



# Cohesion Policy 2014-2020

Investing in growth and jobs

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# 1 Legislative proposals for EU Cohesion Policy: 2014-2020

**O**n 6 October 2011, the European Commission adopted a draft legislative package that will frame EU cohesion policy for the period 2014-2020.

The Commission proposed a number of important changes to the way cohesion policy is designed and implemented, namely:

- concentrating on the Europe 2020 Strategy's priorities of smart, sustainable and inclusive growth;
- rewarding performance;
- supporting integrated programming;
- focusing on results – monitoring progress towards agreed objectives;
- reinforcing territorial cohesion; and
- simplifying delivery.

This follows the adoption by the Commission in June 2011, of a proposal for the next multi-annual financial framework for the same period<sup>(1)</sup>: a budget for delivering the Europe 2020 Strategy. In its proposal, the Commission decided that cohesion policy should remain an essential element of the next financial package and underlined its pivotal role in delivering the Europe 2020 Strategy.

The total proposed budget for the period 2014-2020 will be EUR 376 billion, including funding for the new Connecting Europe Facility, which is designed to enhance cross-border projects in energy, transport and information technology.

The legislative architecture for cohesion policy comprises:

- an overarching regulation setting out common rules for the European Regional Development Fund (ERDF), the European Social Fund (ESF), the Cohesion Fund, the European Agricultural Fund for Rural Development (EAFRD), the European Maritime and Fisheries Fund (EMFF), and further general rules for the ERDF, ESF and Cohesion Fund;
- three specific regulations for the ERDF, the ESF and the Cohesion Fund; and
- two regulations on the European territorial cooperation goal and the European Grouping of Territorial Cooperation (EGTC).

|||||||

(1) COM(2011) 500 Final.



## 2 Proposal for a General Regulation

**The General Regulation is divided into two parts.**

The first part lays down a series of common provisions for the five Funds with structural aims covered by the Commission's Common Strategic Framework (ERDF, ESF, Cohesion Fund, EAFRD, and EMFF). It outlines the common elements on strategic planning and programming; the thematic objectives linked to Europe 2020, which will be the basis for the Funds; and provisions on the Common Strategic Framework and on the Partnership Contracts with each Member State. Common rules also cover eligibility, financial instruments, and management and control principles.

The second part sets out specific provisions for the ERDF, ESF, and Cohesion Fund. These relate to the mission and goals of cohesion policy, the financial framework, specific programming and reporting arrangements, major projects and joint action plans. It also sets out the detailed management and control requirements under cohesion policy and the specific arrangements for financial management.

The fund-specific regulations include provisions specific to each Fund (ERDF, ESF and the Cohesion Fund), in particular regarding the scope of the Funds, the investment priorities, and the indicators.

## Common rules applicable to the ERDF, ESF, Cohesion Fund, EAFRD and EMFF

### PRINCIPLES

The Commission proposes a series of common principles applicable to all Funds. These include partnership and multi-level governance; compliance with applicable EU and national laws; promotion of equality between men and women; non-discrimination; and sustainable development.

### REINFORCED STRATEGIC PROGRAMMING: THEMATIC CONCENTRATION ON EUROPE 2020

In order to maximise the impact of the policy in delivering EU priorities, the Commission proposes to reinforce the strategic programming process. This involves the introduction of the Common Strategic Framework, Partnership Contracts, and a menu of thematic objectives in line with the Europe 2020 strategy and its integrated guidelines.

The Common Strategic Framework, to be adopted by the Commission, will set out key actions to address EU priorities; will provide guidance on programming applicable to all Funds, including EAFRD and EMFF; and will promote a better coordination of the various EU structural instruments.

Partnership Contracts, agreed at the outset between the Commission and Member States will set out the overall contribution, at national level, to the thematic objectives and the commitments to concrete actions to deliver Europe 2020 objectives. Clear and measurable targets will be defined in a performance framework.



## INCREASED PERFORMANCE AND CONDITIONALITIES

To reinforce performance, new conditionality provisions will be introduced to ensure that EU funding creates strong incentives for Member States to deliver Europe 2020 objectives and targets. Conditionality will take the form of both so-called ex ante conditions that must be in place before funds are disbursed, and so-called ex post conditions that will make the release of additional funds contingent on performance.

