ue.regione.lombardia.it/shared/ccurl/363/420/Elenco%20beneficiari%20FESR%20v1%2020151218.xlsx	18th December 2015

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POLAND

CASE STUDY SUMMARY TABLE

COUNTRY: Poland

REGION: Poland/Mazowieckie Voivodship

AUTHOR: Katarzyna Krok-Czyż

Theme	Aspects/questions included:
1. Description of EU funds received in 2014 in Poland	<ul style="list-style-type: none"> Direct management: <ul style="list-style-type: none"> EU budget centrally administered by the Commission: EUR 744,322,973⁸⁴⁵ 10th European Development Fund (EDF): EUR 599,615⁸⁴⁶ Shared management: type of fund and value for each (value of EU contribution):⁸⁴⁷ <ul style="list-style-type: none"> ERDF EUR 40.2 billion ESF EUR 13.5 billion CF EUR 23.2 billion EAFRD EUR 8.5 billion EMFF EUR 0.5 billion
2. Overview of the stakeholders interviewed	<ul style="list-style-type: none"> NGOs X Local authorities X National authorities X Universities/Research centres X Facilitators X
3. List of beneficiaries	<ul style="list-style-type: none"> Does the country/region provide merely the respective minimum information required or does it go beyond? <p>ESF, ERDF,CF: publication of information that goes beyond legal requirements</p> <p>EAFRD: adherence to legal requirements, but only beneficiaries from 2014</p> <p>EMFF: below legal requirements</p> If it goes beyond, what is the additional information provided (e.g. location maps, more detailed project descriptions, impact data but also more generally project applications, minutes of meetings where funding decisions are made)? <p>ESF, ERDF,CF: publication of information that goes beyond legal requirements</p> <p>EAFRD: adherence to legal requirements, but only beneficiaries from 2014</p> <p>EMFF: below legal requirements</p>

⁸⁴⁵ Financial Transparency System, http://ec.europa.eu/budget/fts/index_en.htm, (last accessed 09 May.2016)

⁸⁴⁶ Ibid.

⁸⁴⁷ Data based on: The Partnership Agreement –Programming of the financial perspective 2014-2020, Ministry of Infrastructure and Development, Warsaw, 23 May 2014, https://www.funduszeuropejskie.gov.pl/media/883/Umowa_Partnerstwa_eng.pdf, (last accessed 09 May.2016)

CASE STUDY SUMMARY TABLE

COUNTRY: Poland

REGION: Poland/Mazowieckie Voivodship

AUTHOR: Katarzyna Krok-Czyż

Theme	Aspects/questions included:
	<ul style="list-style-type: none"> • How often is the data updated (annually as required or more frequently?) ESF, ERDF,CF: regularly – every month EAFRD: only data from 2014 updated annually EMFF: last data from 2014 updated annually • Is the list available in English (in addition to the national language/s) and are amounts listed in Euro (where the national currency is different)? ESF, ERDF,CF: yes EAFRD: no/yes (description of <i>nature and description</i> of the measures financed) EMFF: no • Is all of the information provided available in digital format? ESF, ERDF, CF: yes EAFRD: yes (after export to the XLS format) EMFF: yes • Does the list of beneficiaries contain any personal identifiers which would allow linking of the data to other databases and can the data be aggregated? ESF, ERDF, CF: yes (beneficiary name and municipality) EAFRD: yes (postal code, municipality, beneficiary name) EMFF: no (personal identifiers only in case of firms, institution)
<p>4. Success and failure factors</p>	<ul style="list-style-type: none"> • Are <u>evaluations</u> of data transparency and accessibility being carried out? Yes • What were the <u>success factors</u> in establishing data transparency and accessibility with regards to the different funds? Common information tools (website, network of the information points) for all structural funds Usage of the mass media as well as social media to promote EU funds • What were the <u>(potential) failure factors</u> in establishing data transparency and accessibility? How can these be prevented/overcome? Administrative overload for (potential) beneficiaries and complicated bureaucratic language of documents • Are there any (positive or negative) not-intended <u>side effects of data transparency and accessibility</u>? Popularization and dissemination of knowledge about the EU funds

CASE STUDY SUMMARY TABLE**COUNTRY: Poland****REGION: Poland/Mazowieckie Voivodship****AUTHOR: Katarzyna Krok-Czyż**

Theme	Aspects/questions included:
5. Sustainability and transferability	<ul style="list-style-type: none"> • <u>What</u> should policy makers, programme managers, project managers and others willing to transfer this initiative to their contexts <u>bear in mind when applying the approach</u> concerned <u>in another setting</u>? <p>Simplification of the language of the documents should be easily transferrable to other regions and Member States as they are not context-specific.</p> <p>The coordination of the management of the EU funds in the Polish case facilitates transparency and accessibility of comparable data on EU funds, whereas separation hinders the accessibility.⁸⁴⁸</p>
6. Contextual factors	<ul style="list-style-type: none"> • What governance factors have improved the transparency and accessibility? <p>Harmonization of procedures for gathering the information about projects and beneficiaries, efforts to improve transparency and accessibility in accordance with the outcomes from evaluation and making use of the recommendations from the reports.</p> <ul style="list-style-type: none"> • What <u>conditions</u> have (positively or negatively) influenced transparency and accessibility? <p>A central information system that provides complete communication between the beneficiary and the Implementing Authority by electronic means. The increase in the quantity and range of information posted on the websites of the institutions.</p> <ul style="list-style-type: none"> • Where is the highest <u>demand</u> for data transparency and accessibility felt? <p>Expectation of the change to the quality of information about EU funds (more practical trainings and , case studies, examples dedicated to the narrow groups of stakeholders,).</p> <p>Shortage of the sources of information regarding the EAFRD EMFF in Poland in comparison to other funds.</p>
7. Conclusions and recommendations	<p>With regard to the ESF, ERDF and Cohesion Fund all legal requirements at the national level and Mazowieckie Voivodship level are complied with and even go beyond. In the case of the EARDEF, only the minimum requirements are complied with at national level, whereas in case of EMFF data are below requirements.</p> <p>Therefore, we recommend publishing the lists of all beneficiaries of EARDEF and EMFF online and tend to unify them with the list of beneficiaries of ESF, ERDF and CF.</p>

⁸⁴⁸ Enhanced coordination of programming and implementation of regional operational programmes by the minister responsible for regional development has been ensured. It includes both vertical coordination with sectoral policies, as well as horizontal coordination to ensure uniform standards and rules, mainly through binding guidelines of the minister responsible for regional development.

CASE STUDY SUMMARY TABLE**COUNTRY: Poland****REGION: Poland/Mazowieckie Voivodship****AUTHOR: Katarzyna Krok-Czyż**

Theme	Aspects/questions included:
Annex 1: List of main databases	Attached at the end of the report

DESCRIPTION OF EU FUNDS RECEIVED

Poland is the largest beneficiary of Union financial assistance.⁸⁴⁹ The EU allocation for the programming period 2014–2020 amounts EUR 82.5 billion.⁸⁵⁰ The 2014–2020 EU Funds will be implemented in Poland by means of 6 National Operational Programmes managed at national level by the Ministry of Economic Development⁸⁵¹ and 16 Regional Operational Programmes managed at Voivodship/ Regional level by 16 Marshal's Offices.⁸⁵² All of these will be financed from three EU funds – the Cohesion Fund, ERDF and ESF, with national co-financing.⁸⁵³ The largest amounts will be invested in transport infrastructure (road and railway), though the highest growth is expected to occur in the area of innovation and support for entrepreneurs.⁸⁵⁴ ERDF funds also finance the European Territorial Cooperation Programmes in Poland with EUR 0.7 billion for the 2014-2020 period.⁸⁵⁵

Furthermore, Poland will implement the Rural Development Programme financed by the European Agricultural Fund for Rural Development (EAFRD) with an allocation of EUR 8.5 billion.⁸⁵⁶ The Ministry of Agriculture and Rural Development manages it at national level.⁸⁵⁷ The Operational Programme Fisheries and the Sea with an allocation of EUR 0.5 billion, financed from European Maritime & Fisheries Fund (EMFF), is managed by the Ministry of Maritime Economy and Inland Navigation.⁸⁵⁸

