

Interreg IPA South Adriatic Programme

Rules of procedure of the Monitoring Committee

Adopted on 19 October 2022

RULES OF PROCEDURE of the MONITORING COMMITTEE of the INTERREG IPA SOUTH ADRIATIC Programme

PREAMBLE

The representative of Italy, Albania and Montenegro, participating Countries in the Interreg IPA South Adriatic, in compliance with article 28 (2) of the Regulation (EU) 2021/1059 (ETC Regulation) and on the basis of the provisions of:

- Regulations (EU) 2021/1059 (ETC Regulation), (EU) 2021/1060 (CPR Regulation), 2021/1529 IPA III;
- the Financing Agreements for Albania and Montenegro;

and

- the Interreg IPA II South Adriatic Programme 2021-2027 including all annexes adopted by the European Commission (EC) on 26/09/2022 (Decision number C(2022)6940);

decide to establish a Monitoring Committee (hereinafter referred to as “MC”) for the implementation



of the Interreg IPA South Adriatic Programme.

The Monitoring Committee has adopted the following Rules of Procedure.

ART. 1 – MAIN TASKS AND DURATION

- (1) The MC is the decision – making body of the Interreg IPA South Adriatic Programme.
 - The MC shall review the overall effectiveness, quality and coherence of the implementation of all actions towards meeting the objectives set out in the cross-border programme, the financing agreements and the relevant strategic document(s).
 - The competencies of the MC concern the Interreg IPA South Adriatic that shall run in the programming period 2021 – 2027 and expire with the closure of the Programme.
- (2) The MC shall select operations in compliance with article 22 of the ETC Regulation.
- (3) The functions and tasks of the MC are all those set out in article 30 of the ETC Regulation.
- (4) The MC may ask the MA to take appropriate measures if the implementation of the project deviates from the subsidy contract, as well as measures affecting the programme and operations in order to tackle possible de-commitment risk.
- (5) Each country assumes the responsibilities for the management and control obligations and subsidiary liabilities laid down in the Regulations and financing agreement.

ART. 2 – WORKING LANGUAGE AND COMMUNICATION

Working language of the MC shall be English. This rule also applies for the official documents and communications of the MC.

ART.3 -COMPOSITION

- (1) The MC shall be established in accordance with article 28 and 29 of the ETC Regulation.
- (2) The MC is made up of six representatives per each participating Country at the appropriate governance level (national or regional, as set out in article 29 (1) of the ETC Regulation), as listed in the Annex 1. They are members with voting right, whereby each participating Country has one vote.
Representatives of the European Commission and the MA shall participate at MC meetings in an advisory capacity. Representatives of JS and National Info Points may participate at MC meetings with a supportive function. The aforementioned representatives have no right to vote.
Additionally, the Audit Authority may participate in the MC meetings as an independent observer.
- (3) In compliance with article 29 (1) (c) of the ETC Regulation, Article 8 of the CPR Regulation, as well as chapter 4 of the Cooperation Programme, the MC shall also involve in the most effective way regional, urban and local public authorities, economic and social partners, research organisations and universities and relevant bodies representing the civil society, while at the same time applying the principles of equal treatment, proportionality and avoiding conflicts of interest.

- (4) The MC members have the right to substitute their representatives in duly justified cases, by sending delegated substitutes to the meetings. The MA is notified at least 3 days prior to the meeting.
- (5) Any change in the composition in the MC has to be notified at least 3 days prior to a meeting or immediately after the launch of a written procedure.

ART. 4 – CHAIRMANSHIP AND MEETINGS

(1) Chair and Co-Chair

- The Monitoring Committee shall have a Chairperson (MC Chair) and a co – chairperson (MC Co-chair). The MC Chair is given to the representative of the participating Country hosting the MC meeting, based on a rotation principle. The MC co-chair is given to the MA, who shall support the MC Chair and ensure continuity.
- The MC Chair is responsible for the proper functioning of the MC meeting. In particular, it declares the opening, if the quorum is achieved, and closing of each meeting, directs the discussion, accords the right to speak, puts questions to the vote, announces the decisions, summarises the decisions taken at the end of the meeting, rules on points of order.
- The Joint Secretariat, established according to article 46 (2) of the ETC Regulation, shall assist the MC chair and co-chair in carrying out their functions.

