

Interreg



Co-funded by
the European Union

NEXT MED

Interreg NEXT MED Programme 2021-2027

Rules of Procedure for the Monitoring Committee

Approved by the Monitoring Committee on March 14th, 2023

NEXT MED**Contents**

Preamble.....	3
Art. 1 - Competences and duration.....	5
Art. 2 - Composition of the Monitoring Committee.....	5
Art. 3 - Chairpersonship, Secretary and Secretariat.....	6
Art. 4 –Functioning.....	7
a) Convocation of the meetings.....	7
b) Quorum for the validity of the meetings.....	8
c) Decision-making process during the meetings.....	9
d) Decision-making process by written procedure.....	10
e) Working groups and task forces.....	10
f) Meetings of the Heads of Delegation.....	11
g) Working languages.....	11
Art. 5 - Functions.....	12
Art. 6 - Code of Conduct and working principles.....	13
Art. 7 - Communication and visibility.....	14
Art. 8 - Adoption and revision of the rules of procedure.....	14
Art. 9 - Entry into force of Rules of Procedure.....	14
Annex 1 to the Rules of Procedure.....	15
Annex 2 Monitoring Committee composition.....	15
Annex 3 Template declaration of impartiality and confidentiality.....	15

NEXT MED***Preamble***

- Acknowledging the REGULATION (EU) 2021/947 of the Parliament and of the Council of 9 June 2021 establishing the Neighbourhood, Development and International Cooperation Instrument – Global Europe, amending and repealing Decision No 466/2014/EU and repealing Regulation (EU) 2017/1601 and Council Regulation (EC, Euratom) No 480/2009;
 - Acknowledging the REGULATION (EU) No 2021/1060 of the Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy, in particular Articles 8, 38, 39 and 40;
 - Acknowledging the REGULATION (EU) 2021/1058 of the Parliament and of the Council of 24 June 2021 on the European Regional Development Fund and on the Cohesion Fund;
 - Acknowledging the REGULATION (EU) 2021/1059 of the European Parliament and of the Council of 24 June 2021 on specific provisions for the European territorial cooperation goal (Interreg) supported by the European Regional Development Fund and external financing instruments, in particular Articles 22, 28, 29 and 30 thereof;
 - Acknowledging the REGULATION (EU) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union (Financial Regulation);
 - Acknowledging the COMMISSION IMPLEMENTING DECISION (EU) 2022/74 of 17 January 2022 establishing inter alia the list of Interreg Programmes and the financial amounts;
-

Interreg



Co-funded by
the European Union

NEXT MED

- Acknowledging the Commission Implementing Decision (EU) 2022/75 of 17 January 2022 establishing the list of areas covered by Interreg Programmes;
- Acknowledging the Interreg NEXT MEDITERRANEAN SEA BASIN - (NEXT MED) 2021 - 2027 Programme (DECISION C(2022) 9543 final of 12.12.2022).

NEXT MED

Art. 1 - Competences and duration

The competences of the Monitoring Committee (MC) exclusively concern the Interreg NEXT MED Programme 2021 – 2027. It performs its duties during the period of execution of the Programme and it ends its functions after Programme closure.

Art. 2 - Composition of the Monitoring Committee

The MC is composed of the following members:

Full members (with voting rights):

- A Delegation for each country participating in the Programme, with one voting right per delegation expressed by the Head of Delegation.

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 Chairperson and the Monitoring Committee members are informed at least 2 working days before the meeting.

Members without voting rights:

- The Director of the Managing Authority (MA), appointed by the Autonomous Region of Sardinia, acting as Chairperson;
- A member of the MA staff, acting as Secretary;
- A representative of the Joint Secretariat (JS);
- A representative of each organisation hosting the Branch Offices;
- A representative of the European Commission in an advisory capacity;
- If necessary, a representative of any working group that the MC has decided to establish according to article 4 letter e).

The composition of the national Delegation is decided by each country in respect of the non-discrimination principle and in compliance with the national and European laws and

NEXT MED

legislation and taking into account the Programme and these Rules of Procedure.

