



# **INTERREG VI-A ITALY-SLOVENIA 2021-2027**

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## **RULES OF PROCEDURE OF THE MONITORING COMMITTEE**

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**2021**

**2027**



Vers. 3\_MC05-21/03/2024





## Preamble

On the basis of:

- *Regulation (EU) 2021/1060 of the European 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*
- *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*
- *Regulation (EU) 2021/1058 of the European Parliament and of the Council of 24 June 2021 on the European Regional Development Fund and on the Cohesion Fund*
- *Commission Delegated Regulation (EU) No 240/2014 of 7 January 2014 on the European code of conduct on partnership in the framework of the European Structural and Investment Funds*

and

- *the Programme document (hereinafter IP) INTERREG VI-A Italy-Slovenia 2021-2027 (hereinafter Programme), approved by the European Commission on August, 3<sup>rd</sup>, 2022 (Decision number C (2022) 5745), CCI 2021TC16RFCB034,*

the Member States, Republic of Italy and Republic of Slovenia, in agreement with the Managing Authority (hereinafter MA) of the Programme have decided to establish a Monitoring Committee (hereinafter MC) for the implementation of the Programme.

In compliance with Article 28 (1) of Regulation (EU) No 2021/1059 and in agreement with the MA, in order to implement its mission, the MC adopts the following Rules of Procedures (hereinafter RoPs) and its Annex 1 and 2, i.e. Declarations of Impartiality of its members to perform their duties abiding to values as in the European code of conduct on partnership.

The MC is competent over the Programme eligible area as identified in the IP and shall expire with the closure of the Programme.



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## Article 1 – Composition

1. According to Article 29 of Regulation (EU) No 2021/1059, the MC is composed by full/voting members and members with an advisory/non-voting capacity.
2. The MC **full/ voting members** are fourteen (14) and each Member State has seven (7) members as follows:
  - a. for Italy:
    - three (3) representatives from **Italian national** level:
      - two representative for the Presidency of the Council of Ministers -Department for Cohesion Policies and for the South - Coordination and monitoring ETC Programmes;
      - one representative for the Ministry of Economy and Finance – General Inspectorate for the Financial Relations with the European Union (IGRUE); and
    - four (4) representatives from **Italian regional** level:
      - two for the autonomous Region Friuli Venezia Giulia;
      - two for Veneto Region.
  - b. for **Slovenia**:
    - two (2) representatives of the National Authority, Republic of Slovenia, Ministry of Cohesion and Regional Development;
    - one (1) of Ministry of the Economy, Tourism and Sport;
    - one (1) of Ministry of Higher Education, Science and Innovation;
    - one (1) representative of Ministry of Culture;
    - one (1) of Ministry of Environment, Climate and Energy/Ministry of Natural Resources and Spatial Planning;
    - one (1) representative of the Slovene Government Office for Slovenians Abroad.
3. The above-mentioned Institutions can designate also one or more **deputies**.
4. Should an Institution send **substitutes** to the meetings, other than designated members or deputies, a written communication with the name of the substitute shall be sent to the Joint Secretariat (hereinafter JS) in advance and, in any case, by the date of the meeting.
5. Each Member State Delegation shall appoint its Head of Delegation.
6. Voting members – full and deputies or substitutes - have the same rights, duties and mandate to take binding decisions for the Member State, according to the rule as set out in art. 4 below.
7. Each MS shall formally communicate to the MA names and contact details of its designated member(s) and deputies.
8. In compliance with Article 29(2) of Regulation (EU) No 2021/1059 the list of members of the MC and their deputies shall be published by the MA on the Programme website.
9. In no case a full/voting member can authorize any other member, also those in advisory capacity/non-voting, to represent him or her.
10. Representatives of the following Institutions shall participate to the MC with **advisory/non-voting** capacity:
  - a. the European Commission, according to Article 29(3) of Regulation (EU) No 2021/1059;