### EX ANTE CONDITIONALITIES

The rationale for strengthening ex ante conditionality for the funds is to ensure that the conditions necessary for their effective support are in place. Past experience suggests that the effectiveness of investments financed by the funds have in some instances been undermined by weaknesses in national policy, and regulatory and institutional frameworks. The Commission therefore proposes a number of ex ante conditionalities, which are laid down together with the criteria for their fulfilment in the General Regulation. Some conditions are directly related to the thematic objectives of the policy (for example, smart specialisation strategies, or appropriate regulatory framework for business support), while others apply horizontally (for example, public procurement).

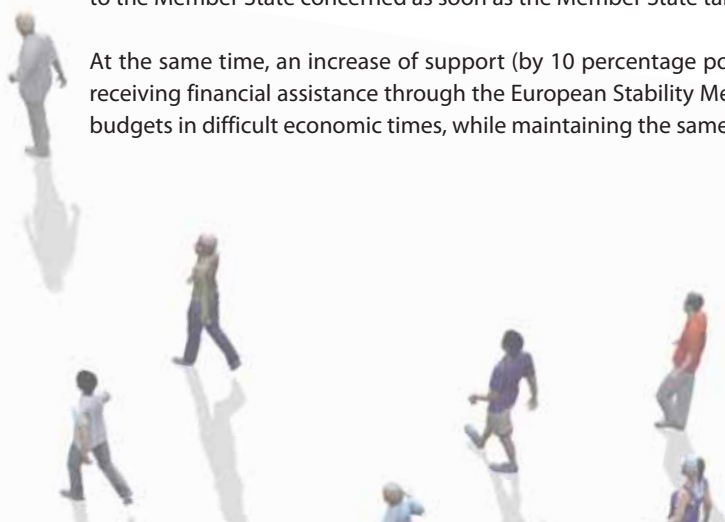
### EX POST CONDITIONALITIES

Ex post conditionality will strengthen the focus on performance and the attainment of Europe 2020 goals. It will be based on the achievement of milestones related to targets linked to Europe 2020, set for programmes covered by the Partnership Contract. A total of 5 % of the national allocation of each fund will be set aside and allocated, during a mid-term review, to the Member States for the programmes that have fully met their milestones. In addition to the performance reserve, failure to achieve milestones may lead to the suspension of funds, and a serious underachievement in meeting the targets of a programme may lead to cancellation of funds.

### MACROECONOMIC CONDITIONALITIES

Establishing a closer link between cohesion policy and the economic governance of the Union will ensure that the effectiveness of expenditure under the Common Strategic Framework (CSF) Funds is underpinned by sound economic policies. The CSF Funds can, if necessary, be redirected to addressing the economic problems a country is facing. This process has to be gradual, starting with amendments to the Partnership Contract and to the programmes in support of Council recommendations to address macroeconomic imbalances and social and economic difficulties. Where, despite the enhanced use of the CSF Funds, a Member State fails to take effective action in the context of the economic governance process, the Commission should have the right to suspend all or part of the payments and commitments. Decisions on suspensions should be proportionate and effective, taking into account the impact of the programmes concerned on the economic and social situation in the relevant Member State. When deciding on suspensions, the Commission should also respect equality of treatment between Member States, taking into account in particular the impact of the suspension on the economy of the Member State concerned. The suspensions should be lifted and funds be made available again to the Member State concerned as soon as the Member State takes the necessary action.

At the same time, an increase of support (by 10 percentage points) can be applied when a Member State is receiving financial assistance through the European Stability Mechanism, thus reducing the strain on national budgets in difficult economic times, while maintaining the same overall level of EU funding.



## COMMON MANAGEMENT ARRANGEMENTS

The proposal envisages common principles for management and control. A system of national accreditation of the key control bodies is put in place to emphasise the commitment of Member States to sound financial management. The arrangements for providing assurance to the Commission on the regularity of expenditure are harmonised and new common elements, such as a management declaration of assurance and annual clearance of accounts, are introduced.

## SUPPORTING INTEGRATED PROGRAMMING

The Commission proposes a more integrated approach to EU investment, including common eligibility and financial rules, and the introduction of multi-fund programmes for the ERDF, ESF and Cohesion Fund, as an option.