(2) Meetings organization

- The MC shall meet at least once a year and/or at the written request of one or more of its members. Additional meetings may also be convened at the initiative of one of the participating countries or of the Commission, in particular on a thematic basis.
- The Managing Authority, assisted by the Joint Secretariat, draws up a provisional agenda, which shall be sent, together with the convocation (indicating the day and location of the meetings or the online link if relevant) at least 15 working days prior to the meeting. The necessary related documents will be sent to the members of the MC at least 10 working days in advance. In exceptional cases, documents may be sent at least 5 working days prior to the meeting, unless a different deadline is agreed by the MC.
- On behalf of the Managing Authority, the JS shall process and send the minutes of the meeting discussions, drafted in consultation with the MC Chair, to the members of the MC for comments not later than 10 working days after a meeting. The minutes are considered adopted if no delegation has objected in writing, within 10 working days, unless a different deadline is agreed by the MC.
- The expenditures related to MC meetings organisation and the participation costs of the MC for voting members for each Country are covered by Technical Assistance budget, according to the Technical Assistance Subsidy Contracts.

ART. 5 – DECISION MAKING

(1) The MC meetings are valid if representatives all the three Countries are present at the meeting venue or online.

(2) Decisions by the MC are taken by consensus whereby each Participating Country has one vote.

(3) Decisions can also be taken through written procedure. In such a case, the Managing Authority - by its own initiative or on request of one of the Participating Countries - sends the draft decision and the concerned documents to all members of the MC. The decision is considered adopted by written procedure if no delegation has objected in writing within 10 working days, unless a different deadline is agreed by the MC.

The decision is considered adopted also in case of clarifications or corrections, which do not change the meaning and substance of the decision. In case a delegation objects, it shall propose a modified decision, which shall be adopted through a new written procedure following the abovementioned procedure and deadline.

(4) The MC may decide to appoint working groups, committees, including the steering committee or task forces, acting under its responsibility. These groups shall formulate and submit their informed opinion to the MC, necessary for a decision by the MC. They may consist of MC members, observers and other experts. Unless otherwise provided, these Rules of Procedure shall apply to the working groups appointed in this way.

ART. 6 – IMPARTIALITY

With regard to the tasks of the MC laid down in art. 1, in compliance with Article 61 of Regulation (EU) 2018/1046, it shall be ensured that any assessment and/or decision of the MC will be free from bias and must not be influenced by partial interest of any of the individual members of this committee. Where the impartial and objective exercise of the functions of a person attending the MC meeting is compromised because of his/her involvement in a project or for any other reasons involving family, emotional life, political or national affinity, economic interest or other shared interest with a beneficiary or a project, the respective Member of the MC has to inform the MC Chair at the beginning of the meeting. The particular representative will be excluded from the discussion and decision making on the project or subject matter concerned.

ART. 7- CONFIDENTIALITY

Without prejudice to EU and national rules on access to information, the discussion of the MC as well as related information included in working documents and internal sections of the programme's information system have to be treated strictly confidentially, especially with regard to prepared documents, e.g. project assessment sheets and decisions on project selection. All applicable rules related to protection of data included in documents made available for the preparation of the meeting, distributed during the meeting or included in summaries thereof shall be observed by the representatives.

The members of the MC, as well as other invited advisors, observers and guests shall be required to respect the confidentiality obligations. The MC Chair shall ensure before starting the MC meeting that

they are made aware of them. Each member of the MC, invited advisors, observers and guests should agree to the confidentiality and impartiality obligations (Annex 2 of these Rules of Procedure).

ART. 8- DATA PROTECTION

Any personal data collected and processed for the purpose of the functioning of the MC shall be treated in accordance with the GDPR General Data Protection Regulation (UE) 2016/679 and according to all the relevant provisions of national legislations on data protection, where applicable.

ART. 9 – REVISION

Any amendments to these Rules of Procedure, requested by at least one member of the Monitoring Committee or by the Managing Authority, shall be adopted by consensus.

