

**Rules of procedure of the Monitoring Committee
for the Cooperation Programme (Interreg VI-A)
IPA CBC Greece –Albania 2021-2027**

CCI: 2021TC16IPCB010

Preamble

The European Union Member State Greece and IPA beneficiary country Albania (the Partner Countries),

on the basis of:

- The European Structural and Investment Funds Regulations, Delegated and Implementing Acts for the 2021-2027 period, especially:
 - Regulation (EU) No 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, and repealing Council Regulation (EC) No 1303/2013, and any amendment;
 - Regulation (EU) No 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, and repealing Regulation (EC) No 1301/2013, and any amendment.
 - Regulation (EU) No 2021/1529 of the European Parliament and of the Council of 15 September 2021 establishing the Instrument for Pre-Accession assistance (IPA III)
 - Regulation (EU) No 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, and repealing Regulation (EC) No 1299/2013, and any amendment;
- 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;
- Regulation (EU) 2016/679 of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing directive 95/46/EC (General Data Protection Regulation, GDPR);
- Council Regulation (EU, Euratom) 2020/2093 of 17 December 2020 laying down the multiannual financial framework for the years 2021 to 2027

- The Cooperation Programme (Interreg VI-A) IPA CBC Greece-Albania 2021-2027 approval by the European Commission on 29/11/2022 under Decision Number C (2022) 8883

In agreement with the Managing Authority (hereafter referred to as MA), have decided to establish a Monitoring Committee (hereafter referred to as MC) for the effective implementation of the Cooperation Programme (hereafter referred to as CP).

Article 1

Setting up the Monitoring Committee

1. The MC is set up according to Article 28 and 29 of the Regulation (EU) 2021/1059 of the European Parliament and of the Council of 24 June 2021, as well as to specific provisions of the CP; It is the decision making Body of the Programme.
2. All members of the MC are nominated by the Partner Countries of the CP. The members from each Partner Country in the MC form the national delegations.

Article 2

Tasks

In accordance with Article 30 of Regulation (EU) 2021/1059 and the approved CP, the MC shall examine the implementation of the programme and progress made towards achieving its objectives, namely:

1. The MC shall examine:
 - (a) the progress in 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 projects of strategic importance and, where applicable, of large infrastructure projects;
 - (f) the progress in administrative capacity building for public institutions and beneficiaries, where relevant
2. The MC shall approve:
 - (a) the methodology and criteria used for the selection of interregional cooperation projects as well as the terms of reference for each call for proposals
 - (b) the selection of cooperation projects in accordance with article 22 of Regulation 2021/1059
 - (b) the evaluation plan and any amendment thereto;
 - (c) any proposal by the MA for the amendment of the Programme
 - (d) the final performance report
3. The MC shall also decide
 - (a) on implementing modifications of cross-border cooperation projects as described in detail in the Programme and Project Implementation Manual.
 - (b) on the implementation of the Technical Assistance.

4. It shall be informed in case it is needed of the annual control report, or the part of the report referring to the Programme concerned, and of any relevant comments the European Commission may make after examining that report or relating to that part of the report.

5. It shall ensure that actions support gender equality, non-discrimination, and sustainable development.

6. It shall participate in the resolution of complaints in line with the programme complaint procedure laid down in the programme manual. It also approves the results of the Joint Complaint Committee.

7. It shall approve the programme manual prepared by the MA/JS.

8. The management and monitoring provisions of projects are specified in the programme manual. The MC mandates the MA/JS with discretionary powers regarding decisions on project changes. These changes shall not affect the project eligibility and results. The purpose and other basic features of the project shall not be altered.

9. It shall define the obligations of the Lead Partners with regard to recoveries pursuant to Article 52 of the EU Regulation 2021/1059.

The MC decides in cases of doubt and all other cases not covered by this mandate.

The MA/JS will inform the MC about the decisions taken for all project changes covered by the MA/JS mandate.

In cases where the MA exercises its right to terminate a subsidy contract, the Partner Countries will be informed by email at least 1 month before the final decision of the managing authority to terminate this contract and given the possibility to provide their opinion. The MC will be approve the termination of a subsidy contract during the next meeting.

