

**Rules of Procedure
of the
INTERREG VI-B IPA Adriatic-Ionian Cooperation Programme Monitoring Committee**

Approved

Preamble

The EU countries Croatia, Greece, Italy and Slovenia, the IPA partner countries Albania, Bosnia and Herzegovina, Montenegro, Serbia and North Macedonia, and the third country Republic of San Marino (hereinafter: participating 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;
- 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;
- 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;
- Commission Notice Guidance on the avoidance and management of conflicts of interest under the Financial Regulation (2021/C 121/01);

and

- The INTERREG VI-B IPA Adriatic-Ionian Cooperation Programme, approved by the European Commission (EC) on 30 November 2022 (Decision number C(2022)8953);

and in agreement with the Managing Authority of the Cooperation Programme (hereinafter: MA), have decided to set up a committee to monitor the implementation of the INTERREG VI-B IPA Adriatic-Ionian Cooperation Programme (hereinafter: IPA ADRION) within three months of the date of notification to the Member States of the Commission decision approving the programme.

The Monitoring Committee (hereinafter: MC) have adopted the following Rules of Procedure in accordance with art. 28 - 30 of the Interreg Regulation.

§ 1

General provisions

1. The competences of the MC are related to the implementation of the IPA ADRION Programme that shall run in the programming period 2021-2027; the MC shall conclude its mandate with the closure of the Programme.
2. The MC has the power to appoint subcommittees, working groups or similar bodies and to define their activities.

§ 2

Functions

1. The MC shall examine:
 - a) the progress in programme implementation and in achieving the milestones and targets of the IPA ADRION programme;
 - b) any issues that affect the performance of the IPA ADRION programme and the measures taken to address these issues;
 - c) the progress made in carrying out evaluations, syntheses of evaluations and any follow-up given to findings;
 - d) the implementation of communication and visibility actions;
 - e) the progress in implementing Interreg operations of strategic importance; and
 - f) the progress in administrative capacity building for public institutions and beneficiaries, where appropriate.
2. The MC shall approve:
 - a) the methodology and criteria for the selection of the operations (or projects) as well as the application package (terms of reference, programme manual and other relevant documents) for each call for proposal, including the approval of the operations.

Criteria and procedures shall be:

 - non-discriminatory and transparent, ensure accessibility to persons with disabilities, gender equality and take account of the Charter of Fundamental Rights of the European Union and the principle of sustainable development and of the Union policy on the environment in accordance with Article 11 and Article 191(1) TFEU;
 - in accordance with IPA ADRION strategy and objectives;
 - in accordance with requirement set forth in art. 22.4 and 22.5 of the Interreg Regulation;
 - b) the evaluation plan and any necessary amendments, including the terms of reference for the selection of the external experts;

- c) the modifications for the amendment of the IPA ADRION programme, in accordance with art. 19.5 of Interreg Regulation based on the initial proposals of the MA;
 - d) the final performance report.
3. Additionally, the MC shall approve MA proposals with regard to:
- a) the implementation rules for operations, including major changes in the operations;
 - b) measures affecting projects to minimize the de-commitment risk;
 - c) the annual work plan, including the reports of national and core TA;
 - d) the allocation of technical assistance resources between core and national activities;
 - e) the selection of the JS staff;
 - f) the communication strategy and any changes related to it;
 - g) the manual of the TA budget.
4. Finally, the MC shall give the MA the mandate to:
- a) approve minor changes to operations to be defined in the implementation manuals for operations;
 - b) set in place all necessary measures aimed at ensuring the proper implementation of the IPA ADRION annual work plan.

§ 3

Composition

1. In accordance with art. 28 of Interreg Regulation, the MC composition shall consider the number of the participating countries.
- Each participating country shall be considered as full member with voting right.
- Each participating country delegation shall have one vote.
- Each delegation shall be represented by up to three representatives, based on their internal organization. Substitutes shall be designated accordingly.
- Each delegation shall liaise with EUSAIR National Coordinators to ensure the proper link between the strategy and the IPA ADRION.
2. Participation of the substitute shall be communicated to the MC Chair at least 2 working days before the meeting.
3. Additionally, the following shall attend the MC meetings with an advisory capacity (without voting right):
- a) MA and JS;
 - b) European Commission representative(s);
 - c) Participating countries National Contact Points, if not member of the national delegations.
4. The following may attend the MC meetings with an observatory capacity and upon invitation by the MC chair (without voting right):
- a) Representative(s) of the programme partners as referred to in art. 8 of Common Provisions Regulation;

- b) EUSAIR Trio Presidency;
 - c) Lead Partners of the ISO1 strategic projects supporting the EUSAIR governance reporting on their implementation;
 - d) Audit Authority;
 - e) Managing Authorities of other Interreg Programmes;
 - f) Any other institution /expert that might contribute to the MC agenda.
5. Additionally, the representatives of the Ministry of Foreign Affairs may participate as observers, based on national decision.
 6. Appointed representatives and substitutes shall be communicated to the MA officially, including relevant contact details. Similarly, any changes shall be notified to the MA as soon as possible, and in any case two working days before the first meeting taking place after the change of representation at the latest.
 7. The composition of the MC members (appointed persons) shall be published on the programme web site.

