

COMMITTEE OF THE REGIONS  
– DIRECTORATE E –  
Horizontal Policies and Networks



**QUESTIONNAIRE**

**ASSESSMENT ON TERRITORIAL IMPACTS**

**Submitted by Michael Schneider (DE/EPP)**

**Michael Schneider** is the rapporteur for the CoR own initiative opinion on *Assessment on territorial impacts*. This opinion will discuss the European Commission's Staff Working Document on *Assessing territorial impacts: operational guidance on how to assess regional and local impacts within the Commission Impact Assessment system, SWD (2013) 3 final*. This questionnaire identifies important issues for the Committee of the Regions and is designed to assist in the drafting of the own initiative opinion on the assessment of territorial impacts.

Please complete and submit by **20 March 2013**. If you are member of the Subsidiarity Monitoring Network you can upload the completed questionnaire directly onto the Subsidiarity Monitoring Network website (<http://subsidiarity.cor.europa.eu> – remember to log in). Alternatively and in case you are not member of the Network, you can send it by email to [subsidiarity@cor.europa.eu](mailto:subsidiarity@cor.europa.eu).

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## QUESTIONS

1. The Staff Working Document states that: "the guidance provided here also responds to a request from the Member States, expressed in the debate following the 2008 Green Paper on Territorial Cohesion and under the Polish EU Presidency in 2011 as part of the Territorial Agenda process".

**a) Do you consider that the document published by the European Commission meets the expectations and the ideas expressed in the political debate raised after the publication of the Green Paper on Territorial Cohesion in 2008? Do you believe there is a need for greater follow-up to this debate on territorial cohesion and if yes, could you give some concrete examples?**

With regard to "territorial cohesion", there are still differences in interpretation as to what this actually means in practice. The forthcoming structural funds period will be key to showing what practical relevance this significant expansion of EU cohesion policy since the Lisbon Treaty will have and how it will take shape. Practical examples and experience of "territorial cohesion" in macro-regions, in the context of cross-border cooperation programmes, or in specific projects in areas (including small ones) with "functional relationships" would provide useful input. Accompanying monitoring and/or individual accompanying studies could be considered.

2. In order to better coordinate the territorial impact of sectoral EU policies, there needs to be a better understanding and measurement of those impacts. The Green Paper on Territorial Cohesion already focused on this point, stating that *"improving territorial cohesion implies better coordination between sectoral and territorial policies and improved coherence between territorial interventions"*.

**b) Do you believe that the European Commission's proposal can be an effective instrument able to improve coordination between EU sectoral policies having territorial impacts? In your view what else should/could be done?**

Both technically and politically, establishing the greatest possible consistency between urgently-needed sectoral measures and their impact on particular regions and areas will always be a balancing act. The people best placed to provide an assessment and the most comprehensive overview are those who will be affected by the measures, i.e. the political bodies and stakeholders in the relevant region/area. It is therefore helpful to actively involve this target group in the impact assessment process, to investigate how they will be affected and to feed their knowledge into the opinion-forming process before it becomes a decision-making process.

We **disagree** in the strongest possible terms with the Commission's **conclusions** on the guidelines for assessing "territorial" impact:

In the event of extreme imbalances between costs and benefits for individual areas or regions, the Commission merely proposes to modify the proposal or, at most, to balance it with other measures (or even with a specific instrument). This implies that the policy instrument needs to be pushed through whatever happens. Dropping the political project when the costs are simply too great must also be an alternative!

Constructing and proposing new accompanying instruments simply to mitigate the negative impact of a proposed measure cannot in itself be the aim and purpose of implementing a project at EU level.

The conclusions regarding possible responses to significant distortions and negative effects on individual regions are thus incomplete: the option of dropping a policy initiative or measure must also be there.

3. The Staff Working Document provides operational and methodological guidance on how to answer a range of questions regarding the potential territorial impact of a given proposal. Nevertheless, it underlines that assessing territorial impacts is not mandatory, and states that it is just a tool that can be helpful to enhance the policy coherence of some policy proposals.

