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Subject:        Cohesion Policy legislative package  
                    - Presidency compromise on thematic concentration

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Delegations will find attached a compromise text on the thematic concentration parts of the proposals for the Common Provisions Regulation, the ESF Regulation, the ERDF Regulation, the CF Regulation, and the ETC Regulation.

The modifications highlighted in bold are those in comparison to the revised versions (corrigendum) presented by the Commission on 14 March 2012.

## RECITALS

CPR, new recital:

**In order to optimise the added value from investments funded wholly or in part through the EU Budget in the field of research and innovation, synergies will be sought in particular between the operation of the CSF Funds and Horizon 2020 whilst respecting their distinct objectives. Key mechanisms for achieving these synergies will be the recognition of simplified costs from Horizon 2020 for a similar operation and beneficiary and the possibility to combine funding from different Union instruments, including CSF funds and Horizon 2020, in the same project while avoiding double financing. In order to strengthen the research and innovation capacities of national and regional actors and to achieve the goal of building a "Stairway to excellence" in less developed regions, close synergies should be developed between the CSF Funds and Horizon 2020 in all relevant programme priorities.**

ERDF-regulation, recital 4:

- (4) In order to address the specific needs of the ERDF, and in line with the Europe 2020 strategy<sup>1</sup> that cohesion policy should support the need to deliver smart, sustainable and inclusive growth, it is necessary to set out within each thematic objective laid down in Article 9 of Regulation (EU) No [...] /2012 [CPR] 'investment priorities' **which shall set out detailed objectives, which are not mutually exclusive, to which the ERDF shall contribute. These investment priorities should form the basis for the definition of specific objectives within programmes that take into account the needs and characteristics of the programme area**<sup>2</sup>.

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<sup>1</sup> Communication from the Commission: Europe 2020 - A strategy for smart, sustainable and inclusive growth, COM(2010) 2020 final, 3.3.2010.

<sup>2</sup> Similar amendments to be added at a later stage to the CF, ETC and ESF recitals.

ERDF-regulation, new recital:

**In order to maximise their contribution to the objective of supporting employment friendly growth, activities supporting sustainable tourism, culture and natural heritage should be part of a territorial strategy for specific areas, including the conversion of declining industrial regions. Support for such activities should also contribute to strengthening innovation and the use of ICT, SMEs, environment and resource efficiency or the promotion of social inclusion.**

CF-regulation, recital 3:

- (3) The Union may, through the Cohesion Fund, contribute to actions in pursuit of the Union's environmental objectives specified in Articles 11 and 191 of the Treaty **on the Functioning of the European Union, including the development of environment friendly and low carbon transport systems outside the Trans-European networks namely river and sea transport, including ports, intermodal transport systems, and their interoperability, management of road, sea and air traffic, clean urban transport and public transport.**

# **COMMON PROVISIONS REGULATION**

## **TITLE II**

### **STRATEGIC APPROACH**

#### **CHAPTER I**

##### **Thematic objectives for the CSF Funds and Common Strategic Framework**

###### *Article 9*

###### **Thematic objectives**

Each CSF Fund shall support the following thematic objectives in accordance with its mission in order to contribute to the Union strategy for smart, sustainable and inclusive growth:

- (1) strengthening research, technological development and innovation;
- (2) enhancing access to, and use and quality of, information and communication technologies;
- (3) enhancing the competitiveness of small and medium-sized enterprises, the agricultural sector (for the EAFRD) and the fisheries and aquaculture sector (for the EMFF);
- (4) supporting the shift towards a low-carbon economy in all sectors;
- (5) promoting climate change adaptation, risk prevention and management;
- (6) protecting the environment and promoting resource efficiency;
- (7) promoting sustainable transport and removing bottlenecks in key network infrastructures;
- (8) promoting employment and supporting labour mobility;
- (9) promoting social inclusion and combating poverty;
- (10) investing in education, skills and lifelong learning;
- (11) enhancing institutional capacity and an efficient public administration.

Thematic objectives shall be translated into priorities specific to each CSF Fund and set out in the Fund-specific rules.