Article 3

Working language

The official language of the MC is English. This applies to meetings and all documents and communications. The national languages of the Partner Countries may be used as working languages.

Article 4

Composition

- The Monitoring Committee of the CP is composed of: members with voting rights, members without voting rights and members in an advisory capacity without voting rights.
- Members with voting rights from Greece :
 1. Chairman or co-Chairman of the MC
Special Secretary for ERDF & CF Funded Sectoral Operations
Ministry of Development & Investments
 2. Representative of the National Coordination Service for the Implementation of the Operational Programmes Ministry of Development & Investments
 3. Regional Governor of Epirus

4. Regional Governor of Ionian Islands
 5. Regional Governor of Western Macedonia
 6. Representative of the Union of Regions of Greece (ENPE)
 7. Representative of the Central Union of Municipalities of Greece (KEDE)
 8. Representative of the Economic and Social Council (OKE)
 9. Representative of the National Confederation of Disabled People (ESAMEA)
- Members with voting rights from Albania:
 1. Director for Administration of EU Financial Assistance, State Agency for Strategic Programming and Aid Coordination (SASPAC), Prime Minister's Office
 2. Representative of the State Agency of Strategic Programming and Aid Coordination (SASPAC)
 3. Representative of the Deputy Prime Minister's Office
 4. Representative of the Agency for Energy Efficiency
 5. Representative of the Agency for the Support of Local Self-government
 6. Representative of the National Agency for Protected Areas
 7. Representative of the National Agency of Environment
 8. Regional Council of Korçë
 9. Regional Council of Fier
 - Members without voting rights from Greece:
 1. The Head of the Managing Authority Interreg 2021-2027
 2. The Representative of the Ministry of Finance
 3. The Representative of the Ministry of Foreign Affairs
 4. The Representative of the Ministry of National Defence
 5. The Representative of the Ministry of Education, Research and Religious Affairs
 6. The Representative of the Ministry of Labour and Social Affairs
 7. The Representative of the Ministry of Health
 8. The Representative of the Ministry of Environment and Energy
 9. The Representative of the Ministry of Citizen Protection
 10. The Representative of the Ministry of Culture and Sports
 11. The Representative of the Ministry of Justice
 12. The Representative of the Ministry of Interior (for the duties of the Former Ministry of Macedonia & Thrace)
 13. The Representative of the Ministry of Migration and Asylum
 14. The Representative of the Ministry of Digital Governance
 15. The Representative of the Ministry of Infrastructure & Transport
 16. The Representative of the Ministry of Maritime Affairs and Insular Policy
 17. The Representative of the Ministry of Rural Development and Food
 18. The Representative of the Ministry of Tourism
 19. The Representative of the Ministry for Climate Crisis and Civil Protection
 - Representatives of the coordination, certification, and audit authorities:
 1. Special Coordination Service for the Implementation of the Operational Programmes (EYSSAE)
 2. Certifying Authority
 3. Audit Authority "State General Accounting Office" (EDEL)

4. National Transparency Authority
- Representatives of the economic and social partners and NGOs:
 1. Hellenic Federation of Enterprises (SEV)
 2. Central Union of Hellenic Chambers of Commerce and Industry (KEEE)
 3. Hellenic Economic Chamber (OEE)
 4. Enterprise Greece (ex-Hellenic Foreign Trade Board - OPE)
 5. Hellenic Federation of Voluntary Non Governmental Organisations

 - Members in an advisory capacity, without voting rights, are:
 1. The Representative of the European Commission
 2. The Representative of the European Investment Bank – Athens Office

 - The Chair shall have the right to invite guests and/or experts to the MC meetings, depending on the agenda items, in an advisory capacity. Invitees may include: Representatives of Bodies of European Structural Fund Regional Programmes, representatives of Regional Managing Authorities of ERDF and ESF Programmes and experts on economic, technical, social, scientific and other matters.
Invitations shall be made known to the MC members before the meetings.