Regional level –Mazowieckie Voivodship

The EU allocation for the programming period 2014–2020 for Mazowieckie Voivodship in frame of the Regional Operational Programme amounts EUR 2.08 billion (EUR 1.54 billion from ERDF, EUR 0.54

⁸⁴⁹ Based on: http://ec.europa.eu/regional_policy/pl/funding/available-budget/, (last accessed 8 May 2016)

⁸⁵⁰ Ibid. 3

⁸⁵¹ Since 09.11.2015 Ministry of Economic Development (www.mr.gov.pl), previously since 27.11.2013 Ministry of Infrastructure and Development (www.mir.gov.pl), previously Ministry of Regional Development

⁸⁵² All the Operational Programmes and the EWT Programmes implemented in Poland can be found on the website: <https://www.funduszeuropejskie.gov.pl/strony/o-funduszach/dokumenty/#/10515=3142> (last accessed 16 May 2016)

⁸⁵³ Ibid. 3, see also the description of the EU funds implementation system on the official website of the Managing Authority <https://www.funduszeuropejskie.gov.pl/strony/o-funduszach/dokumenty/#/10515=3142>, (last accessed 14 April 2016)

⁸⁵⁴ Ibid. 3, see also: <http://www.funduszeuropejskie.gov.pl/strony/o-funduszach/zasady-dzialania-funduszy/fundusze-europejskie-w-polsce/>, (last accessed 14 April 2016)

⁸⁵⁵ Ibid. 3, see also <http://www.ewt.gov.pl/strony/o-programach/przeczytaj-o-programach/>, (last accessed 14 April 2016)

⁸⁵⁶ Website of the operational programme: <http://www.minrol.gov.pl/Wsparcie-rolnictwa/PROW-2014-2020>, (last accessed 10 May 2016)

⁸⁵⁷ Website of the Managing Authority: <https://www.minrol.gov.pl>, (last accessed 10 May 2016)

⁸⁵⁸ Website of the operational programme : <http://www.minrol.gov.pl/MGMiZS/PO-RYBY-2014-2020> , Website of the Managing Authority: <https://www.mgm.gov.pl/>, (last accessed 10 May 2016)

billion from ESF).⁸⁵⁹ Funds from the EAFRD for the Mazowieckie amount to EUR 1.17 billion for the period 2014-2020.⁸⁶⁰

TYPE OF FINAL BENEFICIARIES INTERVIEWED

- A public servant responsible for coordination of the implementation of the structural funds in Poland in the Ministry of Economic Development (Managing Authority)
- A public servant managing the structural funds in Poland in the Ministry of Economic Development (Managing Authority), responsible for information and promotion activities
- A public servant managing the structural funds in Poland in the Ministry of Economic Development (Managing Authority), responsible for information and promotion activities, member of INFORM network
- A public servant implementing the structural funds in Mazowieckie Voivodship in the Mazovian Unit of EU Programmes Implementation in Warsaw (Implementing Authority), responsible for information and trainings of beneficiaries
- A facilitator – federation of NGOs monitoring Operational Programmes in Poland
- A beneficiary of several projects financed from the ERDF and EFS
- A beneficiary of several projects financed from the ERDF and ESF

LIST OF BENEFICIARIES

National Level

The most important system implemented for gathering information on EU funds in Poland for the period 2004-2013 was the National Information System Database (SIMIK).⁸⁶¹ It gathered data on Programmes and projects co-financed only by the ERDF, ESF, CF in the format required by the European Commission.⁸⁶² On the basis of the SIMIK, several standardised reports(databases) in editable .xls format were generated and published regularly online.⁸⁶³ Reports on projects financed in 2007-2013 period provide the following set of information: number of contracts for co-financing by the projects, programs, levels of implementation, provinces, counties, municipalities, data on beneficiaries, subject, priority, legal form, if the project completed. Information is also provided on terminated or canceled contracts, but without information on beneficiaries.

In the 2014-2020 period, SIMIK is replaced by Centralny system teleinformatyczny (SL2014).⁸⁶⁴ The set of data on projects in Poland co-financed by Structural Funds, which are published on-line in editable

⁸⁵⁹ The Partnership Agreement –Programming of the financial perspective 2014-2020 , Ministry of Infrastructure and Development, 23 May 2014, https://www.funduszeuropejskie.gov.pl/media/883/Umowa_Partnerstwa_eng.pdf, (last accessed 09 May 2016)

⁸⁶⁰ Program Rozwoju Obszarów Wiejskich na lata 2014–2020 (PROW 2014–2020), The Ministry of Agriculture and Rural Development, 12 April 2014, <http://www.minrol.gov.pl/pol/Wsparcie-rolnictwa/PROW-2014-2020>, (last accessed 10 May 2016)

⁸⁶¹ SIMIK was a comprehensive information system for the collection of data to handle projects from the stage of payment requests to the stage of reporting to the European Commission. Its purpose was to improve control and monitoring tasks of the operational programmes and more general of the Cohesion Policy, <http://www.funduszeuropejskie.2007-2013.gov.pl/AnalizyRaportyPodsumowania/Strony/KSI.aspx>, (last accessed 14 April 2016)

⁸⁶² Council Regulation (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999 (Art. 58 lit. d)

⁸⁶³ Data bases for 2007-2013:

http://www.funduszeuropejskie.2007-2013.gov.pl/NaborWnioskow/listabeneficjentow/Strony/Lista_beneficjentow_FE_310316.aspx, (last accessed 12 May 2016)

⁸⁶⁴ Wytoczne w zakresie warunków gromadzenia i przekazywania danych w postaci elektronicznej na lata 2014 -2020; Minister Infrastruktury i Rozwoju, Warszawa, marzec 2015, https://www.funduszeuropejskie.gov.pl/media/1618/Wytoczne_gromadzenie_danych_20150303_zatwierdzone.pdf, (last accessed 05 May 2016)

.xls format is expanded.⁸⁶⁵ It provides the following set of information: project name, project summary, contract number, beneficiary name, fund, Programme, priority axis, measure, submeasure, total project value (PLN, for ETC projects EUR), total eligible expenditure (PLN, for ETC projects EUR), amount of EU co-financing (PLN, for ETC projects EUR), union co-financing rate (%), form of finance, project location, territory type, project start date, project end date, project implemented under competitive or non-competitive procedure, area of economic activity, area of project intervention, project thematic objective, EFS secondary theme, project implemented under territorial delivery mechanisms.

An additional online tool developed by the Ministry of Economic Development that gathers information on all projects co-financed from EU funds (ERDF, EFS, CF), beginning in 2004, is the EU Grants Map.⁸⁶⁶ The map is interactive and allows for searching by regions, counties, thematic scope, Programme, period, EU Fund, beneficiary and title of project. Most importantly, it is a visually attractive and –easy-to-use tool for everyone interested in the subject of EU funds in Poland.

Accessibility of data on the national level regarding the two other EU funds – the EAFRD and EMFF – are much more limited in comparison to those previously mentioned. The Managing Authority of the EAFRD provides an online only database on beneficiaries of the Common Agricultural Policy in 2014.⁸⁶⁷ The website contains, additionally, the examples of projects financed by PROW (Rural Development Programme).⁸⁶⁸ However, the set of the data meets the minimum information required in Article 111 of Regulation 1306/2013.⁸⁶⁹ The database may be transferred to the .xls format and enable aggregation and consolidation.