ART. 10 – ENTRY IN FORCE

These rules of Procedure shall enter into force immediately after their adoption.

Adopted on 19 October 2022

Annex 1 – Members of the Monitoring Committee to be published in the website www.italy-albania-montenegro.eu (updated 19/10/22)

Country	Institution/Function	Role	Name, Surname	@
ITALY	Presidency of the Council of Minister, Department for the Cohesion Policies	Member	Marco Doglia	interreg@governo.it
		Substitute	Battistina Cugusi	
		Substitute	Ivana Sacco	
	Agency for Territorial Cohesion	Member	Paolo Galletta	area.progetti.uf6@agenziacoesione.gov.it
		Substitute	Antonio Verrico	
		Substitute	Milena Rosa	
	Ministry of Foreign Affairs and International Cooperation. Adriatic's and Balkan's Unit	Member	Andrea Cascone	unitabalcani@esteri.it
		Substitute	Simona Mameli	
	Ministry of Economy and Finance - IGRUE office	tbc	tbc	tbc
	Puglia Region	Member	Gianna Elisa Berlingero	dipartimento.sviluppoeconomico@regione.puglia.it
		Substitute	Claudio Polignano	
		Substitute	Giuseppe Rubino	
Molise Region- First Department - Service Competitivity of production systems	Member	Gaspere Tocci	cooperazioneeuropea@regione.molise.it	
	Substitute	Antonio Iarocci		
	Substitute	Luca Palazzo		
ALBANIA	SASPAC - State Agency for Strategic Programing and Aid Coordination	Member	Kjara Adhami	Kjara.Adhami@saspac.gov.al ; Valbona.Kosova@saspac.gov.al ; Xherina.Haxhillari@saspac.gov.al ; emerlinda.pema@kryeministria.al ; blendi.vathi@mod.gov.al
	SASPAC - State Agency for Strategic Programing and Aid Coordination	Member	Valbona Kosova	
	SASPAC - State Agency for Strategic Programing and Aid Coordination	Member	Arber Qystri	
	Ministry of State for services and Standards	Member	Emerlinda Pema (Guri)	
	Ministry of Defence	Member	Blendi Vathi	
	SASPAC - State Agency for Strategic Programing and Aid Coordination	Substitute	Xherina Haxhillari	
	SASPAC - State Agency for Strategic Programing and Aid Coordination	Substitute	Arjan Polena	
	SASPAC - State Agency for Strategic Programing and Aid Coordination	Substitute	Altin Zeqo	
	Ministry of State for services and Standards	Substitute	Edlira Zylyfi	
	Ministry of Defence	Substitute	Sindi Kovaci	
MONTENEGRO	The Government of Montenegro - Ministry of European Affairs	Member	Bojan Vujovic	bojan.vujovic@gsv.gov.me ; irena.boskovic@gsv.gov.me ; jovan.jovovic@mep.gov.me ; dunja.nelevic@gsv.gov.me
	The Government of Montenegro - Ministry of European Affairs	Member	Irena Boškovic	
	The Government of Montenegro - Ministry of European Affairs	Member	Nada Pejovic	
	Ministry of Ecology and Spacial Planning	Member	Draško Milic	
	Ministry of Capital Investments	Member	Milena Milacic	
	The Government of Montenegro - Ministry of European Affairs	Substitute	Jovan Jovovic	
	The Government of Montenegro - Ministry of European Affairs	Substitute	Veselin Šćepanović	
	The Government of Montenegro - Ministry of European Affairs	Substitute	Marko Dragas	
	The Government of Montenegro - Ministry of Labour and Social Welfare	Substitute	Granica Simicevic	
	Union of Municipalities	Substitute	Vanja Starovlah	
	The Government of Montenegro - Ministry of European Affairs	Observer	Dunja Nelevic	
	The Government of Montenegro - Ministry of European Affairs	Observer	Aleksandra Stolica	
	The Government of Montenegro - Ministry of European Affairs	Observer	Ana Aranitovic	
In advisory capacity				
EU	EUROPEAN COMMISSION - DG for Regional Policy and Urban Policy - Unit D1. Competence Centre Macro-	Representative with advisory	Gilles Kittel	Gilles.KITTEL@ec.europa.eu
ITALY	Puglia Region - Managing Authority of Italy-Albania-Montenegro Programme	Representative with advisory	Crescenzo Marino	ma@italy-albania-montenegro.eu
ITALY	Audit Authority - Regione Puglia Segreteria Generale della Presidenza - Servizio Controllo e Verifica	Representative with advisory	Mauro Calogiuri - Marina Muserra	autoritaaudit@regione.puglia.it
ITALY	Coordinator	Representative with advisory	Mauro Novello	js@italy-albania-montenegro.eu
ITALY	Operational Secretary	Representative with advisory	Aferdita Mezini	