 - The Joint Secretariat undertakes secretarial support to the Monitoring Committee;
 - The composition of the MC takes into account the principles of equal opportunities;
 - In case of absence, the members of the MC may designate substitutes. The MC should be informed in writing and preferably in advance.
 - The list of the MC members shall be published on the Programme's website, under Article 29(2) of Reg (EU)2021/1059.

Article 5

Chairmanship

1. The MC shall be chaired by a representative of the hosting country or by the Managing Authority.
As a general rule, the Chairmanship of the MC is exercised on an annual rotating basis;
2. The first Chairmanship will be held by Greece;
3. The designated Chairperson for Greece is the Special Secretary for the ERDF and CF programmes. The designated Chairperson for Albania is the Director for Administration of EU Financial Assistance, of the State Agency of Strategic Programming and Aid Coordination (SASPAC).
4. The MC convenes, at least once a year, in the country that assumes the respective Chairmanship. Possibly a technical meeting precedes the MC meeting, preferably on the previous day, with the participation of the National Authorities of the two partner states, the Managing Authority / Joint Secretariat and the Desk officer of the European Commission;
5. The Chairperson shall

- convene the meetings of the Monitoring Committee based on an annual meeting plan elaborated by the JS, after consultation with the MA and NA, or at the written request of a member of the Committee and the co-Chairperson of the meeting;
 - elaborate on a provisional agenda, in consultation with the MA and NA;
 - perform Chairperson duties during the meetings.
 - be responsible for the proper functioning of the MC.
 - co-sign the Decisions and conclusions of the meetings of the Monitoring Committee in agreement with the co-Chairperson.
 - be responsible, in cooperation with the Managing Authority, for briefing the press on the work and Decisions of the Monitoring Committee
6. The Chairperson can ask the MA to chair the meeting on his/ her behalf.
 7. The co-Chairperson may be asked to share some of the Chairperson's duties before and during the meetings, if needed.
 8. Annotated agenda with a summary sheet explaining each agenda point and describing the expected decision.
 9. If any member of the MC sends comments, proposals or observations to the agenda points, the MA should communicate in writing its position about the proposals before the MC meeting.

Article 6

Organisation of the Meetings

1. The meetings of the MC, unless otherwise decided by the Partner Countries, take place, at least once a year, in the Programme's eligible area, following the annual rotation of the Chairmanship. Meetings can also take place in a virtually/hybrid mode, via video conference or another appropriate online tool
2. The JS provides secretarial services to the MC, which entails the following:
 - i. The JS, on behalf of the Chairperson of the MC and in agreement with the MA, sends an Invitation to the MC members, at least twenty (20) calendar days before the date of the meeting via written communication indicating the day, place and time of the meeting and a draft agenda;
 - ii. The JS, in agreement with the Chairperson and the MA, circulates any relevant documents to the MC members at least ten (10) calendar days before the date of each meeting;
 - iii. In exceptional cases, the Meeting can be convened within a shorter period, which is not less than five (5) calendar days;
3. Any request to put an item on the agenda, on which a Decision is considered necessary, must be communicated by the MC members to the Chairperson and co-Chairperson, through the JS, preferably fifteen (15) calendar days before the date of the meeting. If there is evidence of urgency, the members may propose to add other items to the agenda at the opening of the meeting. In such cases, no decision on financial issues during the meeting can be taken.
4. If a request to change the provisional agenda is made, the JS, on behalf of the Chairperson and in communication with the MA and NA, communicates the final agenda including all items to be discussed and/ or decided to the members of the MC preferably no later than fifteen (15) calendar days before the meeting.
5. All meetings are recorded and all materials are available to the MC members. Draft Summary Minutes will be taken by the JS, in consultation with the co-Chairpersons, the MA,

and NA and circulated to the MC members, preferably not later than seven (7) calendar days after the meeting has taken place.