## CHAPTER III

### Thematic concentration, *ex ante* conditionalities and performance review

#### *Article 16*

#### Thematic Concentration

Member States shall concentrate support, in accordance with the Fund-specific rules, on **interventions** bringing the greatest added value in relation to the Union strategy for smart, sustainable and inclusive growth **by making efficient use of specific territorial potentials taking into account national and regional needs, the Common Strategic Framework, [...] the challenges identified in the relevant country-specific recommendations under Article 121(2) of the Treaty on the Functioning of the European Union and the relevant Council recommendations adopted under Article 148(4) of the Treaty on the Functioning of the European Union [...].** **Provisions on thematic concentration under the fund-specific rules do not apply to technical assistance.**

## CHAPTER II

### Financial framework

#### *Article 84*

#### Resources for Investment for growth and jobs and for European territorial cooperation

- In order to ensure sufficient investment is targeted at youth, employment, knowledge and social inclusion, Member States shall concentrate resources to the thematic objectives set out in points 8, 9 and 10 of Article 9 of this Regulation with minimum levels in the following ranges:**

- (a) In more developed regions between 45% and 50% of Structural Funds resources;**
- (b) In [transition regions]<sup>1</sup> between 35% and 40% of the Structural Funds resources;**
- (c) In less developed regions between 20% and 25% of the Structural Funds resources.**

**By way of derogation, the minimum share for a category of region may be lower than the minimum level in the ranges set out above provided that such a decrease is compensated by an increase in other categories of regions. The resulting sum at national level for all categories of regions shall accordingly not be less than the sum at national level resulting from applying the minimum levels in the ranges set out above. [For the purposes of this provision, the support to a Member State through the [Food for deprived people instrument] shall be considered as part of the share of Structural Funds allocated to the ESF.]<sup>2</sup>**

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<sup>1</sup> To be reviewed at a later stage depending on the outcome of the MFF/negotiating box.

<sup>2</sup> To be reviewed at a later stage depending on the outcome of the MFF/negotiating box.

## TITLE II

### PROGRAMMING

#### CHAPTER I

##### General provisions on the Funds

###### *Article 88*

##### Joint support from the Funds

1. The Funds may jointly provide support for operational programmes under the Investment for growth and jobs goal.
2. The ERDF and the ESF may finance, in a complementary manner and subject to a limit of **10** % of Union funding for each priority axis of an operational programme, a part of an operation for which the costs are eligible for support from the other Fund on the basis of eligibility rules applied to that Fund, provided that they are necessary for the satisfactory implementation of the operation and are directly linked to it.
3. Paragraphs 1 and 2 shall not apply to programmes under the European territorial cooperation goal.

# ESF

## Chapter I

### General provisions

#### *Article 3*

#### Investment priorities

1. Under the thematic objectives listed below, and in accordance with Article 9 of Regulation (EU) No [...], the ESF shall support the following investment priorities:
  - (a) Promoting employment and supporting labour mobility through:
    - (i) Access to employment for job-seekers and inactive people, including local employment initiatives and support for labour mobility;
    - (ii) Sustainable integration of young people, **in particular those** not in employment, education or training into the labour market;
    - (iii) Self-employment, entrepreneurship and business creation;
    - (iv) Equality between men and women and reconciliation between work and private life;
    - (v) Adaptation of workers, enterprises and entrepreneurs to change;
    - (vi) Active and healthy ageing;
    - (vii) Modernisation and strengthening of labour market institutions, including actions to enhance transnational labour mobility;
  - (b)**<sup>1</sup> Promoting social inclusion and combating poverty through:
    - (i) Active inclusion **in particular with a view to improving employability**;
    - (ii) Integration of marginalised communities such as the Roma;
    - (iii) Combating discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation;

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<sup>1</sup> Point "(b)" has originally been point "(c)".