The proposals also set out an integrated approach to community-led local development, which facilitates the implementation of local development strategies by community groups including local authorities, NGOs, and economic and social partners, based on the LEADER approach used for rural development.

## INCREASED USE OF FINANCIAL INSTRUMENTS

The role of innovative financial instruments will be enhanced, by extending their scope, rendering their implementation frameworks more flexible and effective, and encouraging their use as a more efficient alternative, or in a complementary way with traditional grants. The proposal represents a more solid legal and operational framework that provides clear and simplified rules concerning key implementation matters such as the financial management of EU contributions or the combination of financial instruments with grants.

Subject to feasibility, financial instruments can be applied to the full bandwidth of policy objectives reflected in programmes, in order to deliver investments in projects that demonstrate appropriate repayment capacity in situations of market imperfection. They can be deployed by Member States and managing authorities either as tailor-made instruments or on the basis of pre-defined models for national or regional instruments that allow for efficient roll-out of operations in line with standard terms and conditions proposed by the Commission. Managing authorities may also contribute to financial instruments set up at EU level, with resources that will be ring-fenced for investments in line with the programmes concerned.





## MONITORING AND EVALUATION

Common provisions in the area of monitoring and evaluation include the role and composition of the monitoring committee, annual implementation reports and review meetings, progress reports on the implementation of the Partnership Contract, ex ante and ex post evaluations.

## SIMPLIFIED AND STREAMLINED ELIGIBILITY RULES

Emphasis is placed on measures to ensure that administrative costs are proportionate and that 'red tape' for beneficiaries is cut. The aim is to harmonise, as far as possible, the rules applicable for all Funds. Simplified costs options, such as standard scales of unit costs and lump sums, allow Member States to introduce performance-oriented management at project level.

Common provisions on delivery include common rules on eligible expenditure, the different forms of financial support, simplified costs, and durability of operations.

# General provisions applicable to the ERDF, ESF and the Cohesion Fund

## GEOGRAPHICAL COVERAGE OF SUPPORT

Every European region may benefit from the support of ERDF and ESF. However a distinction between less developed, transition and more developed regions will exist in order to ensure concentration of the Funds according to the level of Gross Domestic Product (GDP).

**Less developed regions:** Supporting the less developed regions will remain an important priority for cohesion policy. The catching-up process of less developed regions will require long-term sustained efforts. This category concerns those regions whose GDP per capita is less than 75 % of the average GDP of the EU-27.

**Transition regions:** This new category of region will be introduced to replace the current phasing-in and phasing-out system. This category will include all regions with a GDP per capita between 75 % and 90 % of the EU-27 average.

**More developed regions:** While interventions in the less developed regions will remain the priority for cohesion policy, there are important challenges that concern all Member States, such as global competition in the knowledge-based economy and the shift towards the low carbon economy. This category concerns those regions whose GDP per capita is above 90 % of the average GDP of the EU-27.

In addition, a 'safety net' is created for all regions that were eligible under the convergence objective in the 2007-2013 period, but whose GDP per capita is above 75 % of the GDP average of the EU-27. Within the transition or more developed region categories they shall receive an allocation under the Structural Funds equal to at least two-thirds of their 2007-2013 allocation.





Minimum shares for the ESF will be established for each category of region (25 % for less developed regions; 40 % for transition regions; and 52 % for more developed regions) resulting in a minimum overall share for the ESF of 25 % of the budget allocated to cohesion policy, i.e. EUR 84 billion.

The Cohesion Fund will continue to support Member States with Gross National Income (GNI) per capita of less than 90 % of the EU-27 average in making investments in Trans-European transport (TEN-T) networks and the environment. Part of the Cohesion Fund allocation (EUR 10 billion) will be ring-fenced to finance core transport networks under the new Connecting Europe Facility.

