

**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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*If necessary, you can also contact the CoR Data Protection Officer ([data.protection@cor.europa.eu](mailto:data.protection@cor.europa.eu)). You have the right of recourse to the European Data Protection Supervisor at any time ([www.edps.europa.eu](http://www.edps.europa.eu)). Please note that the questionnaire with your contribution and your contact details will be published online. Your questionnaire might be transmitted to CoR Rapporteurs and other EU institutions for information. If you do not wish so, please inform us accordingly.*

## 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?**

The document presented by the European Commission is a useful contribution to the political debate on the territorial cohesion in the EU, as it tries to demonstrate the territorial effects of European policies for regional / local authorities (quantity and quality assessment). Territorial cohesion is closely connected with spatial development. Its interaction with sectoral policies requires monitoring and political follow-up. Accordingly, the documents should be further developed and improved.

- The debate should not be limited to the regional / local authorities, but it should have stronger political impact while emphasising that territorial cohesion as horizontal objective (and challenge) goes beyond the social and economic cohesion.
- The debate should lead to the development of „overall guidelines“ for all sectoral policies.

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?**

The paper makes only the attempt to explain what the assessment of territorial impact means, why it can be a useful tool as well as when and how it can be carried out. Accordingly, the proposal provides solely answers to these questions and can not be an efficient instrument for better coordination. It is rather a “manual” for the assessment that still has to be carried out (operational and methodological guidelines how answers to these questions can be found).

The quality assessment should in any case be carried out, not only when a quantity assessment is not possible due to missing data.

For territorial, and especially cross-border cooperation it is of particular importance to collect cross-border data and documents at NUTS III level and below that go beyond the sole addition and

compilation of national data.

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 Territorial Agenda emphasises the need for coordination of the sectoral policies at European and national levels, but also between the EU and the member states.

The impact assessments should not be compulsory (no further EU directive!!), as in this case the risk of more EU bureaucracy (eg. new requirements in case of investments in addition to national legislation) could not be denied. This is a contradiction to the subsidiarity principle.

It is rather important that sectoral policies take into account from the beginning on the territorial dimension of their interventions, in particular also as regards their impacts on the regional / local authorities and their budgets (in case of financial impact the costs should be paid in accordance with the costs-by-cause principle). The creation of a “territorial unit” within each territorially relevant policy would be, thus, a path breaking step.

In fact, no policy should be excluded, as the impact can be recognised only after an assessment. Following policies should be in any case included: infrastructure, structural policy, internal market, labour market and social policy, innovation, research and development, rural and fisheries policy, industry and SME policy, education, urban policy/rural area, services of general interest and all policies that have an impact on border areas.

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?**

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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).

The proposed data, methodology and tools appear at first to be sufficient. However, they should be in any case further developed and improved. This refers above all to cross-border data and information that is nearly completely missing up to now.

New instruments seem not to be necessary, as no added value can be identified if the existing instruments will be further improved.

The application (in parallel) of too many different instruments could have also a negative effect, as many different results / opinions would, eventually, postpone the discussion of this subject or even prevent it.

**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?**

The logical consequence of a decentralised system is a centralised assessment with, at best, joint criteria, if verifiable neutral statements about the impact on territorial authorities should be made for the entire territory of the EU.

Accordingly, it would be useful to develop a mix of both approaches based on one joint methodology, as some legal documents or projects can have in some member states a strong territorial impact and in other member states only weak or even no effects at all.

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 territorial cohesion policy provides again the opportunity to strengthen the role of regional and local authorities and other stakeholders in the implementation of EU policies.

The regional / local authorities should be involved from the beginning on in the implementation and realisation of a process.

If the assessment is based on a mixed system (see above) the involvement could take place on a decentralised level (eg. national consultations) and / also on the EU level with strong participation of the CoR.

The CoR should support the authorities while providing the necessary information, bringing together

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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.

groups with joint interests and taking care of publicity (see also g).

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

The CoR should publish regularly a report on the impact assessment of EU policies for regional / local authorities. It would be a foundation for wide political debate within the responsible committee and within the subsidiarity monitoring platform of the CoR, as well as with the European Parliament and the European Commission.

Moreover, the regional / local authorities could use it as discussion paper for the assessment of their own situation.

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.

**h) Do you think there should be a territorial dimension of the EU2020 policy cycle?**

Certainly yes!

Many EU policies have a territorial dimension. The regional diversity of the EU is a potential that has not been fully used so far. It requires a territorial dimension in the EU2020 policy cycle, in particular as regards cross-border cooperation. The paper presented by the EU Commission describes on page 3 explicitly the possible starting points for territorial approaches based on the Commission's guidelines for an impact assessment.

In any case, the territorial dimension of the EU 2020 Strategy should be stronger emphasised in order to avoid possible problems and deficits highlighted already in the Territorial Agenda 2020.

A recent report prepared at the request of the Polish Presidency of the Council of the European Union<sup>4</sup> affirms this and also points to the likely side-effects which can result out of this. The authors clearly state that the Europe 2020 Strategy (...) *“does not take into account the issue of territorial determinants. As such it underestimates the potential of, and the need for, a territorially differentiated policy and its implementation to achieve the far reaching aims of smart, sustainable and inclusive growth. One of the main reasons for this is that the role of the territorial cohesion objective in the EU development support system remains unclear.”*<sup>5</sup> Furthermore, they express their concerns about the likely negative side effects that could result from a “territorially blind” implementation of “Europe 2020”, especially in the event that the type of growth ultimately generated turns out to be “smarter” rather than “sustainable” and “inclusive”. Moreover, they also highlight that (...) *“smart, sustainable and inclusive growth can only be attained if policy making takes into account the territorial diversity of development potentials and challenges within Europe. To avoid ‘Europe 2020’ simply reproducing*

<sup>4</sup> Böhme K., Doucet P., Komornicki T., Zaucha J., Świątek D. (2011): How to strengthen the territorial dimension of ‘Europe 2020’ and EU Cohesion. Policy. Warsaw.

<sup>5</sup> ibid, p.65

*the Lisbon strategy failure, due attention must be paid to the territorial dimension of, and potential for, smart, sustainable and inclusive growth”.*<sup>6</sup>

**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?**

Yes, if it will be presented quickly. If this is the case, it can be a useful tool at European and national level as well as for regional / local authorities while defining the policies or while making the necessary corrections.

In the future, a specific report should be elaborated by the DG of the EU Commission responsible for the territorial dimension of the EU policy (and not by a DG not familiar with this subject).

The report should also include a large-scale impact assessment, in order to demonstrate serious territorial problems in Europe (along with the necessary small-scale perfection of data and documents for a region-specific analysis).

**j) In your opinion, should Territorial Impact Assessments also be carried out at Member State level?**

Yes, it would be a good supplement to the assessment carried out at EU level (see also above mixed system).

However, it is urgently necessary to consider cross-border regions as own “type of areas” and the necessary data and documents should be made available and should be analysed from a cross-border perspective. Only in this way it can be avoided, that border regions are not appropriately assessed at national level, as due to lacking knowledge and missing data the situation on the other side of the border can not be taken into account.

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<sup>6</sup> *ibid*, p.16