The managing authority of the EMFF in 2007-2013 provides databases in .xls format on beneficiaries of EMFF separate for each year.⁸⁷⁰ The latest one contains information on beneficiaries from 2014. It covers the following information: title, name⁸⁷¹, Voivodship, county, municipality, settled down payment/refund in particular year. Consequently, it does not provide the minimum required by the Regulation 1306/2013.⁸⁷² There is no one database of project/operation financed form EMFF. The Managing Authority provides an additional base of good examples with a selection of projects.⁸⁷³

Regional Level –Mazowieckie Voivodship

At the level of the Mazowieckie Voivodship one may access data on the ESF, ERDF and Cohesion Fund from the national database and filter the projects and beneficiaries of regional programs.⁸⁷⁴ In addition, the Managing Authority of the Regional Operational Programme Mazowieckie

⁸⁶⁵ Data bases for 2014-2020:

<https://www.funduszeuropejskie.gov.pl/strony/o-funduszach/projekty/lista-projektow/lista-projektow-realizowanych-z-funduszy-europejskich-w-polsce-w-latach-2014-2020/>, (last accessed 12 May 2016)

⁸⁶⁶ <http://www.mapadotacji.gov.pl/>, (last accessed 12 May 2016)

⁸⁶⁷ Data base for 2014: <http://beneficjenciwpr.minrol.gov.pl/search/index/?year:2014/#outrec>, (last accessed 09 May 2016)

⁸⁶⁸ Examples of the projects financed by EAFRD: <http://www.arimr.gov.pl/pomoc-unijna/efekty-unijnej-pomocy-udzielanej-przez-arimr/rolnictwo-przetworstwo-zywnosci-i-obszary-wiejskie.html>, (last accessed 12 May 2016)

⁸⁶⁹ Regulation (EU) No 1306/2013 of the European Parliament and of the Council of 17 December 2013 on the financing, management and monitoring of the common agricultural policy and repealing Council Regulations (EEC) No 352/78, (EC) No 165/94, (EC) No 2799/98, (EC) No 814/2000, (EC) No 1290/2005 and (EC) No 485/2008.

⁸⁷⁰ <http://www.minrol.gov.pl/MGMiZS/PO-RYBY-2007-2013/Kontrola-monitoring-sprawozdawczosc> (last accessed 15 May 2016)

⁸⁷¹ Lack of names in case of natural person

⁸⁷² Ibid. 25

⁸⁷³ <http://www.minrol.gov.pl/MGMiZS/PO-RYBY-2007-2013/Baza-dobrych-praktyk> (last accessed 15 May 2016)

⁸⁷⁴ Ibid. 21

Voivodship (RPO WM) publishes its own database, that contains all of the projects funded in the framework of the RPO WM.⁸⁷⁵ It takes the form of a searchable interactive map, where you can search for projects by County, priority, action.

In the case of the EAFRD,⁸⁷⁶ information about projects implemented by the Marshal Office of the Mazowieckie Voivodship can be found on the website in the form of an interactive map.⁸⁷⁷ It allows searching for projects by County, priority, actions, and the status of the implementation of the project.⁸⁷⁸ The project database contains the following information: title, priority, action, the beneficiary, the duration of the project, the total value, and the value of the EAFRD funding in PLN, the state of implementation of the project. In the case of EMFF data on beneficiaries from Mazovia region can be obtained from the databases published on the website of Ministry for Rural Development via system of filters.⁸⁷⁹

The Managing Authority of Regional Operational Programme for Mazowieckie Voivodship created an online tool – Mazovia grant map, where all of the projects from Mazovia will be presented.⁸⁸⁰ However, the portal is still under construction and for now gathers information on about 192 projects only.⁸⁸¹

SUCCESS AND FAILURE FACTORS

A. Are evaluations of data transparency and accessibility being carried out?

All the research and evaluations reports regarding all Operational Programmes in Poland co-financed from the ESF, ERDF and Cohesion Fund are presented on the website administrated by The Ministry of Economic Development.⁸⁸² There were no evaluations directly related to transparency of the EU funds so far. However over a dozen evaluations concern accessibility. One of the most important is metaevaluation research on this issue from 2013.⁸⁸³ Findings from the evaluation indicate that: *the needs (of information) are of practical and in-depth nature and are closely related to the field, sector or project type*⁸⁸⁴, Some of the recommendations referred to the transparency and accessibility pointing to the need to: *simplify the language and to actively use the tools offered by social media and mobile technology*.⁸⁸⁵ An evaluation of the monitoring committees was also conducted in 2010.⁸⁸⁶

⁸⁷⁵ <http://rpo.mazowia.eu/mapa-projektow-rpo-wm/> (last accessed 12 May 2016)

⁸⁷⁶ The Office of the Marshal of the Mazowieckie Voivodship performs the tasks of Implementing authorities of the six actions and one initiative covered by the PROW in 2014-2020

⁸⁷⁷ <http://www.mazowia.pl/baza-projektow>, (last accessed 12 May 2016)

⁸⁷⁸ It means if the project is: applied or in the course of the implementation

⁸⁷⁹ Ibid. 23

⁸⁸⁰ Mazovian grant map website: <http://www.bankprojektow.mazowia.pl/> (last accessed 08 May 2016)

⁸⁸¹ Statistics of 08 May 2016

⁸⁸² Database contains about 1130 evaluation reports from the period 2002-2015: www.ewaluacja.gov.pl

⁸⁸³ Meta ewaluacja wyników dotychczasowych badań ewaluacyjnych i innych (wniosków i rekomendacji) dotyczących informacji i promocji Funduszy Europejskich oraz poszczególnych programów operacyjnych, EGO Evaluation for Government Organizations s.c., Warszawa, 22 marca 2013, http://www.archiwum.ewaluacja.gov.pl/Wyniki/Documents/metaewaluacja_infopromoRaportKoncowy.pdf, (last accessed 09 May 2016)

⁸⁸⁴ Ibid.

⁸⁸⁵ Ibid.

⁸⁸⁶ Analiza efektywności funkcjonowania komitetów monitorujących programy operacyjne na lata 2007-2013, PSDB, Warszawa, listopad 2010

(http://www.archiwum.ewaluacja.gov.pl/Wyniki/Documents/Analiza_efektywnosci_funkcjonowania_komitetow_monitorujacych_2007_2013_4072013.pdf), (last accessed 08 May 2016)

The Managing Authority of EAFRD and EMFF funds commissioned evaluation of the information and promotion of the PROW Programme in 2010⁸⁸⁷ and 2015⁸⁸⁸ and Programme financed from EMFF in 2010.⁸⁸⁹ The main outcomes pinpoint the need to enhance the instruments of communication regarding the Programme and use the experiences of beneficiaries. It also recommends the continued use of forms of mass culture (serials, game shows, video, entertainment, other formats) to promote EU funds for rural areas⁸⁹⁰ because in the public consciousness the EARDF supports only farmers, not non-agricultural activities and citizens of rural areas.

An additional element of the assessment of transparency and accessibility data on EU funds relates to non-governmental organisations assessing the status of implementation of the operational programmes in Poland.⁸⁹¹ They have published a report containing an assessment of access to local information points and the process of creating regional operational programs.⁸⁹²

Regional Level – Mazowieckie Voivodship

The Managing Authority of EU funds in the Mazowieckie Voivodship conducted cyclical research (every 2 years) on the effectiveness of information and publicity activities in the frame of RPO WM (ERDF).⁸⁹³ A similar study was carried out on the regional component of the Operational Programm Human Capital (funding in the framework of the ESF).⁸⁹⁴ Some conclusions are as follows: *Television information is the most efficient tool for communication with the public. The most efficient tools for messaging addressed to beneficiaries and potential beneficiaries are, on the other hand, training and web service.*⁸⁹⁵

B. What were the success factors in establishing data transparency and accessibility with regards to the different funds?