- b. Environmental Authorities;
  - c. one (1) representative for the EGTC GECT-GO, according to article 29(1) of Regulation (EU) No 2021/1059;
  - d. for **Slovenia**:
    - one (1) representative of the Ministry of Foreign Affairs;
    - one (1) representative of the Government Office for National Minorities;
    - one (1) representative of Chamber of Commerce and Industry of Slovenia;
    - one (1) representative of Cohesion Region Eastern Slovenia;
    - one (1) representative of Cohesion Region Western Slovenia;
    - one (1) representative of NGOs.
  - e. for **Italy**:
    - one (1) representative of Local Autonomies of autonomous Region Friuli Venezia Giulia;
    - one (1) representative of the Chambers of Commerce of autonomous Region Friuli Venezia Giulia
    - one (1) representative of the public Authorities responsible for the application of horizontal principles of the autonomous Region of Friuli Venezia Giulia (Consigliere di parità).
    - one (1) representative of the FVG Third Sector;
    - one (1) representative of Slovene minorities in the autonomous Region Friuli Venezia Giulia;
    - one (1) representative of Italian minority in Slovenia;
    - one (1) representative of the urban area "Città metropolitana di Venezia" of Veneto Region;
    - one (1) representative of Unioncamere Veneto of Veneto Region;
    - one (1) representative of the Local Action Groups (VeGAL) of Veneto Region;
    - one (1) representative of research Institutions of Veneto Region ( Consortium for coordination of research activities concerning the Venice lagoon system - Consorzio per il coordinamento delle ricerche inerenti al sistema lagunare di Venezia - CORILA);
11. Programme Authorities/structures/bodies shall be invited to the MC meetings.
12. To enhance the synergies and complementarities among ETC Programmes and on a case-by-case basis, representatives of other MAs or JSs can be invited by the MA
13. On individual cases on the relevant topics, the MA or Member States' Delegations - upon prior written agreement with the MA - may invite external experts/guests to the MC meetings. The Chair shall inform and motivate such presence at the beginning of the meeting.
14. Any person paid by an approved operation, except from the Technical Assistance, cannot be a MC Member.



## Article 2 – Tasks

1. In accordance with Articles 28, 29 and 30 of Regulation (EU) No 2021/1059, the MC shall examine:
  - a. the progress in Programme implementation and in achieving the milestones and targets of the Programme;
  - b. any issues that affect the performance of the 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;
2. In addition, the MC shall approve:
  - a. the selection of operations;
  - b. the methodology and criteria used for the selection of operations, including any changes thereto;
  - c. the evaluation plan and any amendment thereto;
  - d. any proposal by the MA for the amendment of the Programme including for a transfer of funds among priorities in accordance with Article 19(5) of Regulation (EU) No 2021/1059;
  - e. the final performance report.
3. The MC has the competence to create working groups or similar bodies. In this case the rules of procedures shall apply accordingly, whereas their composition shall be determined case by case. Working groups shall be responsible towards the MC and shall report to the MC.
4. The MC will be supported in executing its mission and tasks by the MA and the JS.
5. In compliance with Art. 46(2) of the Regulation (EU) No 2021/1059, the JS/NCP shall assist and support the MC (preparatory meetings and WG ) in its functions, in particular: for the organization of the meetings; supporting the MA and the MC in performing their tasks /duties; in convening the members, circulating the agenda, in drafting and circulating the minutes, preparing the supporting documents for the MC meetings (also in its preparatory meeting and eventual WG meetings) and for written procedures, ensuring MC members' accessibility to Programme repository; acting as a contact point for the MC and the Programme Authorities and structures; keeping updated contact details of the MC members.
6. The MC shall also act as a common platform for information exchange and discussion on issues related to the Programme in order to secure a high quality implementation process.



## Article 3 - Chair and meetings

1. In compliance with Art. 28(3) of the Regulation (EU) No 1059/2021, the MC shall meet at least once a year.
2. According to Art. 39 of the Regulation (EU) No 1060/2021, the MC shall be chaired by the Head of the MA .
3. The Chair has no voting right.
4. The MC's meeting shall take place on site, virtually - via video conference or another appropriate online tool - or in a hybrid format.
5. In case of on-site MC's meetings, as a general rule they shall be located on a rotational basis in the two member States, unless otherwise is decided and taken into consideration the most appropriate value-for-money:
6. The practical/organisational/logistic arrangements of the meetings are under responsibility of the MA/JS in coordination with the hosting Member State.
7. The Chair, supported by the JS, shall:
  - a. convene the MC by elaborating a provisional agenda;
  - b. make available the proper supporting documents;
  - c. perform chairing duties during the meetings (e.g. declare opening/closing of each meeting, verify the quorum, announce the participation of substitutes as for article 1, point 4, facilitate the discussion, accord the right to speak, put questions to the vote, announce the decisions, objections or dissenting opinions, make sure that the Declarations as in article 5, points 2 and 3 are signed by all Members and that the points on the agenda are discussed);
  - d. be responsible for the proper functioning of the MC facilitating a plain and clear decision-making process in close cooperation with the two MS Delegations for a smooth implementation of the Programme;
  - e. provide a summary of outcomes at the conclusion of each meeting.
8. Communication among MC's members and with the Chair shall be done normally by e-mail.
9. All members agree and accept to share their e-mail address for all written communications among the Monitoring Committee.
10. As a general rule, the working language of the MC's meetings are Italian and Slovene.
11. Documents and written communications will be drafted and revised in English.
12. The MC's invitation is sent by the MA in consultation with the two Member State Delegations **at least 15 working days** in advance by a written communication sent by e-mail, indicating day / place / time / provisional **agenda**. In duly justified cases the MC may be convened also upon request of the MS.
13. In particular cases:
  - a. the Chair can integrate the agenda beyond the above mentioned deadlines duly informing MS.
  - b. any MC members' proposition for adding a new item to the agenda - on which a decision is considered as necessary - must be communicated by written form to the Chair within the following **5 working days**. If a request of change on the provisional agenda is made, the final agenda shall be circulated with no delay not later than **6 working days** before the meeting;