**c) Do you consider that territorial impact assessments should be made compulsory for those sectoral policies having a territorial impact? If yes, in your opinion for which sectoral policies should the assessment of territorial impacts be made mandatory?**

The selection process for assessing the territorial impact of EC proposals and the "decision tree" described are fundamentally OK. However, in respect of the second, difficult-to-determine set of "territorial" effects to be examined, it should not be limited to those with a "significant impact"; effects that may be considered less significant from a European perspective may well be significant from the regional or functional perspective of a territorially cohesive area. For those policy areas (such as cohesion policy, agricultural policy, air quality) it results from their very nature that the "territorial" component be looked into. In other policy areas, it is difficult to lay down a general requirement for "territorial" impact assessments in advance. This needs to be judged on a case-by-case basis.

4. The Staff Working Document states that a territorial impact assessment should be carried out when the proposal explicitly focuses on specific territories or when the proposal risks of having a large asymmetric territorial impact (outlier impact). It also highlights different methods that can be used to assess territorial impacts. In particular, it mentions qualitative and quantitative analysis. These tools and methodologies should be used by the different Directorates-General at the European Commission when preparing territorial impact assessments for proposals they are responsible for.

**d) Do you consider the data, methodology and tools proposed for supporting territorial impact assessments (such as ESPON ARTS<sup>1</sup> or QUICKScan) are sufficient to measure the potential territorial impacts a given proposal could have in your region? Would you propose any other type of tools/methodology?**

The instruments and methods listed by the Commission are very technical/rational in nature and cannot always cover all angles of a "territorial" impact assessment. Besides, these instruments are supposed to be tools. Soft facts and additional arguments must be taken into account and will often only be able to be gathered from the relevant regions and stakeholders.

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<sup>1</sup> [http://www.espon.eu/main/Menu\\_Projects/Menu\\_AppliedResearch/arts.html](http://www.espon.eu/main/Menu_Projects/Menu_AppliedResearch/arts.html).

**e) Do you believe the complexity of territorial impact assessments require them to be carried out by a single specialised entity (one-stop shop) or do you prefer the idea of a decentralised system as proposed in the Staff Working Document?**

This would need to be done at a decentralised level, as even a central entity should not judge the complexity of individual issues by a single set of criteria, firstly because of the different starting points of the regions and cities affected and secondly because of the differences in impact on regions. Specific situations need to be looked at individually and then fed into the opinion-forming process.

5. Multilevel Governance and partnerships are key factors in the implementation of territorial cohesion, focussing on strengthening a place-based approach. The Committee of the Regions has already asked for the assessment of specific territorial impacts and recalls the potential role<sup>2</sup> of the CoR in assisting the European Commission in the process of Impact Assessment as well as to be associated to some of the EC's initiatives towards improvements in the capacity building of regional and local authorities<sup>3</sup>.

**f) What should the specific measures providing for the involvement of local and regional authorities be in these exercises?**

The Commission itself stresses that stakeholder involvement is an appropriate way of gathering not only qualitative but also quantitative data, information and knowledge of possible effects. These stakeholders have the necessary background knowledge and are thus best placed to assess the risks, but also the benefits. Concrete means of actively involving them in the consultation process therefore need to be found – quite possibly via the Committee of the Regions – where expectations with regard to certain impacts are patchy. They need to be involved in the process of gathering information and initial opinion forming and, in particular, be asked to issue a formal opinion. The current general call for participation in public consultation is certainly not enough on its own. Representatives, with technical or indeed political expertise, of affected regions could be invited to specially organised Commission workshops or hearings in connection with the impact assessment so that they can also impart their knowledge and arguments orally. In this regard, the approach adopted by some Committee of the Regions rapporteurs of inviting informed representatives to hearings is a good one.

