Observations on the draft version of the **OP RESEARCH, DEVELOPMENT AND EDUCATION**

Version of the OP commented: as submitted informally to the Commission in December 2013.

These comments are reflecting the state-of-play as of January 2014 and are to be understood as non-comprehensive. Other comments or objections might be raised during a later stage of the negotiations.

**Maturity of the OP**

1. In general, the latest version of the OP follows the OP template available since the end of October 2013, including all tables. However, some of them are without any data (financial tables, categories of interventions, climate change objectives). In order to consider the OP mature, these data have to be provided. The next version of the OP should be also adapted to the latest available OP template.
2. As regards the financial allocation, % points are given per priority axis but the justification for the allocation should be further developed taking into account, among others, the results of the ex-ante evaluation and RIS3 strategy. Financial allocation differs from the allocation for this OP indicated in the draft Partnership Agreement.
3. The number of result indicators used in the OP should be reduced. As a general recommendation, each specific objective should be covered by maximum 2 result indicators. Targets should be set for 2023 and all baselines should be provided, stating clear source of data. Concerning output indicators, all actions should be reflected in terms of output indicators and the common indicators should be used wherever possible.
4. It is necessary to add pro-rata for the national activities. They should be simple and duly justified. This also relates to indicators. Currently they are all set for the less developed regions whereas they should also cover Prague.
5. Guiding principles for the selection of operations contributing to the delivery of specific objectives and achievements are not sufficiently described and should be further developed.
6. The chapters on sustainable urban development, integrated actions for sustainable urban development and ITIs should be further developed, including information on indicative financial allocation. The same applies for the chapters on coordination with cooperation activities and coordination with macro-regional and sea-basin strategies which are missing in the current version of the OP.
7. A list of major projects is not included although at least one major project is foreseen by the OP.
8. Draft report of the ex-ante evaluation with an executive summary is missing.
9. Some information on the fulfilment of ex-ante conditionalities is not updated.
10. The Czech authorities should introduce in the draft OP the standard clause regarding the respect of state aid rules: “Any public support under this programme must comply with the procedural and material State aid rules applicable at the point of time when the public support is granted.”
11. References to EU legislation should be checked and adapted to the latest version of regulation (CPR, CF, ERDF, ESF, CEF published in Official Journal L 347 and OJ 348 on 20 December 2013) throughout the whole draft OP.

**Quality of the OP**

**Chapter 1 - Strategy**

The overall strategy of the OP is in line with the Commission recommendations as presented in the Position Paper as well as with the draft Partnership Agreement. Key problem areas and needs are clearly identified and supported by statistical data. However, some observations in order to improve the clarity of the document should be made (wherever possible, relevant pages are indicated, together with the language version commented):

1. The draft OP contains references to RIS3 strategy and clear explanation of the ongoing process. Nevertheless, the OP cannot only refer to the underlying strategy; it needs to be a self-sufficient document, with enough level of detail and information on clear objectives and targets and priorities for funding. Therefore the conclusions of the RIS3 strategy should be visibly reflected in the OP once the strategy is finalised.
2. One of the needs identified is linked to the shortcomings in the educational infrastructure of basic and secondary schools (p. 10-12, CZ). It is not clear whether some actions are foreseen in the OP since only the financing from the IROP for this area is mentioned.
3. Since the Czech authorities chose to have a multi-fund OP Research, Development and Education, all ESF and ERDF investments should be concentrated in this particular OP. For reasons of more efficient management of ESI Funds interventions it seems that all infrastructures for all types of education (including pre-school) would better fit in a single OP.
4. On the contrary, investments foreseen in the area of educational infrastructure at the universities (PA 2 – intervention area 2) are not specifically identified as a need in the strategic part of the OP. It should be pointed out that any future investments in general education infrastructure will require specific justification regarding their usefulness for attaining the Europe 2020 objectives, as already stated in the Position Paper.
5. The identified need related to the low involvement of women in R&D (p. 16, CZ) is not followed by any specific action later in the OP.
6. The section on quality of research (p. 16-17, CZ) mentions persisting problems in the area of infrastructure in some domains. As we have already stated in the Position Paper, given the substantial investments in the research infrastructure in the 2007-2013 period, no new infrastructure investments should be foreseen. Possible exception could be the research infrastructure in Prague, if identified as a necessity in the RIS3 strategy, but the priority should be to keep the research infrastructures constructed at the state of the art and to ensure that they are used at their full capacity. Another issue to consider is the necessity to ensure financial sustainability of the research infrastructure after the end of the ESI Funds support.
7. Justification of the financial allocation (p. 21, CZ) should correspond to the needs analysis and should not take into account only possible absorption capacity as is the case in the current draft. Moreover, explanation related to the financial allocation states that in the priority axis 2, ESF investments will be complementary to the investments from the ERDF whereas the relevant description in the chapter on priority axis 2 states otherwise.