Experience with the current financial framework shows that many Member States have difficulties in absorbing large volumes of EU funds over a limited period of time. Furthermore, the fiscal situation in some Member States has made it more difficult to release funds to provide national co-financing. In order to ease the absorption of funding, the Commission is proposing a number of steps:

- to fix at 2.5 % of GDP the capping rates for cohesion allocations;
- capping co-financing rates at the level of each priority axis within the operational programmes at 75-85 % in less developed regions and outermost regions; 75 % for European Territorial Cooperation programmes; 60 % in transition regions; and 50 % in more developed regions;
- to include certain conditions in the Partnership Contracts regarding the improvement of administrative capacity.

### REINFORCED STRATEGIC PROGRAMMING GEARED TOWARDS RESULTS

The Commission proposes a more results-oriented programming process to improve the effectiveness of cohesion policy programmes. In addition to the ex post conditionalities referred to above, the Commission proposes to introduce as an option a specific type of operation, called a Joint Action Plan. The Joint Action Plan will be defined and managed in relation to the outputs and results, which will contribute to the objectives of a programme.

### STREAMLINING FINANCIAL MANAGEMENT AND CONTROL

Management and control systems must find a balance between costs and the risks involved. The Commission's role in the ex ante review of national management and control systems will be proportionate using a risk-based approach. Small programmes will be exempt from a Commission review. The risk-based approach reduces administrative costs and provides better assurance, as Commission resources are used more efficiently and targeted on higher-risk areas.

The proposal also foresees a mandatory annual closure of completed operations or expenditure in the framework of the annual clearance of accounts. This aims to reduce the burden associated with a long retention period of documents for individual beneficiaries and the risks associated with the loss of the audit trail.



The process of annual clearance of accounts foreseen under the ongoing revision of the Financial Regulation will be applied to programmes and will bolster assurance at EU level. The Commission will attain reasonable assurance on the regularity of expenditure on the basis of the annual management declaration of assurance, the annual accounts, the accompanying reports, and the annual audit opinion on the management declaration and the accounts. These documents would be submitted every year for the preceding accounting year.

However, during the accounting year, when interim payments are made by the Commission, the assurance attained may be more limited. Therefore it is proposed that interim payments made by the Commission during the accounting year would reimburse 90 % of the amounts due to the Member State and that the remaining 10% would be paid by the Commission upon annual clearance of accounts, when full assurance of the regularity of expenditure has been obtained. The pre-financing arrangements will ensure that Member States have sufficient liquidity to make payments to beneficiaries for operations on the ground.

#### MOVING TOWARDS 'E-COHESION'

Electronic data management can seriously reduce administrative burden, while increasing the controllability of projects and expenditure. Member States are therefore required to set up systems by the end of 2014 to enable beneficiaries to submit all information electronically.



## 3 The European Regional Development Fund

**T**he European Regional Development Fund (ERDF) aims to strengthen economic, social and territorial cohesion in the European Union by correcting imbalances between regions. The ERDF supports regional and local development to contribute to all thematic objectives, by setting out detailed priorities to increase focus on:

- research and development, and innovation;
- improving access to and quality of information and communication technologies;
- climate change and moves towards a low-carbon economy;
- business support to SMEs;
- services of general economic interest;
- telecommunication, energy, and transport infrastructures;
- enhancing institutional capacity and effective public administration;
- health, education, and social infrastructures; and
- sustainable urban development.

### STRENGTHENING THEMATIC CONCENTRATION

To ensure that EU investments are concentrated on those priorities, minimum allocations are set for a number of priority areas. For example, in more developed and transition regions, at least 80 % of ERDF resources at national level should be allocated to energy efficiency and renewables, innovation and SME support, of which at least 20 % should be allocated to energy efficiency and renewables. Less developed regions will have a broader range of investment priorities to choose from, reflecting their wider development needs. But they will have to devote at least 50 % of ERDF resources to energy efficiency and renewables, innovation and SME support.

### REINFORCING TERRITORIAL COHESION

The proposed regulation provides for an increased focus on sustainable urban development. This should be achieved through the earmarking of a minimum of 5 % of ERDF resources for sustainable urban development, the establishment of an urban development platform to promote capacity building and exchanges of experience, and the adoption of a list of cities where integrated actions for sustainable urban development will be implemented.

The proposal also includes support for innovative actions in the field of sustainable urban development subject to a ceiling of 0.2 % of the annual funding.