The representatives of the MC will ensure that on the national level all relevant partners are involved in the preparation, implementation, monitoring and evaluation of the Interreg NEXT MED Programme as referred to in Article 8 of Regulation (EU) No 2021/1060.

The MC members shall be appointed on a functional basis and not on a personal basis by the National Authority of each country according to its national procedures. Each Delegation shall have a minimum of one and a maximum of five members, including one Head of Delegation.

Any modification in the composition of the national Delegations shall be communicated in writing, by the Head of Delegation, to the Chairperson and the Secretary according to the national procedures

If the appointed Head of Delegation is not able to take part in a MC meeting, he/she will delegate a substitute in writing; otherwise, the national delegation will not be considered in the calculation of the quorum for the validity of the meeting and will not have the voting right during that meeting.

The Programme Technical Assistance funds will cover the participation costs (travel and accommodation) of only two persons per country and of one institutional representative of each Branch Office.

The list of members of the MC as reported in Annex 2 shall be published by the Managing Authority on the website referred to in article 36 (section 2) of the Regulation (EU) 2021/1059 (Interreg Regulation).

Art. 3 - Chairpersonship, Secretary and Secretariat

Chairpersonship of the MC, without voting right, is held by the MA Director, appointed by the Autonomous Region of Sardinia, or by his/her delegate. The Chairperson shall have a facilitation role, submit the proposals, lead the discussions, acknowledge the decisions taken by the MC and ensure that these decisions are in line with the rules applicable to the

NEXT MED

Programme and with these MC Rules of Procedure.

The Chairperson can invite external guests to take part in the MC meetings as either observers or experts contributing on specific issues, unless the majority of the MC members does oppose.

A member of the MA staff is appointed as Secretary of the MC, without voting right.

The MA is assisted by the Joint Secretariat (JS) for the secretarial functions and organisation of the MC meetings.

Minutes shall be drawn up after each MC meeting and signed by the Chairperson and the Secretary. The minutes shall include the list of the persons attending the meeting, a summary of the discussions and the decisions taken by the MC.

The summary of the main decisions will also be sent by e-mail to the MC members within one week from the meeting.

A draft copy of the minutes shall be sent by e-mail to the MC members within three weeks from the meeting. The minutes shall be approved by the MC through written procedure.

Art. 4 - Functioning

a) Convocation of the meetings

The MC meets for its first time within three months from the date of adoption of the Programme Document by the European Commission. The MC then meets as often as necessary and at least once a year.

The MC is convened by the Chairperson on his/her own initiative or by a duly justified request from one national Delegation or from the European Commission.

The date of the meetings should be proposed by the Chairperson at least one month in advance. In urgent cases, upon agreement of all Delegations, the MC can be convened within a shorter period.

NEXT MED

The agenda of the meeting is proposed by the Chairperson, who should send it to the MC members and observers at least three weeks before the meeting. The working documents related to items on the agenda which require a MC decision should be sent at least two weeks before the meeting.

The inclusion of additional items on the agenda may be proposed to the Chairperson by the MC members in writing before the meeting or, in urgent cases, at the beginning of the meeting. The final agenda is approved at the beginning of the session.

The in-situ meetings of the MC shall take place in the countries participating in the Programme, ensuring – when possible – a rotation among them. The venue of the meetings is decided by the MC upon proposal of the Chairperson or of one national Delegation, taking into consideration that it must ensure attendance of all countries.

The Chairperson may propose to the MC members also on-line meetings, depending on the subjects to be discussed and/or in the event of circumstances which prevent the possibility to have an in-situ meeting.

b) Quorum for the validity of the meetings

The quorum for the validity of the meetings of the MC is fixed to 50% + 1 (plus one) of the countries having adhered to the Programme, of which at least three shall be EU Mediterranean Countries (EUMC) and three Mediterranean Partner Countries (MPC). In case the calculation of the quorum results in a decimal number, it will be rounded down. An example of calculation of the quorum with 15 countries participating in the Programme is included in Annex 1 to these Rules of Procedure.

If new countries adhere to the Programme, the minimum number of EUMC and MPC may be changed by unanimous decision of the MC, but the balance between them will be kept.