Annex 2 - Declaration of confidentiality and impartiality

This declaration may be obtained and recorded also through electronic authentication-forms or it may be provided during the meeting registration process

I, **NAME SURNAME OF MC MEMBER**, born on **DD/MM/YYYY**, member/ advisor/ observer /guest of the Monitoring Committee of the Interreg IPA South Adriatic Programme, hereby confirm that I am aware that the my work has to be free from bias and must not be influenced by partial interest of any of the individuals involved. According to these obligations I have to agree on this declaration of confidentiality and impartiality.

I declare:

- ✓ I will comply with the rules described in the Cooperation Programme, as well as in the respective manuals, other than all the relevant rules and regulations of EU and National Law;
- ✓ my work is free from bias and is not influenced by any partial interest, i.e. it is carried out for the joint benefit of the Programme areas. In my duties of member/advisor/observer/guest of the Monitoring Committee, I will act independently from the institutional structure I belong;
- ✓ I do not act as or on behalf of any project partner (Lead or Project Partners or Associated Partners), who have submitted an application to the Programme. I am in no other way individually and/or financially involved (including acting as an expert or consultant subcontracted by the partners for current and future assignments) in any of the project applications submitted and to me assigned for the assessment process;
- ✓ I will remain impartial during the entire call periods and assessment processes, as well as in project monitoring. I will maintain confidentiality on the received project-related information during and after any project assessment (five years);
- ✓ According to the relevant EU and National rules and regulations, I am not in a situation, also potential, of conflict of interest, as set out in article 61 of the Financial Regulation (EU) 2018/1046, i.e. my functions are not compromised for reasons involving family, emotional life, political or national affinity, economic interest or any other direct or indirect personal interest.

I declare that I will not communicate to external stakeholders any confidential information disclosed to me in relation to the work for the Programme. In particular, I declare that I will not communicate to any potential applicant, lead partner, project partner, associated partners or any other person involved in the application any confidential information disclosed to me, or make public any recommendations for decisions until the assessment is completed and the final decision on the project's approval is made by the Monitoring Committee.

Furthermore, the received information shall be used only for the purpose directly related to my activities as Monitoring Committee member/advisor/observer/guest.

I have got familiar with the information concerning the Programme available to date.

I further declare that I shall execute my responsibilities and commitments honestly, fairly and in *bona fide*.

Should one of the pre-mentioned circumstances occur, especially but not only during the call and procedure of decision-making on the projects, I will immediately notify the Head of the Managing Authority. I accept that the Head of the Managing Authority may exclude me from the concerned decision.

I declare that should any other situations or circumstances occur which could in a justified way undermine my personal impartiality or independence, I will immediately cease to take part in the respective decision and I will immediately inform about it the Head of Managing Authority. I accept furthermore that, if I have neglected to

give the necessary statement as mentioned above, the Head of Managing Authority has the right to demand my resignation immediately.

I declare that I have been informed that my personal data collected will be processed, even with IT tools, exclusively for the purpose and in the scope of the current procedure, for which this statement has been made, as well as I give my consent for the data collection of the current procedure according the GDPR EU Reg. 679/2016.

I confirm expressly that all my above declarations are made under my personal responsibility and I am aware of criminal and civil consequences in case of untruthful statements according to the relevant EU and national rules in force.

Read and confirmed

Signature or e-authentication