

Recommendations for the Implementation and Consolidation of the Horizontal Principles Gender Equality, Non-discrimination, and Environmental Sustainability in the European Social Funds+ in the Programming Period 2021–2027

Agency for Horizontal Principles within the European Social Fund
Berlin, December 2018

Foreword to the English Version:

In great concern about the future development of the European Union and their fundamental rights and values the Managing Authority of the Federal Ministry for Employment and Social Affairs agreed on publishing these recommendations.

Considering the weak parameters in terms of Gender Equality and Non-discrimination in the draft regulations (ESF+ as well as the common ESIF-regulation) the Managing Authority decided to provide this paper to the ESF-actors in the EU.

The Agency for Horizontal principles within the European Social Fund (ESF) has been established in January 2015 by the Federal Ministry of Labour and Social Affairs to advise and support the stakeholders implementing the Operational Programme of the Federal ESF. The main task is to integrate the horizontal principles Gender Equality, Non-discrimination, and Ecological Sustainability in the ESF-Programmes on federal level.

The Agency furthermore stands for the continuity, political will, and commitment of the Ministry to foster all three objectives.

Having regard to

- a) the weakening of the horizontal principles Gender Equality and non-discrimination in the recent draft versions of the regulations (Common regulation and ESF+-regulation, May 2018) compared to both previous programming periods (2000–2006 and 2007–2013), which appears in particular throughout
- the disappearance of the horizontal principles as cross-cutting objectives,
 - the decimation and devaluation of both, Gender Equality and Non-discrimination, by not even mentioning them explicitly in the common grounds,
 - the disappearance or shortening of sub-objectives of Gender Equality and Non-discrimination which used to be necessary operationalisations,
 - the lacking reference to the EU-Acquis (acquired rights of the European Union) considering the fragmentary explanations in terms of the horizontal principles,
 - the increase of complexity by incorporating the European Pillar of Social Rights, where Gender Equality in particular has been reduced to activities addressing the work-life-balance,
 - an imprecise and vague wording for the dual approach which leads to misunderstandings,
 - a merging of Gender Equality and Non-discrimination into just one Article, including a huge reduction of contents,
- b) Considering the horizontal principle of Ecological Sustainability, there remains ambiguity: apparently strengthened with a clear reference to the Paris Agreement, the Agenda 2030 and 17 SDGs, it nonetheless remains unclear how to implement this in practice
- c) that the horizontal principles in the ESF+ at least are taken into consideration in general,

the Agency of horizontal Principles within the European Social Funds recommends

1. to insist on a sufficient clarification of the status of the horizontal principles in the trilogue negotiations between EU Parliament, EU Council and EU Commission on the draft regulations and their content alignment, and submit concrete proposals for amendments in this respect,
2. to insist in the negotiations that also the horizontal “enabling conditions” and not only the thematic “enabling conditions” are relevant for refunding,
3. to bring about a clarification of the status of the objective of environmental sustainability in the ESF+,
4. to lay down in the partnership agreement that the horizontal objectives of gender equality, non-discrimination, and environmental sustainability are taken into account as principles, and define corresponding strategies for their implementation,
5. to integrate at the elaboration of the partnership agreement and the Operational Programme (OP) as well as in a future Monitoring Committee experts who are able to make a competent contribution to the fundamental anchoring of the horizontal principles within the steering process,
6. to define at the elaboration of the OP a clear and binding for all standard-procedure regarding the objectives of gender equality, anti-discrimination, and environmental

sustainability and their way of implementation: from elaboration and approval of programmes to the selection of projects, based on the application of the dual approach (mainstreaming and specific actions),

7. to put significantly greater emphasis on controlling the content-orientation at the elaboration of the OP, the orientation of the programmes and the selection of the projects to be supported, instead of focussing, as in the past, on a detailed controlling of all activities and costs, and
8. to place greater emphasis on an ongoing follow-up and documentation of relevant results by way of a monitoring and evaluation which also includes horizontal principles.