⁸⁸⁷ Ocena skuteczności i użyteczności działań informacyjno-promocyjnych PROW 2007-2013, Agrotec Polska Sp. z o.o., Warszawa 2010, www.minrol.gov.pl/content/download/52099/286763/version/1/file/Raport%20ko%C5%84cowy%20Agrotec%20FINAL.pdf, (last accessed 10 May 2016)

⁸⁸⁸ Ocena skuteczności i użyteczności działań informacyjno-promocyjnych dotyczących PROW 2007-2013, Agrotec Polska Sp. z o.o., Warszawa 2015, www.minrol.gov.pl/content/download/47338/260536/version/1/file/Agrotec_RK_PROW.pdf, (last accessed 10 May 2016)

⁸⁸⁹ Ewaluacja on-going działań informacyjno-promocyjnych i szkoleniowych Instytucji Zarządzającej Programem Operacyjnym „Zrównoważony rozwój sektora rybołówstwa i nadbrzeżnych obszarów rybackich 2007-2013, Agrotec Polska Sp. z o.o., Warszawa, 2010, www.minrol.gov.pl/content/download/26270/146415/version/1/file/Raport%20ko%C5%84cowy_infopromo_Ryby_FINAL.pdf (last accessed 15 May 2016)

⁸⁹⁰ Ibid, 44, p93,

⁸⁹¹ National Federation of Non-governmental Organizations (OFOP)

⁸⁹² Raport z monitoringu 16 RPO 2014-2020, OFOP, Warszawa, 2015,

http://ofop.eu/sites/ofop.eu/files/raport_2015_organizacje_pozarządowe_w_procesie_programowania_regionalnych_programow_operacyjnych.pdf, (last accessed 08 May 2016)

⁸⁹³ Ocena działań informacyjno - promocyjnych podjętych w latach 2011 - 2014 w ramach Regionalnego Programu Operacyjnego Województwa Mazowieckiego 2007 -2013, Agrotec Polska Sp. z o.o., Warszawa 2014, http://rpo.mazowia.eu/g2/oryginal/2015_07/383d1c21b2b6e876218bbcc62eb891de.pdf – (last accessed 10 May 2016), Ocena działań informacyjno-promocyjnych i szkoleniowych podjętych w latach 2009 - 2011 w ramach Regionalnego Programu Operacyjnego Województwa Mazowieckiego 2007 – 2013, Agrotec Polska Sp. z o.o., Warszawa 2011, http://rpo.mazowia.eu/g2/oryginal/2015_07/05a5f01cc8dedffcf995b7a5f1542966.pdf –(last accessed 10 May 2016); Raport Końcowy przeprowadzonego badania ewaluacyjnego w zakresie działań informacyjno-promocyjnych i szkoleniowych podjętych w latach 2007-2008 oraz I kwartale 2009 roku w ramach RPO WM 2007-2013, SMG/KRC Poland Media S.A., Warszawa 2009, http://rpo.mazowia.eu/g2/oryginal/2015_07/5e523f653e240f0f3f68f971427fe7cb.pdf – (last accessed 10 May 2016)

⁸⁹⁴ Badanie ewaluacyjne w zakresie efektywności i skuteczności działań informacyjno – promocyjnych, prowadzonych w województwie mazowieckim przez instytucje zaangażowane we wdrażanie regionalnego komponentu PO KL 2007 – 2013; Public Profit Sp.z o.o., Poznań 2009,

http://www.pokl.mazowia.eu/g2/oryginal/2015_07/b7955c06d9f0976d5379444b8fb5f4e9.pdf, (last accessed 10 May 2016)

⁸⁹⁵ Ibid. 49

One of the biggest successes in enhancing transparency and accessibility of data on EU funds in Poland is the creation of the one, unified portal of knowledge about the EU funds (ESF, ERDF and CF).⁸⁹⁶ The Ministry of Economic Development supervises the portal. A uniform template of the website for all operational programmes, including all 16 Regional Operational Programmes, made it much easier to search for information on programmes and projects. The uniform page structure forced harmonisation of the scope of the attached information. The main page of the portal contains a search engine of the calls, training and conferences collected from the pages of individual operational programs.⁸⁹⁷ Therefore it brings together all the information in one place.

In 2009 the network of the EU information points, PIFE network, was established in Poland.⁸⁹⁸ It provides extensive information services on all operational programmes.⁸⁹⁹ Beginning in 2014, it also provides information about agricultural policy and fisheries (EAFRD and EMFF). PIFE network runs 87 EU information points all over the country: A Central EU information point in Warsaw, 17 Major EU information points, one in each administrative district, and 59 Local EU information points. The network is also supervised by the Ministry of Economic Development.

Another system for the implementation and realisation of the principles of competitiveness and transparency in the spending of EU funds (ESF, ERDF, CF) is the Competitiveness base.⁹⁰⁰ The base provides access to all procurement information below the financial threshold imposing an obligation to apply the law on public procurement (contracts under 15,000 Euros - 50,000 PLN).⁹⁰¹ It is an online database with a built-in search engine for contract notices and the works carried out by the beneficiaries of the projects are co-financed by the EU. An advanced search option allows for information to be entered about the recipient (beneficiary's name beneficiary's tax ID, project number). Additional search criteria are: the place of performance of the contract (State, County, City), the nature of the contract including the CPV code, the program, the deadline for submission of tenders and notices (current, completed, cancelled). The base includes also information about to whom contracts are awarded. The Ministry of Economic Development in Poland coordinates it.

Based on the experience of the 2007-2013 EU financial perspective, clear separation of competence in information campaigns prepared by the various institutions that implement the EU funds was introduced.⁹⁰² Managing authorities at the national level focus on wide information campaigns aimed at the general public, information and promotion of the sources of information about EU funds. Regional institutions are to primarily focus on the support of beneficiaries/potential beneficiaries and on information about specific activities addressed to those interested in EU funds in the regions.

⁸⁹⁶ www.funduszeuropejskie.gov.pl

⁸⁹⁷ <https://www.funduszeuropejskie.gov.pl/strony/skorzystaj/nabory/#/wszystkieNabory=1> (last accessed 14 April 2016)

⁸⁹⁸ The PIFE network was established within the framework of the project "Information System for the European Funds 2007-2013", financed by the Operational Programme Technical Assistance and the national budget.

⁸⁹⁹ National Strategic Reference Framework for 2007-2013 in support of growth and jobs - National Cohesion Strategy, Warsaw, May 2007, https://www.funduszeuropejskie.gov.pl/WstepDoFunduszyEuropejskich/Documents/NSRO_an_20_07.pdf, (last accessed 14 April 2016)

⁹⁰⁰ Base established in accordance to: Wytyczne Ministra Rozwoju w zakresie kwalifikowalności wydatków w ramach Europejskiego Funduszu Rozwoju Regionalnego, Europejskiego Funduszu Społecznego oraz Funduszu Spójności na lata 2014-2020, art. 6.5.3., website of the base: <https://bazakonkurencyjnosci.funduszeuropejskie.gov.pl/>, (last accessed 06 May 2016)

⁹⁰¹ Ustawa z dnia 29 stycznia 2004 r. Prawo zamówień publicznych, Dz.U. z 2015 poz. 2164

⁹⁰² Wytyczne w zakresie informacji i promocji programów operacyjnych polityki spójności na lata 2014-2020, Minister Infrastruktury i Rozwoju, Warsaw, April 2015, <https://www.funduszeuropejskie.gov.pl/strony/o-funduszach/dokumenty/wytyczne-w-zakresie-informacji-i-promocji-programow-operacyjnych-politykispojnoscina-lata-2014-2020/>, (last accessed 14 April 2016)

Separation of the competencies prevents information overload resulting from the imposition of EU funding campaigns at one time.⁹⁰³

Regional level – Mazowieckie Voivodship

The Implementing Authority uses new communication channels via social media – a YouTube channel, which contains videos about the ROP, videos showing the effects of the projects, educational programs about ROP, videos sent by external users (approx. 160 clips),⁹⁰⁴ Twitter and Facebook.⁹⁰⁵

The EU information point operating in the framework of the MJWPE provides information about all EU funds. In addition, there are 5 local information points providing a full range of services across the region and periodical mobile EU information points in places where the fixed points do not operate.

C. What were the (potential) failure factors in establishing data transparency and accessibility? How can these be prevented/overcome?

