



EUROPEAN COMMISSION
Employment, Social Affairs and Inclusion DG

Social Market Economy in Member States I: ESF
The Director

Brussels, 4 January 2013

Subject: Your application for access to documents – Ref GestDem No 5660/2012

Dear Ms Bartlett Quintanilla,

We refer to your e-mail dated 30/11/2012 in which you make a request for access to documents, registered on 4/12/2012 under the above mentioned reference number.

The guidelines for Member States on the use of the European Social Fund in the 2014-2020 programming period which have been prepared so far are the following:

- Commission Staff Working Document: Elements for a Common Strategic Framework 2014 to 2020 for the European Regional Development Fund the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund - SWD(2012)61 – available on :
<http://ec.europa.eu/esf/main.jsp?catId=67&langId=en&newsId=7936>
- Commission Staff Working Document: The partnership principle in the implementation of the Common Strategic Framework Funds - elements for a European Code of Conduct on Partnership SWD(2012)106 – available on:
<http://ec.europa.eu/esf/main.jsp?catId=3&langId=en#opt7>
- Guidance document on ex-ante evaluation, programming period 2014-2020 – final draft from June 2012 – published on:
<http://ec.europa.eu/social/main.jsp?catId=701&langId=en>. Direct link to this document: <http://ec.europa.eu/social/BlobServlet?docId=7858&langId=en>
- Guidance document on ESF monitoring and evaluation, programming period 2014-2020 – draft – published on :
<http://ec.europa.eu/social/main.jsp?catId=701&langId=en>.
Direct link to this document:
<http://ec.europa.eu/social/BlobServlet?docId=7884&langId=en>
Please note that this draft guidance document is being updated. The update will be accessible on the website early 2013.

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As regards your request related to ex-ante conditionalities apart from and in addition to those included in the proposal on the Common Provisions Regulation, it has to be noted that there are no other ex-ante conditionalities. Following the Council's partial general approach on ex-ante conditionalities (available on: <http://register.consilium.europa.eu/pdf/en/12/st08/st08207-ad02re02.en12.pdf>) and the mandate for opening interinstitutional negotiations adopted by the REGI Committee of the European Parliament (available on: <http://www.europarl.europa.eu/document/activities/cont/201212/20121211ATT57844/20121211ATT57844EN.pdf>), trilogue discussions on ex-ante conditionalities are expected to start shortly. Guidance for Member States on ex-ante conditionalities is not yet available, but will be provided to Member States in due time.

Concerning your query on de-institutionalisation and the respect of the UN Convention on the rights of persons with disabilities, I would like to draw your attention to Annex V of the Commission's amended proposal for a Common Provisions Regulation (COM(2012)496 – available on Eur-Lex: http://eur-lex.europa.eu/Result.do?T1=V5&T2=2012&T3=496&RechType=RECH_naturel&Submit=Search),

and in particular to the ex-ante conditionality on active inclusion (which includes a criterion on de-institutionalisation) and the general ex-ante conditionality on disability (which requires the existence of a mechanism which ensures effective implementation and application of the UN Convention on the rights of persons with disabilities).

Yours sincerely,



Andriana SUKOVA-TOSHEVA

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