- c. additional items might in duly justified cases be added to the agenda while approving the agenda at the meeting, provided the proposal is approved by the MC, with the exception of items related to financial issues.
  - d. As for points b. and c. they shall not imply any drafting of new documents and/or elaboration of further analysis
14. The agenda shall be adopted at the beginning of each meeting.
15. Supporting documents on the items in the provisional agenda are made available **10 working days** before the scheduled meeting, either by email or on the MC's repository/web platform for which the JS will confidentially send an access password to each MC's member.
16. In particular case:
  - a. exceptionally, supporting documents may be made available in a shorter period;
  - b. documentation referring to the item "approval of ranking lists of project proposals" shall be made available on the same day of invitation.
17. Upon prior agreement with the Chair, deadlines as indicated above may be lengthened in vacation times (i.e. Christmas, August).
18. In order to smooth the discussion during the meeting, Delegations may send to the Chair in advance a notice of agreement, comments/feedback on items in the agenda.
19. At the end of each meeting, the Chair shall summarize the main points discussed and decisions taken.
20. A written synthesis in English of the decisions taken (so called "short minutes") shall be circulated via email after the meeting.
21. Long minutes – as a summary of discussions with evidence of agreements/disagreements and decisions taken - are drafted in English and circulated via e-mail to the MC members **not later than 7 working days** after the meeting, together with documents revised as outcome of the meeting.
22. Observations and proposal of amendments to the long minutes shall be submitted via email **not later than 7 working days** after receipt and:
  - a. if no observations are made within the deadline, it is interpreted as consensus and the long minutes are considered approved and circulated with no amendment;
  - b. if observations are made, the long minutes shall be:
    - accordingly revised and sent back as amended, if modifications are acceptable for all or a compromise is reached.
    - sent for approval through a written procedure as in article 4(4) or be object of decision on the following MC's meeting, as first point of the agenda as for its controversial points, if no compromise is reached. The part of the minutes not contrasted is considered as approved.
23. Communication among the MC members and with MA/ JS shall generally be done by e-mail.
24. MC meetings are not public. For due transparency and information, in compliance with Art. 28(4) of the Regulation (EU) No 1059/2021, the MC's short minutes and the outcomes of written procedures will be provided to the general public at the Programme website.

## Article 4 - Preparatory meetings and working groups



1. If necessary for a plain decision-making, preparatory meetings can be convened on the day before the MC's meeting and limited to voting members.
2. Representatives of the European Commission shall be invited to participate in the preparatory meeting.
3. As per Art. 2,3 of the present RoP, the MC may set up working groups (WG) on specific items/issues, defining its members to be convened whenever necessary for the plain implementation of the Programme.
4. The WG members shall be nominated sending an email to the MA by the Head of SM Delegations – chosen among full/voting and advisory capacity/non-voting members as well as among relevant experts/technical staff.
5. The WG meetings shall be convened by a MA's email.

## Article 5 - Decision-making

1. The MC meeting is valid and its decisions are legally taken when at least 4 full/voting members per each MS Delegation are present at the meeting. The **quorum** shall be checked by the Chair at the beginning of each meeting and eventually before taking any decision on the items in the agenda.
2. Decisions shall be taken by **consensus** on the basis of principle "One country one vote" expressed by the Head of each of the two Delegations, designated/confirmed at the beginning of each meeting, prior an internal consensus within each Delegation.
3. A **written procedure**-decision-making can be initiated by the MA/JS via email upon request by a MS Delegation or upon its own decision. Each MS Delegation shall respond in writing via e-mail through the Head of Delegation, not later than **10 working days** from the launch of the written procedure.
4. The proposal shall be:
  - a. **adopted if no objections** are raised by the deadline. Silence within the set deadline is interpreted as consensus;
  - b. **adopted with modifications proposed** according to the final text accordingly adjusted by the MA with evidence of modifications introduced;
  - c. **rejected** in the case of lack of consensus among the two MS Delegations whose objections shall be duly motivated and explained. MS Delegations can withdraw their objections at any time.
5. In case of rejection as per point 5., let. c., a new consensus shall be sought on the basis of motivations/explanations expressed, through a **follow-up of failed written procedure** in which each MS Delegation shall express its decision within additional 10 working days, if no other shorter term is decided;
6. At deadline, the JS shall close the procedure by emailing its outcome of approval or follow-up. In case of follow-up, also the final determination of the whole procedure shall be finally emailed.
7. if no final decision can be made out of the follow-up as for in previous paragraph 6., the item shall be inserted in the next MC's meeting agenda whose date is to be decided in the most effective way.