**g) What role do you see for the Committee of the Regions in this context?**

The CoR's job would be to collate the (imaginable, expected and calculated) impact on individual regions in order to underpin a general statement, preferably with quantitative and above all qualitative findings. "Minority reports" and alternative impact scenarios should also be taken into consideration, at least in part.

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<sup>2</sup> See section 5.5 of the EC's Staff Working Document: "Under the Protocol on Cooperation between the Commission and the Committee of the Regions (2012) the Commission services may ask for support from the Committee in preparing its assessment.

<sup>3</sup> CdR 353/2010, CoR Opinion on Smart Regulation.

6. The Committee of the Regions has already asked for territorial cohesion to be strengthened in relation to the EU2020 Strategy. One possibility for this could be not to confine the assessment of territorial impacts to legislative proposals and to extend them to other documents, such as key planning documents, such as the Annual Growth Survey.

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| <p><b>h) Do you think there should be a territorial dimension of the EU2020 policy cycle?</b></p> <p>Comprehensive, broad-brush planning documents such as the Annual Growth Survey are poorly suited to meaningful consideration with a view to territorial assessment. The Europe 2020 strategy by itself, with its broad macroeconomic dimension and many detailed aspects, has already become too complex to be manageable. Even now, the overall impact on a Member State of measures taken at national level, whether or not such measures are based on recommendations, cannot be estimated. There are always individual aspects (budget related, employment, innovation, education, of course many areas related to the climate and the environment) that in turn have many facets and are very different for, say, urban or rural areas.</p> <p>We think it would make more sense to look more closely at individual policy areas of the Europe 2020 strategy that can reasonably be considered to be of particular territorial relevance, take them up and deal with their territorial dimension primarily from the point of view of the regions. Aggregating the entire Europe 2020 strategy with regard to the requirements of "territorial cohesion" is asking too much, even from an academic perspective. A summary "policy assessment" will ultimately be too vague, as certain aspects may be emphasised and others neglected as the authors see fit.</p> |
| <p><b>i) Do you consider the Annual Growth Survey (as a key planning document for the launch of the annual EU2020 policy cycle) should contain a territorial impact assessment?</b></p> <p>It would be desirable, but we think it would be difficult to do in practice and even then would not be very meaningful for the various regions and cities, which are much more diverse than the Member States (from a macroeconomic perspective), such that what might be entirely positive for one region might have quite the opposite impact on another.</p> <p>Not everything can be forecast comprehensively, so not everything can be planned. The approach and the underlying principle of the Europe 2020 strategy of making the goals set at European level binding on all public bodies involved in multi-level governance makes a lot of sense: everyone is called upon to contribute (as far as possible) to achieving the goals, including at regional level. Cities can do a lot for climate goals or to combat poverty; that opens up the option of not having to implement measures that may, in an individual case, be detrimental to spatial planning or territorial cohesion. It only becomes an obligation where there are deficiencies in a Member State and the "recommendations" include specific measures to be adopted for the benefit of the whole EU (consider, for example, the sovereign debt crisis and the risk it poses to the euro).</p>       |
| <p><b>j) In your opinion, should Territorial Impact Assessments also be carried out at Member State level?</b></p> <p>There would be more Europe and a "Europe of regions and cities" if (local and regional) authorities themselves were to investigate and assess the potential impact and feed these directly into the EU opinion forming process at an early stage.</p>  |

Individual Member States (such as Austria) have sophisticated "EU participation procedures" (in some cases enshrined in the constitution) and "autonomous" regions/states that get involved.

However, this requires two things:

- 1) sufficient resources at regional/local level, where necessary in consortia (association of towns and cities, assemblies of regions, Euregios, etc.); this would also ensure better technical and political input into the EC's consultations;
  - 2) formal involvement in the Commission's impact assessment system (via representatives or a specialised body with the option of different experts being sent, see above: workshops or hearings) organised by and involving the CoR – that would be real multi-level governance!
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