

MONITORING COMMITTEE INTERNAL RULES

Document recipient:	<i>Monitoring Committee members, general public</i>
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1	Creation of the document	JS MED	Monitoring Committee	15/06/2022

Preamble

Bulgaria, Croatia, Cyprus, France, Greece, Italy, Malta, Portugal, Spain and Slovenia, participating EU Member States, and Albania, Bosnia and Herzegovina, Montenegro and Republic of North Macedonia, participating IPA Partner Countries,

On the basis of:

- Regulation (EU) No 2021/1060 of the Parliament and of the Council of 24 June 2021 (hereinafter referred to as the "Common Provisions Regulation"), in particular Articles 8, 38, 39 and 40
- Regulation (EU) No 2021/1058 of the Parliament and of the Council of 24 June 2021 (hereinafter referred to as "ERDF Regulation"),
- Regulation (EU) No 2021/1059 of the European Parliament and of the Council of 24 June 2021 (hereinafter referred to as "Interreg Regulation"), in particular Articles 22, 28, 29 and 30 thereof,
- Regulation (EU) No 2021/1529 of the Parliament and of the Council of 15 September 2021 (hereinafter referred to as "IPA III Regulation"),
- Commission Implementing Decision (EU) 2022/74 of 17 January 2022 establishing inter alia the list of Interreg programmes and the financial amounts,
- Commission Implementing Decision (EU) 2022/75 of 17 January 2022 establishing the list of areas covered by Interreg programmes,
- The Interreg Euro-MED Programme (Decision C (2022) 3715 of 31 May 2022),

And in agreement with the Managing Authority of the Cooperation Programme,

Have established a Monitoring Committee for the Interreg Euro-MED Programme and consensually agreed these rules of procedure, which shall be published by the Managing Authority, together with the summary of data and information, including decisions, approved by the Monitoring Committee, on the website referred to in Article 36(2) of the Interreg Regulation.

1. Functions of the Monitoring Committee

In accordance with articles 22, 28, 29 and 30 of the « « ETC regulation » »:

1. The Monitoring Committee shall review:

- a) the progress made in implementing the programme and in achieving the intermediate and target values of the Interreg programme;
- b) issues affecting the performance of the Interreg programme and the measures taken to remedy them;
- c) the progress made in carrying out evaluations and evaluation summaries, and the follow-up given to the findings;
- d) the implementation of communication and visibility actions;
- e) progress in implementing significant Interreg operations; and
- f) progress made in strengthening the administrative capacity of public institutions and beneficiaries, where appropriate.

2. The Monitoring Committee shall approve:

- a) the method and criteria for selecting operations and the terms of reference of calls for projects;
- b) the selection of Interreg Euro-MED operations, their major modifications, which are specified in the Programme Manual, and their deprogramming;
- c) the Programme Manual and any amendment to it;
- d) the evaluation plan and any amendment to it
- e) the communication strategy and any changes to it;
- f) the annual work plan of the Joint Secretariat;
- g) any modification of the Interreg programme, based on an initial proposal of the Managing Authority, including a transfer in accordance with Article 19, section 5; and
- h) the final performance report.

2. Composition

The Monitoring Committee is composed of the following members:

- Full members (with voting rights)

One to four representatives from each participating country (with one vote per delegation), forming the fourteen national delegations.

Full members of the Committee may be replaced by the person designated as a substitute member or, if necessary, by a person officially delegated by the full member. In the latter case, the Presidency and the Managing Authority are informed at least 2 working days before the meeting.

- Members in advisory capacity (without voting rights):

- The Managing Authority
- The Programme Authority entrusting the accounting function
- Representatives of the European Commission,
- Within the limit of two persons per participating country, representatives of the programme partners referred to in article 8 of the "common provisions regulation" (e.g. public authorities, economic and social partners, bodies representing civil society),
- If necessary, a spokesperson of each working group that the Monitoring Committee has decided to establish,
- Representatives of the National Contact Points as observers.

Each participating country must appoint its representative(s) and their substitute(s) and provide the Managing Authority/Chair with their names and contact details. Any change of representatives must be notified to the Managing Authority/Chair as soon as possible, at the latest the day before the first meeting taking place after the change of representation.

No later than 2 working days before the meeting members may, upon agreement of the Managing Authority and the Chair, invite relevant external experts in advisory capacity.

National designations shall be made in respect of the non-discrimination principle.

The list of members of the Monitoring Committee shall be published by the Managing Authority on the website referred to in article 36 (section 2) of the "Interreg Regulation".

3. Chair

In order to allow for input from all participating states (14), the Monitoring Committee is co-chaired by two participating states on an annual rotation basis¹. The list of countries co-chairing for the duration of the programme is annexed to these rules of procedure.

The Co-chair ensures, in liaison with the Managing Authority and the Joint Secretariat, the preparation, moderation and follow-up of the meetings. At the latest at the beginning of each year, the Co-chair, the Managing Authority and the Joint Secretariat meet face-to-face or by videoconference in order to establish the working modalities and the organisation of the meetings and events of the presidency year.