Particular attention will be paid to areas with specific natural or demographic features, with a specific additional allocation for the outermost and sparsely populated regions. At least 50 % of this allocation will need to be assigned to actions contributing to the diversification and modernisation of the economies of the outermost regions, with a particular focus on research and innovation, information and communication technologies, and SME competitiveness.

## 4 The European Social Fund

**W**hile contributing to economic, social and territorial cohesion, the European Social Fund (ESF) is the European Union's main financial instrument for investing in people. It increases the employment opportunities of European citizens, promotes better education, and improves the situation of the most vulnerable people at risk of poverty.

The regulation proposes to target the ESF on four thematic objectives throughout the Union:

- (i) promoting employment and supporting labour mobility;
- (ii) promoting social inclusion and combating poverty;
- (iii) investing in education, skills and lifelong learning; and
- (iv) enhancing institutional capacity and an efficient public administration.

However, the ESF should also contribute to other thematic objectives such as supporting the shift towards a low-carbon, climate-resilient and resource-efficient economy; enhancing the use of information and communication technologies; strengthening research, technological development and innovation; and enhancing the competitiveness of small and medium-sized enterprises (SMEs).

### STRENGTHENING THEMATIC CONCENTRATION

In line with the EU's commitment to inclusive growth, at least 20% of the ESF should be allocated to promoting social inclusion and combating poverty. In addition, programmes should concentrate funding on a limited number of 'investment priorities' that set out the details of each thematic objective.

### REINFORCING PARTNERSHIP

The proposal contains specific provisions to strengthen partnerships and to encourage the active participation of social partners and non-governmental organisations (NGOs) in ESF investments. It calls for an appropriate amount of ESF resources to be allocated to capacity building actions for social partners and NGOs in less developed regions.

### REINFORCING SOCIAL INNOVATION AND TRANSNATIONAL COOPERATION

Social innovation and transnational cooperation activities are encouraged through an increased co-financing rate for dedicated priority axes; through specific programming and monitoring arrangements; and through a stronger role for the Commission in the exchange and dissemination of good practice and joint actions across the Union.

### STRENGTHENING THE FOCUS ON RESULTS

With a view to improving the effectiveness of ESF interventions, specific provisions are foreseen to ensure concentration of resources. In addition, common indicators are established to allow closer monitoring and to facilitate assessment of the impact of ESF investment at EU level.





### SIMPLIFYING THE DELIVERY SYSTEM

To facilitate the use of ESF, in particular by small operators, the draft regulation proposes more simplified cost options. In addition, it is proposed that for small operations, Member States will be obliged to use standard scales of unit costs or lump sums. This could ease the administrative burden for up to 50 % of projects.

### INCREASED USE OF FINANCIAL INSTRUMENTS

Specific provisions are introduced for financial instruments to encourage Member States and regions to leverage the ESF and thus increase its capacity to finance actions in favour of employment, education and social inclusion.

## 5 The Cohesion Fund

**T**he Cohesion Fund helps Member States with a GNI per inhabitant of less than 90 % of the EU-27 average to invest in TEN-T transport networks and the environment.

### SUPPORTING THEMATIC CONCENTRATION

In the field of environment, the Cohesion Fund will support investment in climate change adaptation and risk prevention as well as investment in the water and waste sectors, and the urban environment. In line with the Commission's proposals on the Multi-Annual Financial Framework, investment in energy would also be eligible for support, provided it has positive environmental benefits. Investment in energy efficiency and renewable energy are therefore also supported. In the field of transport, in addition to the TEN-T network, the Cohesion Fund will contribute to investments in low-carbon transport systems and urban transport.



## 6 European Territorial Cooperation

**E**uropean Territorial Cooperation is a goal of cohesion policy and provides a framework for the exchanges of experience between national, regional and local actors from different Member States, as well as joint action to find common solutions to shared problems. This is all the more important given that the challenges faced by Member States and regions increasingly cut across national/regional boundaries and require joint, cooperative action at the appropriate territorial level. European Territorial Cooperation can thus also provide an important contribution to fostering the new Lisbon Treaty objective of territorial cohesion.

A separate regulation is proposed for European Territorial Cooperation to take better account of the multi-country context of the programmes and make more specific provisions for cooperation programmes and operations, as has been requested by a large number of stakeholders. The proposal thus makes references to third country participation to better reflect the reality of cooperation. It also contains more systematic references to the role that European Groupings of Territorial Cooperation (EGTC) can play in a cooperation context.