§ 4

Chairpersonship

1. The MC shall have a Chairperson (MC Chair), one of the participating countries and a Co-chair person (MC Co-chair) the MA IPA ADRION.

MC Co-chair is given to MA which will support the MC Chair and ensure continuity. The appointment of the MC Chair will be on a 6 months basis accordingly to the following

Year	Participating countries	
2023	Bosnia and Herzegovina	Serbia
2024	Croatia	Slovenia
2025	Greece	Albania
2026	Italy	Bosnia and Herzegovina
2027	Montenegro	Croatia
2028	North Macedonia	Greece
2029	San Marino	Italy

2. The Chair, in cooperation with the Co-chair and the JS, shall facilitate the proper functioning of the MC and perform his/her duties during the meetings with the support of the JS, e.g. verify the quorum, declare the opening and closing of each meeting, direct the discussion, accord the right to speak, put questions to the vote, announce the decisions, summarize the decisions taken in written form at the end of each point on the agenda, rule on points of order, and pursuant to these rules of procedure, have control of the proceedings.
3. The Co-chair, in cooperation with the Chair and JS, shall define the agenda, and moderate the MC meetings.

§ 5

Meetings

1. At least one MC meeting shall take place each year. It can take place either in person or remotely (videoconference) or in a hybrid way (in person and remotely).

In case the MC meeting envisages a face-to-face component, it shall take place in the participating country chairing the MC.

Logistic arrangements shall be jointly ensured by MA/JS and the National Contact Points of the concerned countries.

Rules on expenditure related to MC meetings to be covered by TA are laid down in the TA Manual.

Rules governing hybrid and remote meetings are reported in the Annex.

2. For each MC meeting, irrespective of how it shall be organised, a quorum of at least 7 out of 10 participating countries must be ensured for the adoption of decisions.
3. Save the date announcement shall be sent as early as possible. Draft agenda shall be sent within 15 working days together with the invitation to the members of the MC; in exceptional cases this deadline may be shortened up to 5 working days.

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 Chair.

If a request to change the provisional agenda is made, the JS, on behalf of the MC Chair, communicates the definite agenda including all items on which a decision shall be taken to the members of the MC immediately after the expiry of the deadline mentioned above. If there is evidence of urgency, the MC members can propose to add other items to the agenda at the meeting itself subject to approval of its members.

4. Supporting documentation shall be sent 10 working days in advance.
5. In exceptional urgent cases, to be agreed in advance between the MC Chair and Co-chair, in consent with MC members, documents or topic/s can be submitted at least 5 working days before the date of the next meeting. Consensus to such procedure shall be provided within 2 working days. No answer means tacit agreement.
6. The JS shall send the draft minutes in a summarized form, drafted in consultation with the MC Chair to the members of the MC for comments not later than 10 working days after a meeting. If no objections are raised within 10 working days after the minutes were received, they are considered as approved. If objections are raised, JS shall revise the minutes accordingly, decide on the final version and send them to the MC.
7. 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, the received comments and the participating country's position will not be taken into account in the calculation of the quorum and in the decision-making process.
8. In duly justified cases, additional meetings may be requested by the MA or any of the participating countries delegations and organized if supported in the written procedure by the majority of the countries.
9. The agenda of the meeting must be adopted by all members at the beginning of each meeting.

10. All meetings will be recorded.

11. MC members shall agree on the decisions taken before the end of the meeting and MA/JS shall send the summary of decisions adopted the day after the MC meeting at the latest.

§ 6

Decision-making

1. The quorum is reached when at least 7 out of 10 national delegations of participating countries are present.
2. In case that the MC has a quorum, decision-making will be by consensus of the delegations of the participating countries present (one vote per delegation); votes cannot be delegated to another participating country's representative.
3. In case the consensus is not reached, the MC delegation/s that is/are opposing the proposal should explain their point of view and indicate possible counterproposals. The MC Chair, with the support of MA should facilitate the reaching of the new consensus.
4. In case that the MA has profound objections concerning the compliance of a decision with the legal basis and/ or general management of the IPA ADRION Programme, it should not enter into force until the MA clarifies it. In case that no compliance should be asserted or no clarification could be provided in a reasonable time, the respective decision will not come into operation. The MA will report the result via the JS to the members of the MC. A new decision by the MC has to take the report into consideration.
5. If a decision needs to be taken before the next MC meeting, the MA, with the support of the JS, can initiate a decision-making process in writing. The MA and JS shall send the proposed decision to all MC members via email. The MC shall have 10 working days from dispatch of the proposal to respond via email sending it both to MC and MA/JS. If no objection is received by that time, the proposal is considered as approved.
6. The MC members can propose amendments changes in the documents sent by written procedure. The remarks proposed should be incorporated as long as they do not change the content's meaning. In any other case either a new written procedure shall be initiated or the matter shall be placed on the agenda of the next meeting of the MC.
7. After the 10 working days' time limit has expired, the MA/JS shall immediately inform the MC on whether the decision is deemed to be taken or what objections have been raised.
8. In due and justified circumstances the MC Chair can initiate a decision-making process in writing through an urgent procedure to allow the immediate treatment or the approval of particularly urgent cases. In this case the decision shall be adopted within 5 working days with the consensus of all the participating countries.
9. Decision making process as described in §4 shall apply; quorum provisions do not apply.