- (iv) Enhancing access to affordable, sustainable and high-quality services, including health care and social services of general interest;
- (v) Promoting the social economy and social enterprises;
- (vi) Community-led local development strategies;

**(c)** Investing in education, skills and life-long learning through:

- (i) **Preventing and** reducing early school-leaving; [...] promoting equal access to good-quality early-childhood, primary and secondary education;
- (ii) Improving the quality, efficiency and openness of tertiary and equivalent education with a view to increasing participation and attainment levels;
- (iii) Enhancing access to lifelong learning, upgrading the skills and competences of the workforce and increasing the labour market relevance of education and training systems; **including improving the quality of vocational education and training and the establishment and development of work-based learning and apprenticeship schemes such as dual learning systems.**

**(d)** Enhancing institutional capacity and efficient public administration through:

- (i) Investment in institutional capacity and in the efficiency of public administrations and public services with a view to reforms, better regulation and good governance;

This investment priority is only applicable throughout the territory of the Member States which have at least one NUTS level 2 region as defined in Article 82(2)(a) of Regulation (EU) No [...] or in Member States eligible for Cohesion Fund support;

- (ii) Capacity building for stakeholders delivering employment, education and social policies and sectoral and territorial pacts to mobilise for reform at national, regional and local level.

2. Through the investment priorities listed in paragraph 1, the ESF shall also contribute to the other thematic objectives listed in Article 9 of Regulation (EU) No [...], primarily by:

- (a) Supporting the shift towards a low-carbon, climate-resilient, resource-efficient and environmentally sustainable economy, through reform of education and training systems, adaptation of skills and qualifications, up-skilling of the labour force, and the creation of new jobs in sectors related to the environment and energy;
- (b) Enhancing the accessibility, use and quality of information and communication technologies, through the development of digital literacy **and e-learning**, investment in e-inclusion, e-skills and related entrepreneurial skills;
- (c) Strengthening research, technological development and innovation, through the development of post-graduate studies, the training of researchers, networking activities and partnerships between higher education institutions, research and technological centres and enterprises;
- (d) Enhancing the competitiveness of small and medium-sized enterprises, through promoting the adaptability of enterprises and workers and increased investment in human capital.

#### *Article 4*

#### **Consistency and thematic concentration**

1. Member States shall ensure that the strategy and actions set out in the Operational Programmes are consistent and focused on addressing the challenges identified in the National Reform Programmes and the relevant Council Recommendations made under Article 148(4) of the Treaty **on the Functioning of the European Union**, in order to contribute to achieving the headline targets of the Europe 2020 strategy on employment, education and poverty reduction.
2. At least 20 % of the total ESF resources in each Member State shall be allocated to the thematic objective "promoting social inclusion and combating poverty" set out in Article 9(9) of Regulation (EU) No [...]. **By way of derogation, resources allocated from the ERDF to the thematic objective set out in point (9) of Article 9 of Regulation (EU) No [..]/2012 [CPR] may be counted towards compliance with the minimum share set out in this paragraph.**

3. Member States shall pursue thematic concentration according to the following modalities:
- (a) For more developed regions, Member States shall concentrate **at least** 80% of the ESF allocation to each operational programme on up to four of the investment priorities set out in Article 3(1).
  - (b) For [transition regions]<sup>1</sup>, Member States shall concentrate **at least** 70% of the ESF allocation to each operational programme on up to four of the investment priorities set out in Article 3(1).
  - (c) For less developed regions, Member States shall concentrate **at least** 60% of the ESF allocation to each operational programme on up to four of the investment priorities set out in Article 3(1).

**By way of derogation, operational programmes that cover the entire territory of a Member State shall concentrate the applicable share set out above on up to five of the investment priorities set out in Article 3(1).**

**The priority axes referred to in Article 11 (1) shall be excluded from the calculation of the percentages specified in art. 4(2) and (3).**

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<sup>1</sup> To be reviewed at a later stage depending on the outcome of the MFF/negotiating box.