### FINANCIAL ALLOCATION

The proposal sets out the financial resources available for each strand and the criteria for their allocation to Member States. They will be allocated as follows:

- 73.24% for cross-border cooperation;
- 20.78% for transnational cooperation; and
- 5.98% for interregional cooperation.

This includes the continuation of the mechanism for the transfer of resources for cooperation activities at the external borders of the Union, to be supported under the European Neighbourhood and Partnership Instrument (ENPI) and the instrument for Pre-Accession Assistance. Collaborations on programmes under the European Territorial Cooperation goal and programmes financed under external instruments shall be promoted.





### STRENGTHENING THE STRATEGIC APPROACH AND CONCENTRATION

Provisions on thematic concentration and investment priorities improve the strategic focus of programmes. Programmes can choose priorities from a thematic menu with corresponding investment priorities, for which cooperation will yield most added value. In addition, selection criteria have been defined more strictly to ensure that funding is given to genuinely joint operations. Programmes will also be subject to performance review.

Given the possible overlap between existing and future macro-regions, sea-basins and transnational programme areas, the proposed regulation explicitly foresees that transnational cooperation can also support the development and implementation of macro-regional strategies.

### FOCUS ON SIMPLIFICATION, STREAMLINING AND CUTTING RED TAPE

Streamlined arrangements are set out for implementation, financial management and control. For example, the number of authorities involved in programme implementation has been reduced and roles and responsibilities further defined. A set of improved indicators is also proposed.



## 7 European Grouping of Territorial Cooperation

**S**ince 2006, local and regional partners have been able to set up European Groupings of Territorial Cooperation (EGTCs), with a common legal framework to help them overcome complicated differences between national rules and regulations. The Commission proposes significant modifications concerning the following aspects of the current EGTC Regulation:

- easier establishment of EGTCs;
- reviewing scope of activity;
- opening EGTCs to non-EU regions;
- clearer operating rules on staff recruitment, spending and protecting creditors; and
- practical cooperation in providing public and local services.

### MORE FLEXIBILITY IN THE MEMBERSHIP

EGTCs have wanted to include non-EU members for some time. Under the regulation, this would now be possible under certain conditions. However, where such EGTCs involve members from only one Member State and a third country, an additional legal basis in the Treaty concerning cooperation with third countries would be required.

### RULES FOR ESTABLISHING AN EGTC AND APPROVAL FROM THE RELEVANT NATIONAL AUTHORITIES

The criteria for approval or rejection of EGTCs by national authorities are specified, and a limited time for examination and decision proposed.