The Co-chair can ask the Managing Authority to chair the meeting in duly justified cases.

The Co-chair is responsible for the proper functioning of the Monitoring Committee.

The Co-chair shall approve the provisional agenda in cooperation with the Managing Authority and the Joint Secretariat.

The Co-chair convenes the meetings (with the support of the Managing Authority and the Joint Secretariat), leads the debates, grants the right to speak, summarises and announces the decisions.

4. Meetings

The Monitoring Committee meets at least once a year, either face-to-face or remotely (videoconference) or in a hybrid way (face-to-face and remote).

For each meeting, a quorum of at least 8 national delegations out of 14 must be respected, as well as the presence of the Managing Authority, for the adoption of decisions by the Monitoring Committee. The same quorum applies to face-to-face, distance and hybrid meetings.

When the meeting is organised face-to-face, the physical participation of the Monitoring Committee members is the basic principle. However, remote participation (e.g. video-conferencing) is accepted if technical conditions allow. The organisers will endeavour to make the necessary arrangements to allow remote participation, where appropriate. Remote participation of national delegations is included in the calculation of the quorum.

A participating country that cannot attend a meeting may send written comments to the Chair. These comments will be read out during the meeting at the appropriate point on the agenda. However, it is not taken into account in the calculation of the quorum.

A State that is absent from a meeting may delegate its powers to a State that will attend the meeting. A State may not receive more than one delegation of powers. A specific form must be completed by the delegating country and sent to the country receiving the delegation, the Chair and the Managing

¹ Except for 2022 when Cyprus acts as the sole Chair of the Committee

Authority at least 2 working days before the meeting. A country having given a delegation of powers is taken into account for the calculation of the quorum.

In principle, the physical meetings of the Monitoring Committee are held in one of the countries holding the annual co-chairmanship of the Committee or in the country of the Managing Authority.

If technically possible, meetings (face-to-face, remote or hybrid) may be recorded. In this case, the Co-Chair will request permission from the members present at the beginning of the meeting. The recording of meeting is not mandatory.

In duly justified cases, additional meetings may be organised at the request of the Managing Authority or the Chair or at the request of at least 5 national delegations.

Invitations to meetings are sent by the Joint Secretariat at least 20 working days before the meeting. In exceptional cases and with the agreement of all members, this deadline may be shortened. The agenda and the necessary documents for the meeting shall be sent by the Joint Secretariat at least 10 working days before the meeting.

Requests for additional items to be included on the agenda, and requiring a decision, may be made no later than 5 working days before the meeting and must be submitted in writing to the Co-chair and the Joint Secretariat.

The agenda of the meeting must be adopted by all members at the beginning of each meeting.

Minutes, in English and French, shall be drafted by the Joint Secretariat and shall be sent in electronic format to the members of the Monitoring Committee by the Managing Authority/Joint Secretariat on behalf of the Co-Chair and no later than 10 working days after the meeting. The members of the Monitoring Committee may make comments or proposals for amendments within 10 working days of receiving the document. In particular cases expressly identified during the Monitoring Committee meeting, the minutes validation process can be shortened to 5 working days after sending of the document.

At the end of the process, if no objections are raised, the minutes are considered approved. In case of objection by one or more members, the Joint Secretariat will revise the minutes accordingly, finalise them with the Co-Chair and if necessary with any country raising objections, and send the final minutes to the members of the Monitoring Committee.

No later than three working days after the meeting, the synthesis of decisions taken shall be sent to the members of the Monitoring Committee by the Managing Authority/Joint Secretariat on behalf of the Co-Chair.

5. Decision-making

As a matter of principle, decisions of the Monitoring Committee are taken by consensus of the national delegations present in person or remotely. In the absence of consensus, despite attempts and negotiations to reach a compromise, which must be proposed by the co-chair, in conjunction with the Managing Authority, two scenarios are possible:

- In the case of decisions concerning the programming of projects, their modification or deprogramming, the Co-Chair proposes a vote by the national delegations. In this case, decisions are

taken by a qualified majority of five sixths of the national delegations present or represented². An abstention is not counted as a vote cast.

- For all other types of decisions, voting process is not possible. The Monitoring Committee, if the consensus cannot be reached, may decide to adjourn the matter to the next meeting, to organise a written procedure or to reject the proposal.

If the Managing Authority, in the respect of its responsibilities, has doubts about the legality of a decision taken by the Monitoring Committee, clarification shall be sought. The Managing Authority may request the support of the participating countries and the Commission to clarify the decision. If the decision is not in line with EU or national regulations/laws, it becomes null and void. Otherwise, the decision of the Monitoring Committee shall be considered valid and the Co-Chair/Managing Authority shall inform the members.

Written procedures

A written procedure may be initiated by the Managing Authority, after consultation with the Co-chair on the justification of the need for a rapid decision. The Joint Secretariat shall, on behalf of the chair, send a proposal to all members of the Monitoring Committee, who have 10 working days to respond. In duly justified cases, this period for response may be reduced to 5 working days.