The Secretary will check that the quorum is likely to occur at least two weeks prior to the meeting. If it is not confirmed, the Chairperson will propose another convenient date. In the event of unexpected circumstances leading to a lack of quorum, the MC meeting may still take place and the decisions will be adopted through written procedure.

NEXT MED***c) Decision-making process during the meetings***

As a matter of principle, decisions of the MC are taken by consensus of the national delegations present in person or remotely.

The Chairperson submits the proposals and acknowledges the decisions taken by the MC. In case of absence, national Delegations may send - before the meeting and in writing - their observations on issues related to the agenda to the Chairperson. During the meeting, the Chairperson will share these observations with the other Delegations.

In the absence of consensus, despite attempts and negotiations to reach a compromise, which must be proposed by the Chairperson, two scenarios are possible:

- In the event of decisions concerning the approval of projects, their modification or cancelation, the Chairperson proposes a vote by the national delegations. In this case, decisions are taken by a qualified majority. The qualified majority implies a minimum of 2/3 of the votes of the countries participating in the meeting, including at least two MPC and two EUMC. In case the calculation of the 2/3 results in a decimal number it will be rounded down. An example of calculation of the qualified majority based on the number of countries participating in the meeting is included in Annex 1 to these Rules of Procedure.

An abstention is not counted as a vote cast.

Whatever the number of its representatives, each country has one vote, which shall be used according to the internal agreement within each Delegation.

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

In the event the MA raises questions on the technical and/or legal basis concerning a MC decision, the MA will verify the correctness of this information with other Programme bodies and/or the EC in order to enable the MC to take or revise its decision on sound basis.

NEXT MED

d) *Decision-making process by written procedure*

In the event of short delay or when needed, the Chairperson on his/her own initiative or on the basis of a request from one national Delegation will launch a written procedure, based on the same rules adopted for the decision-making process during MC meetings (consensus or voting).

The decision is adopted by consensus if no delegation has objected in writing within two weeks. In case of written voting procedure, the decision is adopted when, within two weeks, at least 50% + 1 (plus one) of the countries participating in the Programme (of which at least three EUMC and three MPC) have expressed a vote and at least 2/3 of these votes (including at least two MPC and two EUMC) are in favour of the proposal.

In such a case, the Chairperson sends the proposal for a decision to all the members of the MC by e-mail. The decision mechanism (either consensus or voting) must be indicated in the communication launching the written procedure. The position of each participating country shall be expressed by the Head of Delegation by sending an e-mail to the Chairperson and to all the MC members within the established deadline.

For duly justified reasons, the Chairperson may propose the deadline for the conclusion of the written procedure to be reduced to one week. Each Delegation may request, for justified reasons, to apply the ordinary deadline of two weeks.

e) *Working groups and task forces*

The MC, on the initiative of one of its members, may decide to set up 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 agree to follow the same rules as the MC. The MC is regularly informed about the work of these groups. The working groups may make proposals to the MC on issues related to the implementation of the Programme. The working groups or task forces have no decision-making rights, except for the task force set up for the definition of the 2028-2035

NEXT MED

Programme, as the case may be.

The working groups have an advisory role for the MC aimed at facilitating the reaching of a shared position, without any decision-making power.

The MC defines the composition, the mandate and the working modalities of these groups.

f) Meetings of the Heads of Delegation

In case of specific issues requiring a consultation with the participating countries or to prepare a MC plenary meeting, the Chairperson may convene restricted meetings of the Heads of Delegation.

The meetings of the Heads of Delegation have an advisory role for the MC aimed at facilitating the reaching of a shared position, without any decision-making power.

Depending on the needs, these meetings may take place between two MC plenary meetings back-to-back with MC plenary meetings or other scheduled meetings.

If the appointed Head of Delegation is not able to take part in a meeting, he/she shall delegate a substitute in writing.

The agenda of the meetings of the Heads of Delegation should be proposed by the Chairperson at least three weeks before the meeting.