**Chapter 2 - Priorities**

**Priority axis 1**: TO 1 – strengthening research, technological development and innovation (ERDF)

1. As regards the proposed investments in the educational research infrastructure, a clear needs analysis should be presented outlining the identified weaknesses, especially with regards to the investments in 2007-2013 period where around 40 projects were implemented in this area. We are of the opinion that the main needs in this area were already fulfilled to a large extent. Any future investments could also only be considered if they fit into the RIS3 strategy.
2. One of the main weaknesses identified in the Position Paper and in the draft Partnership Agreement is the inadequate management in the area of R&D, especially as concerns evaluation of research institutions and their financing, which has not been fully reflected in the draft OP. In line with the 2013 CSR “to increase the share of performance-based funding of research institutions”, this area should be further developed in the OP.
3. Since the possible use of Art. 70 of the CPR is considered in this priority axis (p. 32, CZ), the following conditions should be taken into account:

* The implementation of the operation outside the programme area has to be for the benefit of the programme area (i.e. the benefit of the operation remains with the region concerned).
* Wherever possible, the expected benefits should be established with quantified data (for example number of users, population covered, etc.).
* Where the evidence support the conclusion that the benefits are predominantly for the programme area, the operation can be financed. “Predominantly” in this context means that the rationale for the investment is to generate a benefit solely for the programme area (this does not exclude that there may be certain “spill-over benefits” for the region in which the investment takes place but these should be only marginal and not alter the rationale for the investment in the first place).
* In cases where the operation will genuinely benefit more than one programme area, it cannot be concluded that the operation is predominantly for the benefit of the programme area and therefore 100% of the expenditure of the operation cannot be supported. However, the operation could be supported on a pro rata basis by the programme covering the area in which it is located and the other programme covering the region which will benefit. For the latter programme the contribution would count toward the 15%.

1. The draft OP states that the development of strategic partnership between the public and the private sector on the regional, national and international level will be done through new instruments which will lead to the fulfilment of the RIS3 strategy (p. 31, CZ). More detailed description of these instruments should be added.
2. Indicator related to the number of newly created jobs for researches should be higher than 100 (p. 34, CZ).
3. The draft OP takes into account the need to develop synergies and complementarities with Horizon2020 programme. Nevertheless, the Czech authorities should also take into account other EU level initiatives, such as European Innovation Partnerships, The Strategic Energy Technology Plan, Joint Programming, Joint Technology Initiatives and other public-public and public-private partnerships, as well as considering covering participation in regional activities in Knowledge and Innovation Communities (KICs) of the European Institute of Innovation and Technology.
4. Support of international cooperation in the Danube region should be considered.
5. The draft OP does not mention the possible complementarities and coherence of its priority axis 1 “Strengthening of capacities for high-quality research” with the RDP. As specific objectives of priority axis 1 are “Strengthening research excellence” and “Increasing the benefits of research to society”, we need to know if this priority axis will also cover the agricultural research. This is important because the draft RDP mentions activities connected to research and innovation to be financed across the following measures: Cooperation (support of horizontal and vertical cooperation, support of the development of new products, processes, and technologies), Knowledge transfer and Advisory services. Please note that in case of a possible simultaneous intervention by different ESI Funds in the same area, a clear definition of roles is necessary, as well as an explanation how coordination, complementarity and demarcation will be ensured.

**Priority axis 2**: TO 10 – investing in education, training and vocational training for skills and lifelong learning - improving the quality and efficiency of, and access to, tertiary and equivalent education with a view to increasing participation and attainment levels, especially for disadvantaged groups (ESF)

1. As regards indicators, especially two of them have low target values: the number of high schools with introduced transparent systems of quality monitoring (20) and the number of students in new of modernised research oriented study programmes accredited also for education in foreign language (9000).
2. The list of activities under this investment priority 1 should be limited/prioritized; the interventions should be more concentrated.
3. As concerns the activities “Making higher education more relevant for the labour market”, it is not clear if the monitoring/supporting (former) students’ situation on labour market is already ensured or it should be added into the activities.
4. The intention of creating study programmes is repeated in different contexts. Please provide more information on what are the exact objectives under the “Establishment and development of study programmes such as international graduate schools and doctoral schools, including the creation and implementation of mechanisms supporting talented Ph.D. and postdoctoral students (e.g. junior research grants) and visiting excellent researchers and experts from abroad”. The scope of this activity seems to be too large.
5. Among the main target groups are “pupils of kindergartens and elementary and secondary schools” which seems to go beyond the scope of this priority axis. Please provide the explanation on the exact rationale behind it and the objectives of this support and the scale of supporting this target group.