# ERDF

## Chapter I

### Common provisions

#### *Article 3*

#### **Scope of support [...]**

1. The ERDF shall support **the following activities in order to contribute to the investment priorities set out in Article 5:**
  - (a) productive investment, which contributes to creating and safeguarding sustainable jobs, through direct aid to investment in small and medium-sized enterprises (SMEs);
  - (b) Productive investment contributing to the investment priorities set out in Article 5.1 and 5.4 irrespectively of the size of the enterprise.**
  - (c)** investments in infrastructure providing basic services to citizens in the areas of energy, environment, transport, and information and communication technologies (ICT);
  - (d)** investments in **business, social, health, research, innovation** and educational infrastructure;
  - (e) investment in the development of** endogenous potential **through** [...] fixed investment in equipment and small-scale infrastructure; [...] services to enterprises [...], support to [...] research and innovation bodies [...]; **and investment in technology and applied research in enterprises;**
  - (f)** networking, cooperation, **capacity building, studies, preparatory actions** and exchange of experience [...].

[...]

[...]

2. The ERDF shall not support:
  - (a) the decommissioning of nuclear power stations;
  - (b) **investment to achieve** the reduction of greenhouse gas emissions **from activities** falling under **annex 1 of** Directive 2003/87/EC;
  - (c) the manufacturing, processing and marketing of tobacco and tobacco products;
  - (d) undertakings in difficulties as defined under Union State aid rules.
  
3. **Under the European Territorial Cooperation goal, the ERDF may support the sharing of human resources and facilities and all types of infrastructure across borders in all regions.**

#### *Article 4*

#### **Thematic concentration**

- 1.** The thematic objectives set out in Article 9 of Regulation (EU) No [...] /2012 [CPR] and corresponding investment priorities set out in Article 5 of this Regulation to which the ERDF may contribute **under the investment for jobs and growth goal** shall be concentrated as follows:
  - (a) in more developed regions and [transition regions]<sup>1</sup>:
    - (i) at least 80% of the total ERDF resources at national level shall be allocated to **one or more of** the thematic objectives set out in points 1, **2**, 3 and 4 of Article 9 of Regulation (EU) No [...] /2012 [CPR] ; and
    - (ii) at least 20% of the total ERDF resources at national level shall be allocated to the thematic objective set out in point 4 of Article 9 of Regulation (EU) No [...] /2012 [CPR] ;
  - (b) in less developed regions:
    - (i) at least 50% of the total ERDF resources at national level shall be allocated to **one or more of** the thematic objectives set in out in point 1, **2**, 3 and 4 of Article 9 of Regulation (EU) No [...] /2012 [CPR] .

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<sup>1</sup> To be reviewed at a later stage depending on the outcome of the MFF/negotiating box.

- (ii) at least **10%** of the total ERDF resources at national level shall be allocated to the thematic objective set out in point 4 of Article 9 of Regulation (EU) No [...] /2012 [CPR].

By derogation from point (a) (i), in those regions whose GDP per capita for the 2007-13 period was less than 75% of the average GDP of the EU-25 for the reference period but which are eligible under the category of [transition]<sup>1</sup> or more developed regions as defined in Article 82(2)(b) and (c) of Regulation (EU) No [ ]/2012 [CPR] in the 2014-2020 period, at least 60% of the total ERDF resources at national level shall be allocated to **one or more** of the thematic objectives set in out in points 1, **2**, 3 and 4 of Article 9 of Regulation (EU) No [...] /2012 [CPR].

**2. By way of derogation the minimum ERDF share allocated to a category of region may be lower than set out in paragraph 1 provided that such a decrease is compensated by an increase in other categories of regions. The resulting sum at national level of the amounts for all categories of region respectively for:**

- (a) **the thematic objectives set out in points 1, 2, 3 and 4 of Article 9 of Regulation (EU) No [...] /2012 [CPR] and;**
- (b) **the thematic objective set out in point 4 of Article 9 of Regulation (EU) No [...] /2012 [CPR];**

**shall accordingly not be less than the sum at national level resulting from applying the minimum ERDF shares set out in paragraph 1.**

**3. By way of derogation, Cohesion Fund resources allocated to supporting the investment priorities set out in Article 3(a)(i) and (iii) of Regulation (EU) No [...] /2012 [CF] may be counted towards achieving the minimum shares set out in paragraph 1(a)(ii) and 1(b)(ii). In such a case, the share referred to in paragraph 1(b)(ii) shall be increased to 12%. Where applicable, these resources shall be allocated *pro rata* to the different categories of region based on their relative shares of the total population of the Member State concerned.**

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<sup>1</sup> To be reviewed at a later stage depending on the outcome of the MFF/negotiating box.