In the opinion of all interviewees, one factor impeding access to data about EU funds is the complexity of the administrative and financial procedures and even their growth in comparison to the 2007-2013 period.⁹⁰⁶ The increase in the number of procedures is the result of two components.⁹⁰⁷ Firstly, taking into account many regulations from other areas and policies such as environmental protection, public procurement, state aid by the EU's cohesion policy and secondly requirement for documentation of all the expenditure in accordance with the principles of EU policies.⁹⁰⁸ On the other hand, the beneficiaries stressed the complexity of the application process due to the complexity of the projects themselves.⁹⁰⁹ There are more and more large complex projects that consequently entails a greater administrative burden at the stage of application and implementation. Interestingly, both representatives of the institutions and the beneficiaries pointed out that the experience gained in previous financing perspectives by both institutions and beneficiaries significantly improves the process.⁹¹⁰

⁹⁰³ The Ministry of Economic Development (Managing Authority), Department Information and Promotion, Warsaw, 05 May 2016

⁹⁰⁴ Youtube channel of the Mazovian Unit of EU Programmes Implementation: <https://www.youtube.com/user/MJWPUTUBE>, (last accessed 10 May 2015)

⁹⁰⁵ Fan Page of the MJWPU, <https://www.facebook.com/MJWPU/>, (last accessed 10 May 2015)

Fan page of the monitoring committee for Regional Operational Programme Mazowieckie Voivodship, <https://www.facebook.com/komitetmonitorujacyRPOWM/?fref=ts>, (last accessed 10 May 2015)

⁹⁰⁶ Ibid. Chapter 2 Type of final beneficiaries interviewed, (issue raised in all interviews conducted within this study), Warsaw, 19 April 2016 - 05 May 2016

⁹⁰⁷ The Ministry of Economic Development (Managing Authority), Department for Coordination of Implementation of EU Funds, Warsaw, 05 May 2016 and The City of Warsaw - Office of European Funds and the Economic Development, beneficiary of several EFS and ERDF projects, Warsaw, 26 April 2016 and University of Warsaw, Office of University Advancement, beneficiary of several EFS and ERDF projects, Warsaw, 19 April 2016, National Federation of Polish NGOs, facilitator, Warsaw, 20 April 2016

⁹⁰⁸ Administrative requirements imposed by the: 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 1083/2006, <http://eur-lex.europa.eu/legal-content/PL/TXT/?uri=CELEX:32013R1303&qid=1462635613788>, (last accessed 05 May 2016)

⁹⁰⁹ University of Warsaw, Office of University Advancement, beneficiary of several EFS and ERDF projects, Warsaw, 19 April 2016

⁹¹⁰ Mazovian Unit of EU Programmes Implementation, Warsaw, 20 April 2016 and The Ministry of Economic Development (Managing Authority), Department Information and Promotion, Warsaw, 05 May 2016

And University of Warsaw, Office of University Advancement, beneficiary of several EFS and ERDF projects, Warsaw, 19 April 2016 and The City of Warsaw - Office of European Funds and the Economic Development, beneficiary of several EFS and ERDF projects, Warsaw, 26 April 2016

The second aspect raised by the interviewees is complicated language of the documents relating to EU funds.⁹¹¹ The Managing Authority of the ESF, ERDF and CF in Poland has commissioned a study of this issue. On the basis of the results, a manual and poster with instructions on how to simplify documents of the calls for projects was developed and distributed to all institutions involved in the implementation of EU funds in Poland.⁹¹² It is scheduled to train representatives of these institutions - approximately 600 people in 2016.⁹¹³ This tutorial is already the second one concerning the simplification of the language in the communication of the European Funds.⁹¹⁴

Regional level – Mazowieckie Voivodship

Information overload is identified as the main factor interfering in transparency and availability of data on EU funding in Mazowieckie Voivodship, and especially in Warsaw. Location of many institutions involved in the EU fund implementation at national and regional level hinders access to the right institution and information.⁹¹⁵ This factor is, however, more technical than systemic in nature.

D. Are there any (positive or negative) not-intended side effects of data transparency and accessibility?

Computerisation of the processes related to the implementation of the EU Cohesion Policy facilitated the preparation of the information tools and easy access to information. Portal dedicated to the all operational programmes in Poland is, among others, one of the valuable examples.⁹¹⁶ Online databases of projects co-financed from EU funds contributes to the growing popularisation and dissemination of knowledge about the EU funds. Managing authorities make use of examples of projects for EU promotional campaigns and for many recurring contests promoting the impact of EU funds in Poland, e.g. Polska pięknieje- siedem cudów funduszy europejskich,⁹¹⁷ Fundusze w obiektywie.⁹¹⁸ An initiative coordinated by the Ministry of Development - the Open Days of the European Funds - is example of a successful EU funds campaign, engaging both the institutions and the beneficiaries.⁹¹⁹

A negative unintended effect of transparency and accessibility of data regarding EU funds may be the perception of EU funds as being easy to acquire.⁹²⁰ Potential beneficiaries are sometimes

⁹¹¹ Issue raised in all interviewees conducted within this study, Warsaw, 19 April 2016 -05 May 2016

⁹¹² Moroń E., Piekot T., Zarzeczny G., Maziarz M., „Prosto o konkursach Funduszy Europejskich”, Ministerstwo Infrastruktury i Rozwoju, Warsaw, 2015, http://www.funduszeuropejskie.gov.pl/media/6288/Prosto_o_konkursach_FE_poradnik.pdf, (last accessed 06 May 2016)

⁹¹³ The Ministry of Economic Development (Managing Authority), Department Information and Promotion, Warsaw, 05 May 2016

⁹¹⁴ Miodek J., Maziarz M., Piekot T., Poprawa M., Zarzeczny G., Jak pisać o Funduszach Europejskich, Ministerstwo Rozwoju Regionalnego, Warsaw 2010,

http://www.funduszeuropejskie.gov.pl/media/6290/Jak_pisac_o_Funduszach_Europejskich_120810.pdf, (last accessed 06 May 2016)

⁹¹⁵ Mazovian Unit of EU Programmes Implementation, Warsaw, 20 April 2016

⁹¹⁶ www.funduszeuropejskie.gov.pl

⁹¹⁷ Contest rules of procedures and information available on the website: <http://www.funduszeuropejskie.gov.pl/strony/o-funduszach/promocja/wydarzenia/konkurs-polska-pieknieje-7-cudow-funduszy-europejskich/>, (last accessed 06 May 2015)

⁹¹⁸ Contest rules of procedures and information available on the website: <http://www.funduszeuropejskie.gov.pl/strony/o-funduszach/promocja/wydarzenia/rusza-konkurs-fundusze-w-obiektywie/>, (last accessed 06 May 2015)

⁹¹⁹ In 2016 the third edition will be held. It is the largest campaign to promote projects and their effects. The action has enabled numerous visitors to see the inside of innovative manufacturing companies, facilities theaters, take advantage of free access to sports facilities and many other attractions established thanks to the EU funds. In 2016 over 900 attractions have been announced by the beneficiaries. Contest rules of procedures and information available on the website: <http://www.dniotwarte.eu/>, (last accessed 06 May 2015)

⁹²⁰ Mazovian Unit of EU Programmes Implementation, Warsaw, 20 April 2016 and The Ministry of Economic Development (Managing Authority), Department Information and Promotion, Warsaw, 05 May 2016

disappointed that funds are not accessible for every action at the moment or that the effort devoted in the preparatory phase of the application is disproportionately high to the expected benefits, particularly in the case of small projects.

SUSTAINABILITY AND TRANSFERABILITY

A number of initiatives with regard to EU funds that enhance transparency and accessibility of the EU funds from Poland may be transposable to other countries. One example is attempted to simplify the language of the documents.⁹²¹ The second one refers to extensive use of communication via social media, which enforces simplification of the official EU language. An example of Mazowieckie Voivodship argues that Facebook and YouTube can be treated as an equivalent platform of information about EU funds to the official websites of the institutions.⁹²²

Another example of the initiatives transposable to other countries is the EU grants map, which is a great tool of information for the promotion of funds among citizens.⁹²³ Another initiative, which is easily transferable to the other contexts is the Open Days initiative of the European Funds.⁹²⁴ It promotes EU funds to the mass population with the involvement of beneficiaries.

Tools highly evaluated in Poland and whose transfer to other Member States may constitute a problem are portal funduszeuropejskie.gov.pl and the joint network of EU information points.⁹²⁵ Coordination of the European funds in Poland (ERDF, ESF, CF) is centralised and has facilitated the implementation of common tools. The Polish example, however, proves that entrusting the coordination of EU funds to different institutions hinders the development of such solutions. (e.g. the internet portal - funduszeuropejskie.gov.pl - does not include information on the EARDF and EMFF).