Programme Technical Assistance funds will cover the participation costs (travel and accommodation) of only one person per country and of one institutional representative of each Branch Office.

g) Working languages

The MC meetings and Heads of Delegation meetings are held in English, French and Arabic. Documents and minutes of the meetings are drafted in English and French. The agenda is also drafted in Arabic. The interpretation will be ensured for both physical meetings and on-line meetings.

Art. 5 - Functions

In accordance with articles 19, 22, 28, 29 and 30 of the «ETC regulation»:

1. The MC shall review:

- a) the progress made in implementing the Programme and in achieving the milestones and target values of the Interreg NEXT MED Programme;
- b) issues affecting the performance of the Interreg NEXT MED 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) the progress in implementing significant Interreg operations (projects) of strategic importance (as defined in the Programme Document);
- f) the progress made in strengthening the administrative capacity of public institutions and beneficiaries, where relevant.
- g) any other relevant document as the case may be.

2. The MC shall approve:

- a) the methodology and criteria for the selection of projects including any changes thereto and the terms of reference of calls for proposals;
- b) the list of projects selected for funding projects, their major modifications, which are specified in the Programme Manual;
- c) the evaluation plan and any amendments to it;
- d) any modification of the Interreg NEXT MED Programme, based on an initial proposal of the Managing Authority, including a transfer in accordance with Article 19, section 5; and
- e) the final performance report.

NEXT MED

f) any other relevant document as the case may be.

The MC may set up an Assessment Board with specific tasks related to the evaluation of project proposals.

Art. 6 - Code of Conduct and working principles

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

- Participate in all meetings and, where appropriate, in written procedures,
- Act in the interest of the effective implementation of the cooperation Programme, in accordance with its scope and objectives,
- 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 Chairperson 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 these provisions are not respected by a member, he or she may be dismissed by the Chairperson, 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.

NEXT MED***Art. 7 - Communication and visibility***

Communications between the members of the MC, the Chairperson and the MA are generally done by e-mail. Each Delegation communicates to the Chairperson the e-mail addresses to which all MC related communications shall be sent.

According to art. 28 and 29 of the Interreg regulation, the information concerning the composition of the MC and the information approved by the MC are published through the website and the tools of communications of the Programme with the purpose of ensuring transparency towards the beneficiaries of the Programme and the general public.

Art. 8 - Adoption and revision of the rules of procedure

The rules of procedures are approved by the MC in unanimity during its first valid meeting. Any modifications, requested by at least one member of the MC or by the Chairperson, shall be adopted unanimously.

Art. 9 - Entry into force of Rules of Procedure

These Rules of Procedure shall enter into force immediately after their adoption at the first valid meeting of the MC.

List of Annexes:

Annex 1: Calculation of the quorum

Annex 2: Monitoring Committee composition

Annex 3: Template declaration of impartiality and confidentiality.

Annex 1 to the Rules of Procedure

Calculation of the quorum for MC meetings and of qualified majority (with 15 countries participating in the Programme)

VALIDITY OF THE MEETING – VALIDITY OF WRITTEN VOTING PROCEDURE

$50\%+1 = 7,5 + 1 = 8,5$ ROUNDED DOWN = 8 participating countries (at least 3 EUMC + 3 MPC)

QUALIFIED MAJORITY OF TWO THIRDS

N. of countries participating in the meeting	Calculation of the qualified majority (2/3) (rounded down when applicable)	Qualified majority (geographical minimum representation)
8	$8/3 \times 2 = 5,33$	5 votes (at least 2 EUMC + 2 MPC)
9	$9/3 \times 2 = 6$	6 votes (at least 2 EUMC + 2 MPC)
10	$10/3 \times 2 = 6,66$	6 votes (at least 2 EUMC + 2 MPC)
11	$11/3 \times 2 = 7,33$	7 votes (at least 2 EUMC + 2 MPC)
12	$12/3 \times 2 = 8$	8 votes (at least 2 EUMC + 2 MPC)
13	$13 / 3 * 2 = 8,66$	8 votes (at least 2 EUMC + 2 MPC)
14	$14 / 3 * 2 = 9,33$	9 votes (at least 2 EUMC + 2 MPC)
15	$15 / 3 * 2 = 10$	10 votes (at least 2 EUMC + 2 MPC)