Based on these observations, the Agency for Horizontal principles within the European Social Fund further-on suggests:

A) To continuously invest into building and development of necessary capacity and knowledge across all ESF-stakeholders

Besides political will, for a successful implementation of the horizontal principles, the necessary competence of all actors in their specific functions is indispensable a precondition to be fulfilled. In this context, competence includes knowledge, will, and ability. Therefore, it has to be ensured that all ESF-stakeholders continuously participate in competence development activities tailored to their specific professional contexts. This way, the requirements emerging from horizontal priorities can adequately gain momentum and be made viable. By consequence, all levels of ESF-implementation – from the EU-COM down to implementing partners at project level – need to be taken on board of such competence development strategy. The better the quality of sensitisation and capacity development, the more promising effects and results are to be expected. Often, it is lacking individual comprehension and attitudes that stand against a successful horizontal policy implementation.

B) To more precisely specify the relevance and specificity of ecological sustainability in the ESF-context

Approaches, as supported by the ESF to fostering good living-conditions for future generations, and preserving limited natural resources by a sustainable way of living and producing, need to be disseminated and expanded. To make happen such transformation, and for the ESF+ to remain future-ready, it is important to create and augment consciousness regarding the inherent connectivity between ecology, social-policy, and the economy, and to empower ESF+ protagonists in their respective fields of action. Such sensitisation and capacity development activities should rely on the concept of 'Education for Sustainable Development' (ESD), targeted at enabling people to thinking and acting according to sustainability requirements, showing responsibility for the environment, and designing a development strategy with respect to the planetary boundaries.

C) To set-up and implement a transparent monitoring of equality and diversity

A prominent strategic position for the horizontal principles across the European Structural- and Investment Policies and Funds, and the operationalisation thereof in form of quantitative and qualitative targets, require a monitoring system that provides to the ESF+ stakeholders gender segregated and diversity-focussed information and analyses on an annual base. Transparency is paramount, and key to identifying progress as well as retrograde developments. For Gender Equality monitoring, the current approach on Gender Budgeting as has been implemented for the Federal ESF in Germany should be maintained, and in addition

equipped with an overall target figure. Like in the past, dedicated quantitative targets should be set for participation rates (fair participation) of target groups and according to specific characteristics of individual beneficiaries (sex, socio-economic background, and status, disadvantages, and handicaps). Such target-setting should follow a Socio-Economic-Analysis (SEA) (or similar types of analyses) adequately taking into account the horizontal priorities' issues of concern. A stronger than before focus should be laid on the aspect of active steering as an integrated part of monitoring and evaluation activities.

D) Support structures – ensuring expertise is held on board

Funding should be used to providing support structures, assisting all implementing actors regarding issues faced with the implementation of horizontal priorities. Such support is suggested to be organised following the model of the federal ESF in Germany (i.e. similar to the set-up of 'the Agency for Horizontal principles within the European Social Fund'). That means, Horizontal Principles to integrate into all steps of the ESF cycle, at all policy, (administrative) management and implementation layers and with consultation of all (administrative) stakeholders involved. It also entails the elaboration of relevant links to and tailored approaches for the major topical domains the ESF+ is directly contributing to. The support-portfolio should cover counselling and guidance, networking, information management and public relations. To setting-up such support-structures, adequate funding preferably should be provided out of TA-means.

E) Strengthening rules of democracy and sustainability throughout planning and consultation procedures

To underline the strong embeddedness of the horizontal priorities and in line with the values and basic rights of the European Union, monitoring committees – actively integrating relevant CSO, active for horizontal priorities – will receive more formal competence within the steering process. At the primary consultation process as well as throughout the follow-up of the funding period, the respective national and regional authorities, and institutions in charge of Gender Equality, Anti-Discrimination and Ecologic Sustainability will be regularly/ continuously integrated into the monitoring committees' activities. Where necessary, their involvement will be supported by capacity building (cf. above: development of capacity and knowledge).

LEGAL NOTICE

Agency for Horizontal Principles within the ESF
on behalf of the Federal Ministry of Work and Social Affairs

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Berlin, December 2018

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