CONTEXTUAL FACTORS

A. What governance factors have improved the transparency and accessibility?

A transfer of the coordination for the management of ESF, ERDF and CF to the Ministry of Economic Development resulted in the harmonisation of procedures for gathering the information about projects and beneficiaries. It contributed to the creation of one institutional framework and the unification of channels and mechanisms for the collection and dissemination of information on EU funds.⁹²⁶ Despite a similar situation in the case of the management structure of EAFRD and EMFF – delegation of the tasks of the governing institutions for the EAFRD and EMFF in the 2007-2013 programming period to the Ministry of Agriculture and Rural Development – analogous mechanisms and tools have not been developed. The availability of data at the national level is limited and differs between those two funds. At the regional level, information is provided to varying degrees and forms.

Regional level – Mazowieckie Voivodship

⁹²¹ Ibid. 68 and 70

⁹²² Ibid. 60 and 61

⁹²³ Ibid. 22

⁹²⁴ Ibid. 75

⁹²⁵ Ibid. 54

⁹²⁶ This approach resulted in creation of the national database of the projects funded by ESF, ERDF and CF, joint internet portal, and a network of EU information points-mentioned above in the report

All activities of the ROP for Mazovia are implemented and supervised within the framework of one institution-the Mazovian Unit of EU Programmes Implementation.⁹²⁷ This ensures full support for beneficiaries from the stage of preparation for competitions to payments and control, and contributes to collecting information in one place. It is one person, from the beginning of the implementation to the closure of the project, who supervises the beneficiary. It is difficult to clearly assess whether greater concentration or dispersal provide better transparency and the availability of data on EU. However, beneficiaries rate the transparency and accessibility of data on EU funds in Mazowieckie Voivodeship very well.⁹²⁸

B. What conditions have (positively or negatively) influenced transparency and accessibility?

A factor that has significantly increased the degree of transparency in distributing of the EU funds in the current financial perspective (2014-2020) is the IT system (SL2014) that provides complete online communication between the beneficiary and the Implementing Authority and the Managing Authority, in terms of the order of the EU Commission.⁹²⁹ Furthermore, the system allows for inaccuracies and irregularities in the implementation of projects to be caught.⁹³⁰

In the 2014-2020 EU perspective, a change in the way and forms of communication and information is evident. The institutions are preparing more workshops and debates using case studies and practical examples instead of traditional training. Training is addressed to very narrow groups of stakeholders. The quantity and range of information posted on the websites has also significantly increased.⁹³¹

Regional level – Mazowieckie Voivodship

In the case of the Implementing Authority of the ROP in Mazovia, the emphasis has been on management of the content of the materials and information campaigns and on broadening the channels of information. Information about the EU funds is inserted among useful content for the public.⁹³² In addition, the process of imparting information about EU funds involves the beneficiaries, who share their experience. Complementary to the usage of the new communication channels via social media, the online quarterly (Biuletyn Fundusze Europejskie) is published on the website of the Implementing Authority. It is presented in an attractive magazine layout.⁹³³

In order to increase the degree of transparency and accessibility of data, the institution implementing the ROP presents the full documentation concerning the calls for projects 30 days before the announcement of the recruitment. Thereby beneficiaries are given more time to prepare documents

⁹²⁷One action aimed directly at the unemployed is implemented by the Regional Labor Office in Warsaw, the Office for Implementation of the ESF, <http://www.wup.mazowsze.pl/efs/>, Mazovian Unit of EU Programmes Implementation website: www.mazovia.eu

⁹²⁸ Based on the outcomes of the evaluation: Ocena działań informacyjno - promocyjnych podjętych w latach 2011 - 2014 w ramach Regionalnego Programu Operacyjnego Województwa Mazowieckiego 2007 -2013, Agrotec Polska Sp. z o.o., Warszawa 2014, (http://rpo.mazovia.eu/g2/oryginal/2015_07/383d1c21b2b6e876218bbcc62eb891de.pdf)

⁹²⁹ The IT system was established pursuant to art. 122 par. 3 Regulation (EU) No 1303/2013, <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32013R1303>, (last accessed 05 May 2015)

⁹³⁰ The added value of the information system is to simplify the procedures for the acceptance of applications for payment on the side of the Administration and of the beneficiary. Inspection bodies may ask only for selected documentation to verify the implementation of the project.

⁹³¹ New or expanded types of information are as follows: the minutes of the meetings of the monitoring committees, beneficiaries foray, answers to frequently asked questions, interpretations of the regulation, newsletters

⁹³²E.g. brochure enclosed on the MJWPE official website with routes on a trip with a child with added, that part of the route and the selected attractions on the route are financed from the EU funds: <http://mazovia.eu/aktualnosci/mazowsze-inspiruje-na-majowke.html>, (last accessed 10 May 2015)

⁹³³ Biuletyn Fundusze Europejskie: <http://poki.mazovia.eu/biuletyny-po-kl/>, (last accessed 10 May 2016)

and to clarify any doubts. In addition, MJWPE regularly publishes the answers for the frequently asked questions on their website in an F.A.Q section.⁹³⁴

⁹³⁴ Page with F.A.Q. on all recruitment, <http://www.funduszedlamazowska.eu/aktualnosci/komunikat-dla-wnioskodawcow.html>, (last accessed 10 May 2016)

C. Where is the highest demand for data transparency and accessibility felt?

Access to data on European funding is adequate and sufficient in the general opinion.⁹³⁵ The problem is the language of the documents and the number of issues one needs to know before the preparation of projects. For this reason, there is a qualitative change expectations as to the training materials required for beneficiaries or applicants. These should be of a more practical nature, dedicated to the narrow groups of stakeholders, including examples from the programming period 2007-2013. General and cross-cutting training for several groups of beneficiaries are not highly rated and therefore the number is diminishing. Publications and newspapers about EU funds increasingly take the form of tutorials or manuals, explaining step by step how to fill out an application, how to use a computer system etc. Online training, which could increase the potential availability of knowledge about EU funds to a wide range of stakeholders, is also desirable.

There is also need to discuss the requirements of the legal acts, which have to be accomplished, to be entitled to benefit from the programmes. The list of such acts is generally included in the documentation, but often it lacks the links to the most current version of the law documents. Finally, the shortage of channels and sources of information regarding the EAFRD EMFF in Poland in comparison to the range of available information on ESF, ERDF and CF should be clearly pointed out.

CONCLUSIONS AND RECOMMENDATIONS

In the opinion of the beneficiaries the information on EU funds is easily available. The websites of managing or implementing institutions, EU information points, hotlines and social media, are the main sources of information. The leading problem is the language used in the documentation and the complexity of the procedures required from participation of the calls and the number of documents the beneficiaries have to collect. A multitude of procedures and the formal requirements relating to the implementation of the projects, however, is considered as necessary. It allows for irregularities to be caught at an early stage, which results in a low, level of reimbursement, compared to the EU.

Good practice in terms of transparency and availability of information on EU funding opportunities are undoubtedly the portal: funduszeuropejskie.gov.pl and the national network of EU information points. The institutions involved in the implementation of the funds pointed out the need for a change in the nature of communication and adapt their tools to perform advisory functions and not just provide information.

It is worth highlighting the important role of mass media in the communication and promotion of EU funds in Poland e.g. by the location of information about EU in popular programs or films, promoting campaigns, competition and mass events like The Open Days of EU funds.

In order to enhance the transparency and accessibility of information on EU funds, the following are recommended:

⁹³⁵ Issue raised in all interviewees conducted within this study, Warsaw, 19 April 2016 -05 May 2016

- Publish the updated lists of all beneficiaries EARDF and EMFF in one file to enable the aggregation of data, and it would also be good to amalgamate the database with the one dedicated to structural funds;
- Widespread the use of social media and online training by information centers and institutions implementing EU funds;
- Promote the project database and EU grant maps as a tool for promoting EU funds, but also as a tool of inspiration and verification of the legitimacy of certain projects implemented in the area (e.g. in order to prevent duplication of the projects);
- Increase pressure on the realisation of advisory and consultancy tasks through a network of EU information points;
- Organise practical training (including online training) or workshops for specific calls for recruitments, just before they begin.