**Priority axis 2:** TO 10 – investing in education, training and vocational training for skills and lifelong learning by developing education and training infrastructure (ERDF)

1. As already mentioned, infrastructure investments at universities are not identified as a need in the strategic part of the OP.
2. In general, the education ex-ante conditionalities are also applicable to the infrastructure related investments. Therefore, a thorough analysis should be provided which explains how infrastructure needs have been appraised and how this has been translated into a long-term strategy, which will form the framework for co-financed investments (including budgetary overview). Priority should be given to investments which have a measurable impact and added value (e.g. with demonstration or seed effect).
3. Investments should be primarily directed towards modernisation of teaching activities with a clear focus on enhancing the educational offer, improvements to guidance and counselling, support of enhanced management and governance, expansion of student accommodation facilities with a view of supporting widened access to higher education and improvement of the accessibility of existing premises, notably for those with reduced mobility.
4. Isolated renovations of building with limited impact on quality or participation should be avoided; simple renovations or refreshing of existing and functional premises should be financed through maintenance budgets and not by the ESI Funds.
5. Clear link to ESF activities has to be demonstrated.
6. An indicator on number of students with special needs should be added.

**Priority axis 3:** TO 9 - promotion social inclusion, combating poverty and any discrimination - combating all forms of discrimination and promoting equal opportunities, TO 10 – investing in education, training and vocational training for skills and lifelong learning - reducing and preventing early school‑leaving and promoting equal access to good quality early‑childhood, primary and secondary education including formal, non‑formal and informal learning pathways for reintegrating into education and training (ESF)

1. See above the comment on the infrastructure for pre-school, basic and secondary education.
2. Regarding the specific objective 1 (development of inclusive education), this objective has to be clarified and divided as it was placed under the ESF thematic objective 9 on social inclusion under the investment priority “Combating all forms of discrimination and promoting equal opportunities”. It is not excluded to have some interventions in education financed under social inclusion. However, these interventions need to be clearly focused on the disadvantaged groups, people or localities. All activities of systemic nature such as setting and developing the system of inclusive education and pedagogical-psychological counselling, further education of teachers, transformation of institutional care/education, etc. must be categorised under the thematic objective 10 on education under the investment priority on “Reducing and preventing early school leaving and promoting equal access to...”
3. There are some other unclear issues in the description and activities of this specific objective. It is focused only on children with SEN? What should be the coverage of pupils for its activities – general or only from the socially excluded localities?
4. The aim to increase the number of pro-inclusion oriented standard schools from 70 to 3000 is acknowledged. However, it needs to be stressed that in the long-term all schools should be inclusive.
5. The gifted and talented children are mentioned under the analysis; however, there is no specification if the activities would focus on them as well. As it was already stressed, the support for talented children could only be a limited one.
6. In case the objective is focused only on children with SEN, the investment priority 2, specific objective 1 (increasing quality of pre-school education) would be too narrowly focused as it covers only support for teachers. There is no focus on children and other aspects of quality.
7. The goal of “Expanding polytechnic education in kindergartens” seems to be too far-fetched. Please provide information on the exact rationale behind and the objectives of this support and the scale of supporting this target group.
8. Referring to the specific objective 5 – point a)4, as regards career counselling, is the system already set in different types of schools so that at present its development is needed only for vocational schools? As regards point b), does it mean that the network of LLL centres will be extended only in vocational schools?
9. Table 17 (p. 79, CZ) related to the performance framework indicates ERDF although only ESF is so far planned in this priority axis.