If no objections are raised or if no feedback is received from the participating States, the decision is considered accepted, and the Joint Secretariat informs all members not later than 5 working days after the closure of the procedure.

If a written objection is raised, the matter should be clarified and consensus between delegations should be sought by the Co-Chair. During the negotiating process, members of the Monitoring Committee may withdraw their objections at any time.

If the proposed decision concerns the programming of projects, their modification or de-programming, and no consensus could be found, the Co-Chair proposes a vote of the national delegations. In this case, decisions are taken by a qualified majority of 5/6th of the votes cast (an abstention is not counted as a vote).

For any other type of decision, if no final decision can be taken, the matter must be put on the agenda of the next Monitoring Committee meeting.

The quorum provisions (see Article 4) do not apply to written procedures.

No written procedure will be organised during the month of August or during the last 10 days of the year.

6. Code of Conduct and working principles

The members of the Monitoring Committee are required to observe the following rules of conduct:

- Participate in all meetings and, where appropriate, in written procedures,

² That is 12 votes out of 14 cast; 11 votes out of 13 cast; 10 votes out of 12 cast; 10 votes out of 11 cast; 9 votes out of 10 cast; 8 votes out of 9 cast; 7 votes out of 8 cast, etc.

- Act in the interest of the effective implementation of the cooperation programme, in accordance with the scope and objectives of the programme,
- Take decisions in the general interest and not act to gain financial or other benefits for themselves or others,
- Declare any conflict of interest: at the beginning of each Committee meeting and after approval of the agenda, the Co-chair shall expressly ask whether one or more members are in a conflict of interest with regard to the subjects under discussion. In such a case, the member concerned shall not take part in the discussion and decision-making on the subject of the conflict of interest and may be asked to leave the room (or to disconnect in the case of remote participation). The minutes of the meeting shall systematically record which national delegations are or are not in a conflict of interest situation.

In the event that these provisions are not respected by a member, he or she may be dismissed by the Presidency, and shall be replaced by the appointing institution, after clarification of the matter.

In the event of an undeclared conflict of interest discovered after decisions have been taken, these decisions are revoked.

These provisions shall apply to voting members, substitutes, members in an advisory capacity as well as observers and other invited experts.

7. Advisory groups, working groups and task forces

The Monitoring Committee, on the initiative of one of its members, may decide to set up advisory groups, working groups or task forces, or any other working arrangements to assist in the implementation of the programme. The composition of these groups shall be decided according to the needs and types of thematic expertise required.

Unless otherwise specified, these groups follow the same rules as the Monitoring Committee. The Monitoring Committee is informed about the work of these groups. The advisory groups or working groups may make proposals to the Monitoring Committee on issues related to the implementation of the programme. The advisory groups, working groups or task forces have no decision-making rights, with the exception of the task force set up for the definition of the 2028-2035 Programme.

8. Working languages

In order to support the active participation of all members and to limit the risks of misunderstanding, English and French are the official languages for the Monitoring Committee meetings, where simultaneous translation is provided. However, in the case of remote meetings and if, for technical reasons, interpretation is not possible, the working language is English. Documents should be prepared in both languages. In case of a difference between the two versions, English version prevails.

9. Secretariat and organisation

In accordance with Article 46 of the Interreg Regulation, the Monitoring Committee shall be assisted by the Joint Secretariat acting under the responsibility of the Managing Authority, in the performance of their respective functions. In particular, the Joint Secretariat is in charge of the preparation of all documents related to the organisation and follow-up of the Monitoring Committee meetings and of the drafting of the minutes in coordination with the Chair.

10. Revision

After adoption, the rules of procedure may be revised by the Monitoring Committee by consensus.

11. Validity

These rules of procedure or their amendments enter into force from the date of the Monitoring Committee meeting when they were approved and shall remain valid until acceptance of the Programme closure documents by the European Commission.

Annexes :

- Delegation of powers template
- Monitoring Committee Co-Chairmanship schedule



Interreg



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DELEGATION OF POWERS

Interreg Euro-MED 2021-2027 MONITORING COMMITTEE

Date _____

I, the undersigned,

Surname: _____

First name: _____

representing _____(country name)_____to the Interreg Euro-MED 2021-2027
Monitoring Committee,

gives delegation of powers to the representative of _____(country name)_____

during the Interreg Euro-MED 2021-2027 Monitoring Committee held in
____(place)____, on _____(date)____,

Done in _____, on the / /

Signature:

**Annex 2: Interreg Euro-MED 2021/2027 Monitoring Committee
Co-chairmanship schedule**

YEAR	CO-CHAIR	
2022	Cyprus	
2023	Spain*	Slovenia**
2024	Malta**	Montenegro
2025	Bulgaria	Croatia
2026	Albania	France
2027	Bosnia and Herzegovina	Greece*
2028	Italy*	Republic of North Macedonia
2029	Portugal	Cyprus
2030	To be decided in the context of the preparation of the 2028-2035 programming period /	

* Holds the EU Presidency

** Holds the 2014/2020 MC Presidency