§ 7

Conflict of interest

1. A conflict of interests exists where the impartial and objective exercise of the functions of a financial actor or other person is compromised for reasons involving family, emotional life, political or national affinity, economic interest or any other direct or indirect personal interest.

2. Each MC representative must sign individual statement attesting absence of conflict of interest.
3. In case of arising conflicts of interest along the programme implementation, they shall be promptly communicated to the MC Chair and the affected MC member shall abstain from discussion, assessment and decision-making process on that specific matter, including decisions taken in the written form.
4. In relation to the above, the MC mailing list shall include the designated MC members only.
5. Additionally, in case the MC members and their substitutes pertaining to the organizational unit that participates in MC are in a conflict of interest as potential beneficiary/beneficiary in an operation they should abstain from discussion, assessment and decision-making process, including decisions taken in the written form. This provision does not apply to strategic projects under ISO1;
6. In the event of an undeclared conflict of interest discovered after decisions have been taken, these decisions shall be revoked.
7. These provisions shall apply to voting members, their substitutes, and representatives in an advisory and observatory capacity as reported in § 3.3, letters c, d) e) and g).

§ 8

Working principles

1. Without prejudice of § 4 and § 5, MC members are bound to observe the following rules of conduct:
 - Participate in all the meetings and in written procedures;
 - Act in the interest of the effective implementation of the cooperation programme, in accordance with the scope and objectives of the IPA ADRION;
 - Take decisions in the common interest of the IPA ADRION and not act to gain financial or other benefits for themselves or others;
 - Inform their organization after each meeting and written procedure, of the key outcomes and decisions taken;
 - Fulfil their obligations related to data protection and confidentiality.
2. In the event that these provisions are not respected by a MC member, he or she may be dismissed by the Chair, and shall be replaced by the appointing institution, after clarification of the matter.
3. These provisions shall apply to all MC members, according to the extent of their competence.

§ 9

Complaint resolution

1. The MC shall adopt targeted arrangements for the examination of project complaints. The MC shall, upon request by the Commission, examine complaints submitted to the Commission falling within the scope of their arrangements. The MC shall inform the Commission, upon request, of the results of those examinations.

Complaints, submitted by the lead applicant/partner can also be addressed to the MA in relation to:

- a) the assessment of the project proposals; the MA, in collaboration with the MC, will examine and provide its position regarding the merit of the complaint. The MC may also set up a task force or a sub-committee to deal with complaints;
- b) the decisions made by the MA/JS during project implementation or by the MC decisions on the basis of the subsidy contract; the MA/JS will examine and provide an answer (in collaboration with the MC if necessary).

§ 10

Working languages

1. MC working language shall be English. This rule also applies to the official documents of the MC and to the working groups.

§ 11

Secretariat and organisation

1. The JS shall assist the MC in carrying out its functions. In particular, it shall be in charge of the preparation of all documents related to the organisation and follow-up of the MC meetings and of the drafting of the minutes in coordination with the Chair and Co-chair.
2. The JS shall also be in charge of ensuring the publication of the requested information as set forth in the Interreg Regulation on programme web site (i.e.: publication of the present rules of procedure, list of MC members, and MC decisions).

§ 12

Communication

1. Communication and dispatching of documentation among the MC members and between MA/JS and the MC shall generally be done by e-mail.
2. Any possible effort shall be done in order to ensure the correctness and effectiveness of communications.

§ 13

Adoption and revision

1. The MC Rules of Procedure shall be adopted and amended in accordance with the procedures set forth in § 6.

§ 14

Validity

1. These Rules of Procedure and future amendments shall enter into force upon the approval by the MC and shall remain valid until the programme is fully closed by the European Commission.

Approved on 28 February 2023 in Bologna, Italy

Annex

Rules applying for meetings held via videoconference or hybrid mode

1. Meetings held via videoconference shall follow the same rules as meetings in person as described in § 5.
2. Decision making process shall be ruled according to § 6.
3. In order to avoid that technical problems prevent the validity of the MC, the Chair shall ensure the presence of the quorum in view of the adoption of the decisions through a tour de table; if the quorum was ensured during the presentation of the topic and its discussion but not during the decision making process, he/she can postpone the decision to be adopted through written procedure no later than 2 working days as from the date of the MC meeting.