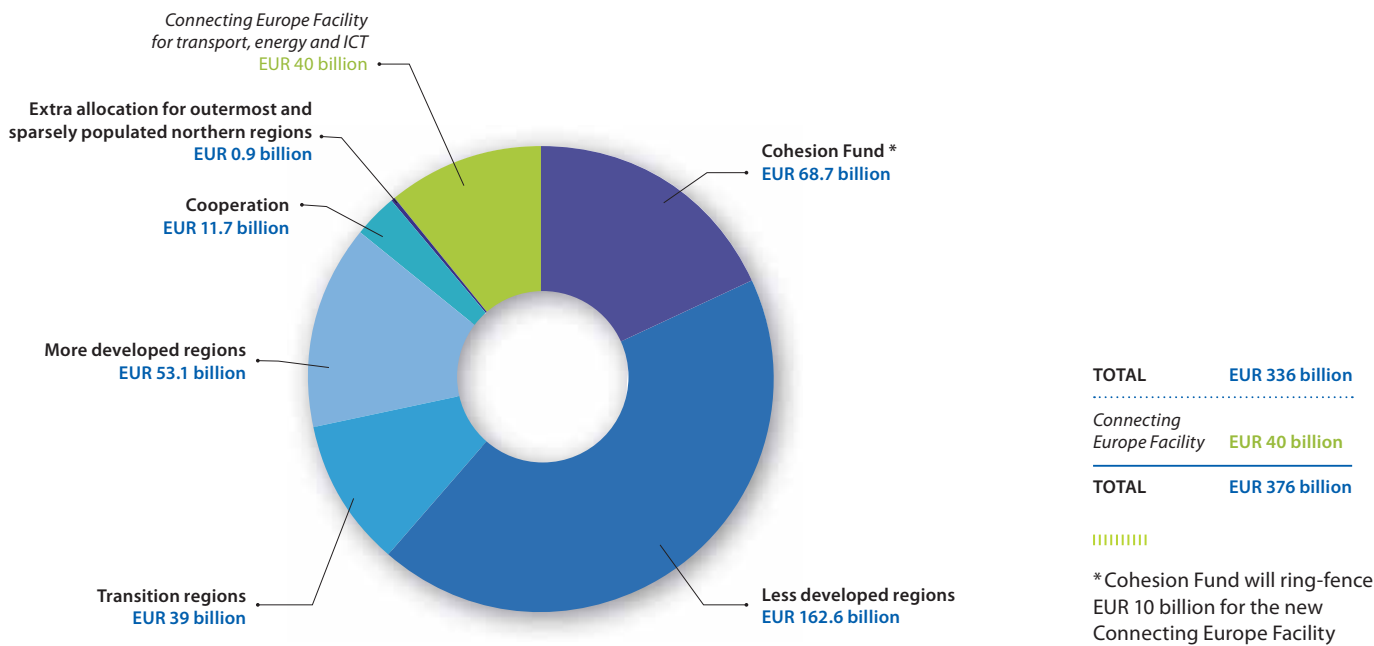




# Tables and Charts

COHESION POLICY ARCHITECTURE				
2007-2013		2014-2020		
Objectives		Goals	Category of regions	Funds
Convergence	ERDF ESF	Investment in Growth and Jobs	Less developed regions	ERDF ESF
Convergence phasing out			Transition regions	
Regional Competitiveness and Employment Phasing in				
	Cohesion Fund			Cohesion Fund
Regional Competitiveness and Employment	ERDF ESF			More developed regions
European Territorial Cooperation	ERDF	European Territorial Cooperation		ERDF

BUDGET FOR COHESION POLICY POST-2013 (2011 PRICES)