## Article 5

### Investment priorities

The ERDF shall support the following investment priorities within the thematic objectives set out in Article 9 of Regulation (EU) No [...]/2012 [CPR]:

- (1) strengthening research, technological development and innovation **through**:
  - (a) enhancing research and innovation **(R&D)** infrastructure [...] and capacities to develop R&I excellence and promoting centres of competence, in particular those of European interest;
  - (b) promoting business [...] investment **in innovation and research, and developing links and synergies between enterprises, R&D centres and higher education, in particular** product and service development, technology transfer, social innovation and public service applications, demand stimulation, networking, clusters and open innovation through smart specialisation [...] supporting technological and applied research, pilot lines, early product validation actions, advanced manufacturing capabilities and first production in Key Enabling Technologies and diffusion of general purpose technologies;
  
- (2) enhancing access to and use and quality of ICT **through**:
  - (a) extending broadband deployment and the roll-out of high-speed networks **and supporting the adoption of emerging technologies and networks for the digital economy**;
  - (b) developing ICT products and services, e-commerce and enhancing demand for ICT;
  - (c) strengthening ICT applications for e-government, e-learning, e-inclusion, **e-culture** and e-health;
  
- (3) enhancing the competitiveness of SMEs **through**:
  - (a) promoting entrepreneurship, in particular by facilitating the economic exploitation of new ideas and fostering the creation of new firms, **including through business incubators**;

- (b) developing **and implementing** new business models for SMEs, in particular for internationalisation;
  - (c) supporting the creation and the extension of advanced capacities for product and service development;**
  - (d) supporting the capacity of SMEs to engage in growth and innovation processes;**
- (4) supporting the shift towards a low-carbon economy in all sectors **through**:
- (a) promoting the production and distribution of renewable energy sources;
  - (b) promoting energy efficiency and renewable energy use in **enterprises**;
  - (c) supporting energy efficiency and renewable energy use in public infrastructures, **including in public buildings** and in the housing sector;
  - (d) developing **and implementing** smart distribution systems at low **and medium** voltage levels;
  - (e) promoting low-carbon strategies for **all types of territories, in particular** urban areas, **including the promotion of sustainable urban mobility and mitigation relevant adaptation measures**;
  - (f) promoting research, innovation and adoption of low-carbon technologies;**
  - (g) promoting the use of high-efficiency co-generation of heat and power based on useful heat demand;**
- (5) promoting climate change adaptation, risk prevention and management **through**:
- (a) supporting [...] investment for adaptation to climate change;
  - (b) promoting investment to address specific risks, ensuring disaster resilience and developing disaster management systems;
- (6) protecting the environment and promoting resource efficiency, **through**:
- (a) addressing the significant needs for investment in the waste sector to meet the requirements of the **Union's** environmental *acquis*;
  - (b) addressing the significant needs for investment in the water sector to meet the requirements of the **Union's** environmental *acquis*;
  - (c) protecting, promoting and developing cultural **and natural** heritage;



- (d) protecting **and restoring** biodiversity, soil protection **and restoration** and promoting ecosystem services including NATURA 2000<sup>1</sup> and green infrastructures;
  - (e) action to improve the urban environment, [...] regeneration of brownfield sites and reduction of air pollution;
  - (f) promoting innovative technologies to improve environmental protection and resource efficiency in the waste sector, water sector, soil protection or to reduce air pollution;**
  - (g) supporting industrial transition towards a resource-efficient economy and promoting green growth;**
- (7) promoting sustainable transport and removing bottlenecks in key network infrastructures **through:**
- (a) supporting a multimodal Single European Transport Area by investing in the Trans-European Transport Network (TEN-T) network;
  - (b) enhancing regional mobility through connecting secondary and tertiary nodes to TEN-T infrastructure;
  - (c) developing environment-friendly and low-carbon transport systems **including river and sea transport, ports and multimodal links** [...];
  - (d) developing **and rehabilitating** comprehensive, high quality and interoperable railway system;
  - (e) developing smart gas and power distribution, storage and transmission systems;**
- (8) promoting employment and supporting labour mobility **through:**
- (a) development of business incubators and investment support for self-employment, **micro-enterprises** and business creation;
  - (b) supporting employment friendly growth through the development of endogenous potential as part of a territorial strategy for specific areas, including the conversion of declining industrial regions and enhancement of accessibility to and development of specific natural and cultural resources;**