LIST OF “LISTS OF BENEFICIARIES”

Level	Database	Website
Databases-national level	List of projects financed from ERDF, ESF, CF in Poland in 2014-2020 - state	https://www.funduszeuropejskie.gov.pl/strony/o-funduszach/raporty/raporty-sprawozdania/#
	List of beneficiaries of Programs of the European Territorial Cooperation 2007-2013	http://www.ewt.2007-2013.gov.pl/Strony/lista_beneficjentow_EWT.aspx
	List of projects financed from ERDF, ESF, CF in Poland in 2007-2013	http://www.funduszeuropejskie.2007-2013.gov.pl/AnalizyRaportyPodsumowania/StronyKSI_raporty.aspx
	EU Grant Map	http://www.mapadotacji.gov.pl/
	List of beneficiaries of the Common Agricultural Policy (EAFRD) in 2014	http://beneficjenciwpr.minrol.gov.pl/search/index/year:2014/#outr ec
	Examples of projects financed in PROW frames (EAFRD)	http://www.arimr.gov.pl/pomoc-unijna/efekty-unijnej-pomocy-udzielanej-przez-arimr/rolnictwo-przetworstwo-zywnosci-i-obszary-wiejskie.html
	List of beneficiaries of EMFF - separate file for each year to access on the website:	http://www.minrol.gov.pl/MGMiZS/PO-RYBY-2007-2013/Kontrola-monitoring-sprawozdawczosc
	Examples of projects financed from EMFF	http://www.minrol.gov.pl/MGMiZS/PO-RYBY-2007-2013/Baza-dobrych-praktyk

Level	Database	Website
Databases- Mazovian level	List of projects financed in PROW frames (financing from the European Agricultural Fund for Rural Development –EAFRD) in in the management board of the Mazovian Voivodship Council	http://www.mazovia.pl/baza-projektow
	List of projects financed in Regional Operational Programme Mazovian Voivodship in2007-2013	http://rpo.mazowia.eu/mapa-projektow-rpo-wm/
	Mazovian EU grant map	http://www.bankprojektow.mazovia.pl/

NIGERIA

CASE STUDY SUMMARY

COUNTRY: Nigeria

REGION: Africa

Information provided by: European Commission – summary based on interview

Theme	Aspects/questions included:
<p>1. Very short of description of EIB operations in the country (2014 onwards)</p>	<p>10th EDF 2008-2013. Total allocation EUR 689 million across 3 main sectors: Sector 1: Peace and Security Sector 2: Governance and Human Rights Sector 3: Trade, Regional Integration and Energy</p> <p>11th EDF 2014-2020. Total allocation EUR 512 million across 3 sectors: Sector 1: Health, nutrition and resilience Sector 2: Sustainable energy and access to electricity Sector 3: Rule of law, governance and democracy Plus, measures in favour of civil society</p>
<p>2. Prevailing type of final beneficiaries</p>	<ul style="list-style-type: none"> • Government budget support • Civil society • Many beneficiaries through programmes financed by budget support
<p>3. Access to data</p>	<ul style="list-style-type: none"> • Data accessibility for external stakeholders fully granted • Data transparency for external stakeholders fully granted <p>Main difficulty is access to the information from locals without appropriate means (e.g. internet, documentation access, etc.)</p>
<p>4. Success and failure factors</p>	<ul style="list-style-type: none"> • Are evaluations of data transparency and accessibility being carried out? Not directly on data transparency, but efforts to improve transparency are being undertaken. Feedback by civil society is used. • What were the success factors in establishing data transparency and accessibility with regards to the different funds? The strengthening of civil society increased demand for visibility which puts pressure for the government authorities implementing projects to provide information. EU consultation to locals increases awareness and transparency demand further. • What were the (potential) failure factors in establishing data transparency and accessibility? How can these be

CASE STUDY SUMMARY

COUNTRY: Nigeria

REGION: Africa

Information provided by: European Commission – summary based on interview

Theme	Aspects/questions included:
	<p>prevented/overcome?</p> <p>The greatest difficulty in Nigeria is the multiplicity of authorities (36 states) and multiplicity of standards. The country and population size makes reaching potential stakeholders difficult. There is a lack of the necessary access for citizens to sources of information (internet, education, transport, availability of documents locally, training, etc.)</p> <ul style="list-style-type: none"> • Are there any (positive or negative) not-intended side effects of data transparency and accessibility? <p>The support to civil society has an indirect effect in promoting transparency nationally.</p>
5. Contextual factors	<ul style="list-style-type: none"> • What governance factors have improved the transparency and accessibility? <p>The EUs new drive to a 'budget for results' is increasing the drive to identify results thus indirectly focusing further on performance, evaluation and transparency.</p> <ul style="list-style-type: none"> • What conditions have (positively or negatively) influenced transparency and accessibility? <p>Negatively: Size of country, 36 states, weak governance and accountability of state, corruption (even in civil society) Positively: Civil society involvement, EU required standards of reporting, EU capacity building support</p> <ul style="list-style-type: none"> • Where is the highest demand for data transparency and accessibility felt? <p>Civil society has a very high demand for transparency.</p>
6. Recommendations	<p>Transparency can always be improved. More and better information in local media would be positive. Enhancing visibility for EU taxpayers is also important with more consolidated easier information access.</p>

CASE STUDY SUMMARY TABLE EIB OPERATIONS	
COUNTRY: Nigeria	
REGION: Africa	
Information provided by: EIB	
Theme	Aspects/questions included:
7. Very short of description of EIB operations in the country (2014 onwards)	<p>Within this period, the EIB has signed two credit lines to local financial institutions in Nigeria for the financing of small/medium projects carried out by private enterprises. Improving access to term finance at favourable conditions.</p> <p>(http://www.eib.org/projects/loans/regions/acp/ng.htm?start=2014&end=2016&sector=)</p>
8. Prevailing type of final beneficiaries	<ul style="list-style-type: none"> • Firms: SME, mid-caps, large • Other: Financial Institutions
9. Access to data	<ul style="list-style-type: none"> • Data accessibility for external stakeholders fully granted • Data transparency for external stakeholders fully granted
10. Success and failure factors	<ul style="list-style-type: none"> • Are evaluations of data transparency and accessibility being carried out? <p>Operations under the Investment Facility are published on the EIB website in line with the EIB Group’s Transparency policy (http://www.eib.org/infocentre/publications/all/eib-group-transparency-policy.htm) and reported in the Annual reports on the EIB activity in ACP and the overseas territory (http://www.eib.org/infocentre/publications/all/investment-facility-annual-report-2015.htm)</p> <ul style="list-style-type: none"> • What were the success factors in establishing data transparency and accessibility with regards to the different funds? <p>n/a</p> <ul style="list-style-type: none"> • What were the (potential) failure factors in establishing data transparency and accessibility? How can these be prevented/overcome? <p>n/a</p> <ul style="list-style-type: none"> • Are there any (positive or negative) not-intended side effects of data transparency and accessibility? <p>The benefits of transparency in the aid and development finance process are manifold. Governments of partner countries can better plan and manage the assistance they receive, citizens and civil society in both donor and</p>

CASE STUDY SUMMARY TABLE EIB OPERATIONS	
COUNTRY: Nigeria	
REGION: Africa	
Information provided by: EIB	
Theme	Aspects/questions included:
	developing countries can more easily hold their governments to account, and development institutions can better coordinate their efforts in order to respond to actual needs in developing countries.
11. Contextual factors	<ul style="list-style-type: none"> • What governance factors have improved the transparency and accessibility? <p>EIB joining IATI</p> <ul style="list-style-type: none"> • What conditions have (positively or negatively) influenced transparency and accessibility? <p>The need to protect the legitimate rights and interests of third parties, in particular private sector companies</p> <ul style="list-style-type: none"> • Where is the highest demand for data transparency and accessibility felt? <p>n/a</p>
12. Recommendations	n/a