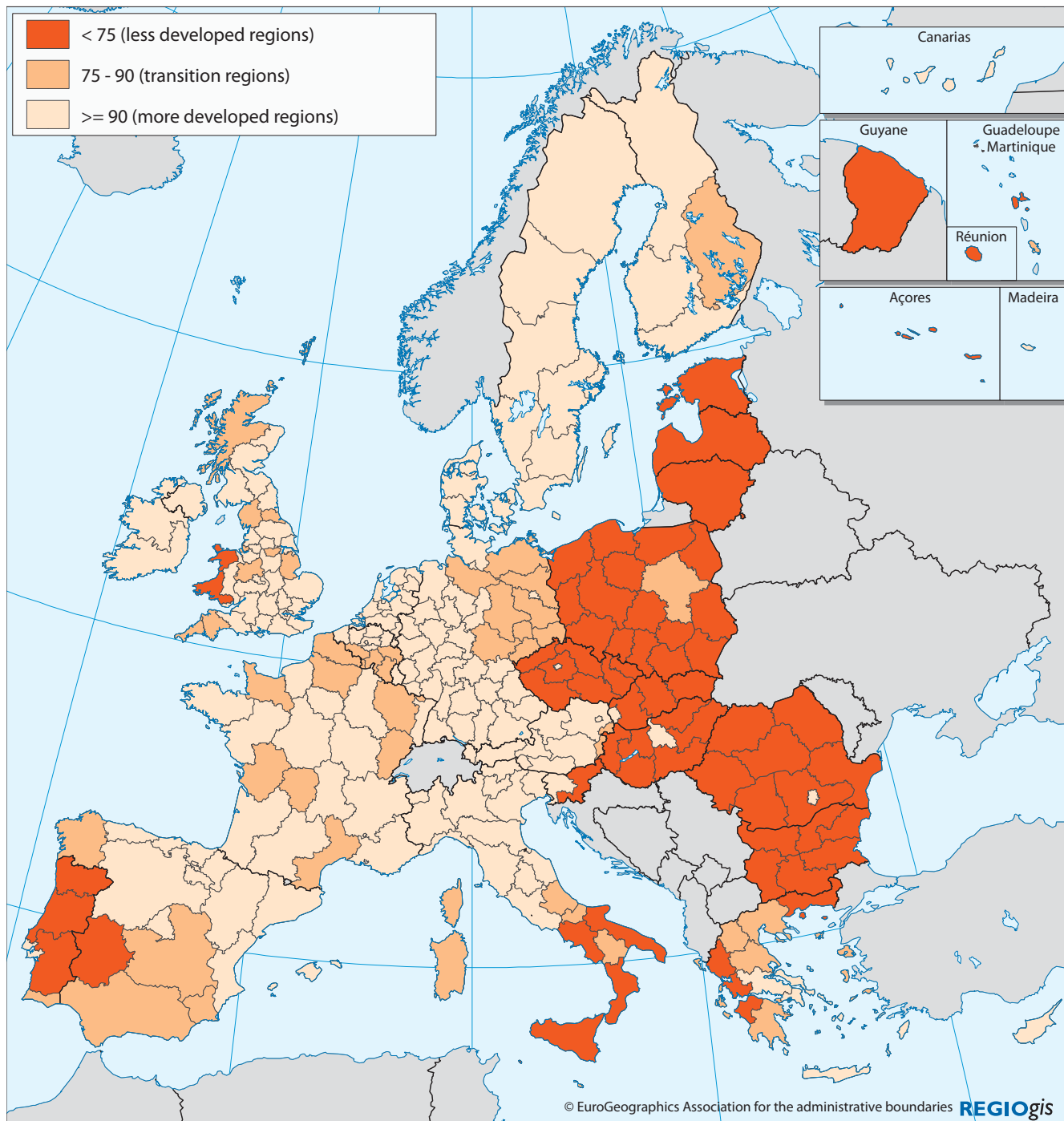
ELIGIBILITY FOR LESS DEVELOPED REGIONS	
2007-2013	2014-2020
NUTS 2 regions whose GDP per capita is less than 75 % of the EU average	No change
Transitional support for regions which would have remained eligible for the convergence objective if the threshold remained 75 % of the average GDP of EU-15 and not of EU-25	Separate category for transition regions
Cohesion Fund: Member States whose GNI per capita is less than 90 % of the average GNI of EU-27	No change
Transitional support to Member States who would have been eligible for the Cohesion Fund if the threshold remained 90 % of average GNI of EU-15 and not of EU-27	Transitional support to Member States eligible for funding from the Cohesion Fund in 2013, but whose GNI per capita exceeds 90 % of the average GNI per capita of the EU-27

ELIGIBILITY FOR TRANSITION REGIONS	
2007-2013	2014-2020
Transitional support for NUTS 2 regions which would have remained eligible for the convergence objective if the threshold remained 75 % of the average GDP of EU-15 and not of EU-25 (Convergence phasing-out)	NUTS 2 regions whose GDP per capita is between 75 % and 90 % of the average GDP of EU-27 with a differentiated treatment for regions which are eligible under the Convergence objective in 2007-2013
Transitional support for NUTS 2 regions which were covered by Objective 1 in 2000-2006 but whose GDP exceeded 75 % of EU-15 GDP average (RCE phasing-in)	

ELIGIBILITY FOR MORE DEVELOPED REGIONS	
2007-2013	2014-2020
All NUTS 2 regions outside the Convergence objective and not covered by the phasing out transitional support	NUTS 2 regions whose GDP per capita is above 90 % of the average GDP of the EU-27 with a differentiated treatment for regions which are eligible under the Convergence objective in 2007-2013
Transitional support for NUTS 2 regions which were covered by Objective 1 in 2000-2006 but whose GDP exceeded 75 % of EU-15 GDP average (RCE phasing-in)	

## Eligibility simulation 2014-2020

GDP/head (PPS), index EU27=100



European Commission

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**For the full text of the proposed regulations, see:**

[http://ec.europa.eu/regional\\_policy/what/future/proposals\\_2014\\_2020\\_en.cfm](http://ec.europa.eu/regional_policy/what/future/proposals_2014_2020_en.cfm)



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