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<sup>1</sup> Set up as a coherent European ecological network of special areas of conservation pursuant to Article 3(1) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, OJ L 206, 22.7.1992, p. 7.

- (c) local development initiatives and aid for structures providing neighbourhood services to create new jobs, where such actions are outside the scope of Regulation (EU) No [...] /2012 [ESF];
  - (c) investing in infrastructure for public employment services;
- (9) promoting social inclusion and combating poverty **through**:
  - (a) investing in health and social infrastructure which contribute to national, regional and local development, reducing inequalities in terms of health status, and transition from institutional to community-based services;
  - (b) support for physical [...] economic **and social** regeneration of deprived urban and rural communities **and areas**;
  - (c) support for social enterprises;
- (10) investing in education, skills and lifelong learning by developing education and training infrastructure;
- (11) enhancing institutional capacity and an efficient public administration by strengthening of institutional capacity and the efficiency of public administrations and public services related to implementation of the ERDF, and in support of actions in institutional capacity and in the efficiency of public administration supported by the ESF.

## Chapter III

### Specific provisions on the treatment of particular territorial features

#### Article 11

#### Outermost regions

1. The specific additional allocation for the outermost regions shall **not be subject to Article 4 and** be used to offset the additional costs, linked to the **characteristics and constraints** referred **to** in Article 349 of the Treaty **on the Functioning of the European Union**, incurred in the outermost regions in supporting:
  - (a) the thematic objectives set out in Article 9 of Regulation (EU) No [...] /2012 [CPR];
  - (b) freight transport services and start-up aid for transport services;
  - (c) operations linked to storage constraints, the excessive size and maintenance of production tools, and lack of human capital in the local market.

[...].
2. The specific additional allocation may also be used to help finance operating aid and expenditure covering public service obligations and contracts in the outermost regions.
3. The amount to which the rate of co-financing applies shall be proportionate to the additional costs referred to in paragraph 1 incurred by the beneficiary in the case of operating aid and expenditure covering public service obligations and contracts only, and may cover the total eligible costs in the case of expenditure for investment.
4. Financing under this Article shall not be used to support:
  - (a) operations involving products falling within Annex I to the Treaty **on the Functioning of the European Union**;

- (b) aids to transport of persons authorised under Article 107(2)(a) of the Treaty **on the Functioning of the European Union**;
- (c) tax exemptions and exemption of social charges.

**5. By derogation from Article 3(1), points a) and b), the ERDF may support productive investments in enterprises in the outermost regions, irrespectively of their size.**

**Art. 11 bis**

**Northern sparsely populated regions**

**The specific additional allocation for the Northern sparsely populated regions shall not be subject to Article 4 and shall be allocated to the thematic objectives set out in points 1, 2, 3, 4 and 7 of Article 9 of Regulation EU No.../2012 (CPR).**

## COHESION FUND

### *Article 2*

#### **Scope of support from the Cohesion Fund**

1. The Cohesion Fund shall, while ensuring an appropriate balance and according to the investment and infrastructure needs specific to each Member State, support:
  - (a) investments in the environment, including areas related to sustainable development and energy which present environmental benefits;
  - (b) trans-European networks in the area of transport infrastructure, in compliance with the guidelines adopted by Decision No 661/2010/EU;
  - (c) technical assistance.
  
2. The Cohesion Fund shall not support:
  - (a) the decommissioning of nuclear power stations;
  - (b) **investment to achieve** the reduction of greenhouse gas emissions **from activities** falling under **annex I of** Directive 2003/87/EC;
  - (c) housing **except for promoting energy efficiency and renewable energy use**.