6. The participants in the meeting may comment and/ or propose amendments to the Minutes no later than seven (7) calendar days following receipt of the document. Requests for modifications are sent to the Chairperson and the Managing Authority, through the JS.
7. If no comments are received within the above-mentioned period (point 6), the Minutes are considered approved. In case of comments, the JS amends the Minutes accordingly, in consultation with the Chairperson and the MA. The JS sends the final text of the Minutes to the members of the MC or informs them that no amendments have been proposed.
8. The hosting Partner Country makes the necessary arrangements to ensure an efficient working session with the support of the JS.
9. The operational costs of the Monitoring Committee will be covered by the Technical Assistance's budget.
10. Meetings can be held online in case of force majeure. The rules applicable to physical meetings are also applicable to online meetings.

Article 7

Decision-making procedure

1. A quorum is achieved when at least 50% + 1 of the MC members with voting right from each delegation are represented at the meeting.
2. Decisions shall be taken by consensus of the two national delegations. The co-chairpersons do their best to ensure that a consensus is reached among the members of each national delegation. A proposal shall be considered adopted if no objections are raised against it.
3. Each national delegation has one vote which will be drawn up and submitted after an internal consultation between the voting members ("one country one vote").
4. The position of each national delegation is ideally established by unanimity. In case of any differences within a delegation, the respective chairperson shall use all appropriate channels to achieve consensus within the delegation.
5. In case it is not possible to adopt a position by consensus within a national delegation, the position of each Partner country will be formed by voting between the voting members. In the case of voting, the positions of the national delegations are adopted by a simple majority. In case of a tie in a partner country Delegation, the Chairperson's vote (of the respective Delegation) prevails. In any case the financial issues and selection of operation issues are excluded.
6. The Decisions of the meeting are signed by the two co-Chairpersons. The Decisions should be read at the end of the meeting and sent to the MC members with the final version of the Minutes.
7. Decisions regarding administrative and programme management issues may be taken via written procedure. The Chairperson after a well-founded request from one or more of the MC members or a proposal of the MA/NA, asks the JS to initiate a Written Procedure. The use of the written procedure should be in general avoided for substantial programme implementation issues.

8. In case of a Written Procedure, the MA, through the JS, in consultation with and on behalf of the Chairpersons, shall send the draft Decision to the MC members and shall set a deadline for a reply, allowing at least ten (10) calendar days. In case of exceptionally urgent cases, the deadline may be set at five (5) calendar days.
9. The MC members shall express their opinion in writing. No response within the set deadline shall be considered approval.
10. Written Procedures are generally avoided during August and in the period between December 24 and January 2, unless the co-Chairpersons agree to do so.
11. The JS records the comments and objections to a written procedure or a draft Decision. An objection can be withdrawn at any time. If no objection to the procedure or the draft Decision has been received within the specified deadline, the Decision is adopted by the MC.
12. In case of objection(s), a new Written Procedure may be initiated. Alternatively, the relevant topic shall be placed on the agenda of the next MC meeting.
13. After the deadline of the Written Procedure has expired, the JS shall immediately inform all MC members on whether the Decision is adopted or what objections have been raised;

Article 8

Code of Conduct

Members of the MC are bound to observe the following rules of conduct:

1. Members of the MC shall make decisions in the public interest and not act for the purpose of obtaining financial advantages or other benefits and privileges for themselves or others.
2. Prior to a meeting, according to the Art. 61 of financial Regulation 1046/2018 every MC member shall declare to the co-chairs any conflict of interest in which they might be in, concerning the works and decisions of the MC. In case of a conflict of interest, the affected MC member(s) are barred from the relevant discussions and decision-making.

Article 9

Communication

1. Communication among the MC members and between the JS, the MA, the NA and the members of the MC shall generally be done by e-mail.
2. To ensure maximum transparency of MC activities, in compliance with Article 28(4) and Article 29(2) of the Regulation (EU) no. 2021/1059, the MA shall publish on the Programme website:
 - the list of MC Members and its updating;
 - the present Rules of Procedures;
 - a summary of both data and information, including decisions approved by the MC ;

Article 10

Entry into Force and Revision

1. These rules are adopted and entered into force on the date of their approval.
2. After their adoption, the rules of procedure may be amended, following article no. 7.

Approved by the Monitoring Committee on April 4th 2023