HAITI

CASE STUDY SUMMARY TABLE	
<p>COUNTRY: Haiti REGION: Caribbean Information provided by: European Commission delegation</p>	
Theme	Aspects/questions included:
<p>1. Very short of description of EDF in the country (2014 onwards)</p>	<p>The EU has allocated EUR 420 million under the 11th EDF for the period 2014-2020. The NIP focuses on 4 priority sectors: State building and modernisation of the public administration; Education; Urban development and infrastructure; Food and nutritional security. Resilience is a cross-cutting priority for the 11th EDF programmes, according to the EU's full commitment with Linking Relief, Rehabilitation and Development (LRRD).</p>
<p>2. Prevailing type of final beneficiaries</p>	<ul style="list-style-type: none"> • Haitian population • NGOs • Authorities
<p>3. Access to data, please select one</p>	<ul style="list-style-type: none"> • Data accessibility for external stakeholders fully granted • Data transparency for external stakeholders fully granted
<p>4. Success and failure factors</p>	<ul style="list-style-type: none"> • Are evaluations of data transparency and accessibility being carried out? No formal evaluations, but regular meetings with civil society where feedback on accessibility about EU funding is being received and discussed directly. • What were the success factors in establishing data transparency and accessibility with regards to the different funds? A crucial factor in Haiti is "face to face" information sharing (through meetings). • What were the (potential) failure factors in establishing data transparency and accessibility? How can these be prevented/overcome? Not all potential beneficiaries of EU funding can participate in the information meetings. The Delegation is currently preparing a support programme of EUR 5 million to help the structuring of civil society, so that information can in the future be passed "en cascade" from an umbrella organisation to its member organisations. - The Delegation does not have the capacity to respond to all ad hoc

CASE STUDY SUMMARY TABLE	
COUNTRY: Haiti	
REGION: Caribbean	
Information provided by: European Commission delegation	
Theme	Aspects/questions included:
	<p>demands for information (especially from researchers), notably when the request requires compilation of substantial amounts of data.</p> <ul style="list-style-type: none"> • Are there any (positive or negative) not-intended side effects of data transparency and accessibility? <p>None</p> <ul style="list-style-type: none"> • What are examples where data transparency and accessibility has had positive impacts on citizens of the assisted country? <p>Improved access to information on EU funding leads to better project proposals and to more efficient development cooperation, notably in the areas where local calls for proposals are used (non state actors, local authorities, human rights)</p>
5. Contextual factors	<ul style="list-style-type: none"> • What governance factors have improved the transparency and accessibility? <p>Some examples are :</p> <p>Civil society participate in meetings to define the priorities of the call for proposals</p> <p>UE Delegation share the guidelines with civil society, and explain them how to present a proposition</p> <ul style="list-style-type: none"> • What conditions have (positively or negatively) influenced transparency and accessibility? <p>The low capacity of stakeholders (lack of internet access, lack of mobility, lack of education).</p> <ul style="list-style-type: none"> • Where is the highest demand for data transparency and accessibility felt? <p>Civil society organisations have a very high demand for information on available EU funding.</p>
6. Recommendations	<ul style="list-style-type: none"> • Any recommendations to improve transparency of the EDF operations? <p>Simplification and "user friendly" procedures would improve transparency, as it would limit the complexity of the information.</p>

VANUATU

CASE STUDY SUMMARY TABLE	
COUNTRY: Vanuatu REGION: Pacific Information provided by: European Commission delegation	
Theme	Aspects/questions included:
1. Very short of description of EDF in the country (2014 onwards)	<p>The EDF 2014-2020 National Indicative Programme for Vanuatu defines EU support to the rural development as focal area. Total amount for the envelope is 31 million euro, of which 25 for rural development, 3 for civil society and 3 for support to the office of the National Authorising Officer. Following Tropical Cyclone Pam, which hit Vanuatu in March 2015, additional funds from the EDF 11 Reserve have been committed (12.5 million euro). 10 million will support rural development. The remaining 2.5 million euro supplemented an existing EU budget support programme.</p>
2. Prevailing type of final beneficiaries	<p>The direct beneficiaries of the rural development programme are the smallholder farming households in the sectors of coconut, beef and fruit & vegetables in each of five provinces in Vanuatu.</p>
3. Access to data, please select one	<ul style="list-style-type: none"> • Data accessibility for external stakeholders Access is fully granted <p>Data accessibility and transparency fully granted. The programme will define performance indicators for the three sectors (coconut, beef and fruit & vegetables), to be monitored by the Vanuatu National Statistical Office (VNSO). The VNSO has an independent status and collects data in the provinces. The VNSO has a transparent way of publishing its statistics. direct beneficiaries of the rural development programme are the smallholder farming households in the sectors of coconut, beef and fruit & vegetables in each of five provinces in Vanuatu.</p>
4. Success and failure factors	<ul style="list-style-type: none"> • Are evaluations of data transparency and accessibility being carried out? <p>In case the programme is implemented through budget support (preferred option), EU support is paid in tranches. Before each tranche-release, the EU will receive a substantiated assessment from the Government; it will also make its own assessment of progress/performance achieved and re-confirm eligibility criteria (i.e. progress in the sector; stability-oriented macro-economic policies; progress in Public Finance Management; progress in Budget Transparency and Oversight).</p> <ul style="list-style-type: none"> • What were the success factors in establishing data transparency

CASE STUDY SUMMARY TABLE

COUNTRY: Vanuatu**REGION: Pacific****Information provided by: European Commission delegation**

Theme	Aspects/questions included:
	<p>and accessibility with regards to the different funds?</p> <p>The rural development programme is still being formulated. Implementation is expected to start in 2017 – no lessons learned yet. It is important to note however that the Government nowadays publishes <i>monthly</i> overviews on its public spending and revenues for the whole of the economy. It also publishes quarterly overviews of public spending for each of its Ministries with a narrative to explain the actual spending. The publications are on the website of the Ministry of Finance.</p> <ul style="list-style-type: none"> • What were the (potential) failure factors in establishing data transparency and accessibility? How can these be prevented/overcome? <p>Vanuatu has no fundamental problem with guaranteeing transparency and accessibility. In general, it readily publishes official data/information. However, awareness/capacity in the public towards claiming accountability needs strengthening. Transparency International in Vanuatu is working on this and pushes for the “right to information” bill. The EU supports this action.</p> <ul style="list-style-type: none"> • Are there any (positive or negative) not-intended side effects of data transparency and accessibility? <p>Improved data transparency and accessibility can help to prevent and fight corruption as demonstrated by the successful corruption court case, which resulted in jailing 14 Parliamentarians, including 5 incumbent Ministers in 2015. The media openly published the events throughout the process.</p>
5. Contextual factors	<ul style="list-style-type: none"> • What governance factors have improved the transparency and accessibility? <p>Donors and IMF have pushed for more transparency and accessibility. Government has some highly qualified staff (in particular in the Ministry of Finance and the Reserve Bank of Vanuatu) that see the benefits and needs.</p>

CASE STUDY SUMMARY TABLE	
COUNTRY: Vanuatu	
REGION: Pacific	
Information provided by: European Commission delegation	
Theme	Aspects/questions included:
	<ul style="list-style-type: none"> • What conditions have (positively or negatively) influenced transparency and accessibility? <p>The EU and other donors (World Bank, ADB) and international institutions (IMF) have helped the government in working on data transparency and accessibility. EU has insisted with Government to modernize the legal framework of the National Audit Office in order to make it independent (see attached article).</p> <ul style="list-style-type: none"> • Where is the highest demand for data transparency and accessibility felt? <p>In the Government sector itself. And from donors (see previous question). More pro-active demand from the media and universities (researchers) and other organisations (Parliament, NGOs like Transparency International and Women Organisations) would be desirable. Still a long way to go.</p>
6. Recommendations	<p>Improvements needed in the relevance, timeliness and accuracy of statistics countrywide – need to build (institutional) capacity. Macroeconomic statistics for example should have a nation-wide coverage (not only including the capital Port Vila, but also the rural areas).</p>

DIRECTORATE-GENERAL FOR INTERNAL POLICIES

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