**Priority axis 4:** Technical assistance

1. Technical Assistance is to be programmed and implemented like any other priority in terms of performance monitoring and target setting. Technical assistance priority has to define not only output indicators but also result indicators and set targets for result indicators. Consequently a more strategic perspective is required as well as focus on the added value that it may bring in management of ESI Funds.
2. The text relevant for the technical assistance should contain sound analysis of the bottlenecks of the 2007-2013 period and lessons learnt or areas of improvement. Results and recommendations of the previous evaluations should be added as well. Consequently, the text should propose a set of comprehensive remedial measures while being able to demonstrate what added value the TA resources will bring compared to the TA measures currently implemented.
3. In view of the experience from the 2007-2013 period, special attention should be given to prevent high fluctuation of staff involved in the OP management.
4. Expected results for each specific objective should be added as is the case in other priority axes. There must be a clear link between the expected results and proposed indicators as well.
5. Activities to be supported are listed without any description and quantification. Please elaborate.
6. The text should also indicate what activities financed within this priority will be carried-out "in-house" and whether outsourcing to external contractors has been planned. In any case, outsourced activities should be limited in order to develop and to concentrate expert knowledge within the implementing bodies.
7. The text should include references to the new requirements of the CPR in the field of anti-fraud and anti-corruption. The managing authority has new responsibilities in this field and we need to see text in the OP stating that the necessary risk assessments will be carried out and that the necessary anti-corruption measures will be put in place.

**Chapter 3 - Financing plan**

1. Apart from the table 22, this part of the OP is not developed.

**Chapter 4 - Integrated approach**

1. It is indicated that ITI will be used. However, no information has been provided why this tool has been selected and on what basis. Will the OP intervene in all six planned ITIs? What other OPs will contribute to these ITIs and what thematic objectives will be covered? What is the financial allocation for the ITI by this OP? How will the coordination between the OP Research and other OPs be ensured? How the territorial particularities and the positions of ITI holders have been/will be taken into account?
2. More information should be provided regarding the planned use of CLLD local action groups as well as on the support of sustainable urban development.

**Chapter 5 – Specific needs of geographical areas most affected by poverty or target groups at highest risk of discrimination or social exclusion**

No comment at this stage.

**Chapter 6 – Specific needs of geographical areas which suffer from severe and permanent natural or geographical handicaps**

N/A for the Czech Republic

**Chapter 7 - Bodies responsible for management, control and audit and role of partners**

1. The final text should clearly state whether there will be an implementing body or not since the current version of the text leaves room for interpretation.

**Chapter 8 - Coordination**

1. Most relevant information on coordination and synergies with other OPs and other EU instruments/programmes has been provided. Nevertheless, given the similar nature of interventions in the OP Prague Growth Pole and possible use of Art. 70 of the CPR, more information on the demarcation with this OP should be provided. The same applies in case of the OP Enterprise and Innovation for Competitiveness, especially as regards the possible involvement of the Technology Agency as implementing body.
2. Information on coordination and synergies with the OP Technical Assistance should be added.

**Chapter 9 – Ex-ante conditionalities**

1. Each OP should identify all EACs applicable to that OP and provide assessment of their fulfilment. When an EAC is not fulfilled, an action plan has to be introduced containing actions to fulfil the EAC, the responsible bodies and a timetable for such actions (Art. 96 CPR). This is not always the case in respect to EACs applicable to the OP Research, Development and Education. Deadlines have been provided but not timetables (milestones to be checked). Moreover, arrangements of the EACs in the final version of the CPR have been adjusted in comparison to the previous versions. Therefore also the Czech documents, including OP Research, Development and Education, should be adjusted in this sense. The information in the tables regarding the EACs should be updated/streamlined/complemented according to the guidance from the Commission to cover all aspects of the criteria of the fulfilment. However, EC recognizes that coordination of EACs is a responsibility beyond the competence of the managing authority of the OP Research, Development and Education.
2. Ex-ante conditionality 1.2: The aspect of the financial framework for the RIS3 strategy is unclear. Some parts of the text mention a 3-year budgetary overview while others are referring to a 7-year budgetary overview which is now being prepared (p. 107, CZ). We would like to encourage the Czech authorities to give preference to the longer budgetary overview.

**Chapter 10 – Reduction of administrative burden for beneficiaries**

1. This chapter should be further developed, giving concrete examples of problematic areas, measures proposed and the timetable of their implementation.

**Chapter 11 – Horizontal principles**

1. Ex-ante evaluation and SEA: both procedures are still underway, hence there is no input from them into this version of the draft OP. The outcomes and recommendations of the SEA and ex-ante evaluation should be clearly integrated in the next draft in terms of strengthening the specific objectives, formulating expected results, identifying output and result indicators and well as project selection guiding principles. Therefore, the opinion is given without the prejudice to the findings and completion of the SEA and ex-ante evaluation.

**Drafting comments**

1. The bolding in the text should be harmonised.
2. The statistical annex is not necessary; instead, the main up-to-date data should be included in the analysis.