8. If the MA has reasonable doubts that a decision is not compliant with the Programme or is likely to jeopardize the sound and plain management of the Programme or lead to risk of irregularities, it shall suspend the entry into force of the decision until further clarification is obtained (approval under condition). In case that no compliance is finally asserted or no clarification could be obtained, the decision will not come into force and a new decision is to be sought, according to procedure set in point 6. or 8.
9. Written procedures shall not be used in the month of August nor during Christmas/New Year holidays.
10. In exceptional/emergency cases, the standard terms as set in point 4. above might be **shortened** to **5 working days** upon due motivation.

## Article 6 - Impartiality and Code of Conduct

1. In compliance with Article 8, point 4 of Regulation (EU) No 2021/1060, MC decisions are made in the interest of an efficient implementation of the Programme and of the public interest in compliance with principles, values and moral conduct set in the Commission Delegated Regulation (EU) No 240/2014 and shall be free from bias and must not be influenced by a partial interest / conflict of interest of any of the individual members of the MC.
2. In compliance with articles 12 and 13 of Commission Delegated Regulation (EU) No 240/2014 MC members and any attending guests/experts/substitutes shall sign the Initial Declaration of impartiality attached as Annex 1 to these RoPs at their first participation to the MC.
3. An additional Declaration attached as Annex 2 to these RoPs shall be signed in the event of decisions on approval of strategic projects and projects ranking lists.
4. Each MC members shall duly formally inform the Chair and the Organisation who nominated him/her within the MC at any time and at the beginning or during the meeting in case of any change of his/her position in respect to conflict of interest or any other situation infringing the Declarations as for point 2 and 3.
5. The MA and the other MC members shall bear no responsibility in case of omitted or false declarations of any other member.
6. In case of conflict of interest, the member shall be excluded from discussion and decision on relevant topic/s by leaving the meeting until a decision has been taken and this fact shall be evidenced in the minutes. Exclusions caused by conflict of interest shall not impact on the quorum as set in article 4 point 1.
7. Without any prejudice to EU and national rules on access to information, the discussion within the MC as well as the supporting and working documents for MC's meetings have to be treated confidentially. This obligation of not disclosing any detail of meeting discussions shall be maintained also after the end of their mandate until Programme closure.
8. In case the provisions of this article are not respected, after clarification has been provided, the MC membership of the infringing person shall decay and be revoked by the Chair and he/she shall be replaced with someone else by his/her Organization.
9. The provisions of this article shall equally apply to full/voting Members, their Deputies or Substitutes as well as members with advisory/non-voting capacity and any invited guest and expert.

## Article 7 - Official languages

1. Italian and Slovene are the official languages for the MC, although English is used for informal discussion or whenever agreed by full/voting members.
2. Simultaneous interpretation Italian/Slovene is provided for the MC meetings.
3. Working language for preparatory MC's meetings and WGs is English. No translation services support is provided, unless differently decided.
4. The supporting documents to be submitted to the MC meetings and circulated are in English or, as an exception, in Italian and Slovene.
5. The documents are approved by the MC in the linguistic version in which they are submitted.
6. Final versions of the official documents shall be in Slovene and Italian.
7. The MC long and short minutes are drafted in English.

## Article 8 - Validity and Revision

1. These Rules of Procedure and Initial Declaration as in Annexes 1 are adopted in English by consensus on occasion of MC's first meeting. Declaration as in Annex 2 is adopted in the two official languages.
2. These RoPs are valid until the acceptance of the Programme closure by the European Commission.
3. After adoption, the RoPs can be revised by the MC by consensus among the MS Delegations. The List of the MC members/deputies can be revised every time the MS formally communicate to the MA a change.
4. In compliance with Articles 28(4) of Regulation EU) No 2021/1059, these RoPs shall be published on the Programme website.

## Annexes

**ANNEX 1 - Initial Declaration template (in English)**

**ANNEX 2 - Declaration template in the event of approval of ranking lists (in Italian and Slovene)**