### *Article 3*

#### **Investment priorities**

In accordance with Article 16 of Regulation (EU) No [...] /2012 [CPR], the Cohesion Fund shall support the following investment priorities within the thematic objectives set out in Article 9 of Regulation (EU) No [...] /2012 [CPR]:

- (a) supporting the shift towards a low-carbon economy in all sectors by:
  - (i) promoting the production and distribution of renewable energy sources;
  - (ii) promoting energy efficiency and renewable energy use in [...] enterprises;
  - (iii) supporting energy efficiency and renewable energy use in public infrastructures **and in the housing sector**;

- (iv) developing smart distribution systems at low **and medium** voltage levels;
  - (v) promoting low-carbon strategies for **all types of territories, in particular** urban areas, **including the promotion of sustainable urban mobility and mitigation relevant adaptation measures**;
- (b) promoting climate change adaptation, risk prevention and management by:
- (i) supporting [...] investment for adaptation to climate change;
  - (ii) promoting investment to address specific risks, ensuring disaster resilience and developing disaster management systems;
- (c) protecting the environment and promoting resource efficiency by:
- (i) addressing the significant needs for investment in the waste sector to meet the requirements of the Union's environmental *acquis*;
  - (ii) addressing the significant needs for investment in the water sector to meet the requirements of the Union's environmental *acquis*;
  - (iii) protecting and restoring biodiversity, including through green infrastructures;
  - (iv) improving the urban environment, [...] regeneration of brownfield sites and reduction of air pollution.
- (d) promoting sustainable transport and removing bottlenecks in key network infrastructures, by:
- (i) supporting a multi-modal Single European Transport Area by investing in the Trans-European Transport Network;
  - (ii) developing environment-friendly and low-carbon transport systems **and** promoting sustainable urban mobility, **including river and sea transport, ports and multimodal links**;
  - (iii) developing **and rehabilitating** comprehensive, high quality and interoperable railway systems;
- (e) enhancing institutional capacity and an efficient public administration by strengthening of institutional capacity and the efficiency of public administrations and public services related to implementation of the Cohesion Fund.

# ETC

## CHAPTER II

### THEMATIC CONCENTRATION AND INVESTMENT PRIORITIES

#### *Article 5*

#### **Thematic concentration**

- 1.** At least 80% of the ERDF allocation to each cross-border cooperation and transnational programme shall be concentrated **on** up to 4 thematic objectives **set out** in Article 9 of Regulation (EU) No [...]/2012 [the CPR] [...];
- 2.** All thematic objectives may be selected for interregional cooperation programmes pursuant to Article 2(3)(a).

#### *Article 6*

#### **Investment priorities**

In addition to **the investment priorities set out in** Article 5 of Regulation (EU) No [...]/2012 [the ERDF Regulation], the ERDF **may** support [...] the following investment priorities within the thematic objectives:

- (a) under cross-border cooperation:
  - (i) integrating cross-border labour markets, including cross-border mobility, joint local employment initiatives and joint training (within the thematic objective of promoting employment and supporting labour mobility);
  - (ii) promoting gender equality and equal opportunities across borders, as well as promoting social inclusion across borders (within the thematic objective of promoting social inclusion and combating poverty);
  - (iii) developing and implementing joint education and training schemes (within the thematic objective of investing in skills, education and lifelong learning);

- (iv) promoting legal and administrative cooperation and cooperation between citizens and institutions (within the thematic objective of enhancing institutional capacity and an efficient public administration);
- (b) under transnational cooperation: development and **coordination** of macro-regional and sea-basin strategies (within the thematic objective of enhancing institutional capacity and an efficient public administration).
- (c) In the case of any cross-border programme between Northern Ireland and the border counties of Ireland in support of peace and reconciliation, the ERDF shall also contribute to promote social and economic stability in the regions concerned, notably by actions to promote cohesion between communities (within the thematic objective of promoting social inclusion and combating poverty).**
-