



First experiences with launching the implementation of EMFF Ops

Setting up the Monitoring Committee

**EMFF expert group
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Legal framework

1. *CPR Article 47 – Monitoring Committee*
2. *CPR Article 48 – Composition of the Monitoring Committee*
3. *CPR Article 49 – Functions of the Monitoring Committee*
4. *EMFF Article 112 – Monitoring procedures*
5. *EMFF Article 113 – Functions of the Monitoring Committee*
6. *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*

When?

- **General rule**

- Within 3 months of the date of adoption of the operational programme (CPR Article 47)
- MC shall meet at least once a year (CPR Article 49)

- ***What if the OP is not yet adopted?***

- How to enforce the application of Article 65 of CPR (eligibility period)?
- "shadow" monitoring committee may be established
 - The establishment and the rules of procedures to be confirmed by the MC
 - All decisions of the "shadow" MC to be confirmed by the MC

Who?

Composition of the Monitoring Committee:

- **Composition (CPR Art. 48)**
 - Relevant MS authorities
 - Intermediate Bodies;
 - partners (in accordance with Article 5 CPR and code of conduct);
- **Covering all fields of the policy – including policy areas newly transferred from direct management;**
- **Balance**
 - Promotion of the equality between men and women and anti-discrimination
 - Providing real decision making power and the possibility to influence the decisions for all partners
- **Commission participates in an advisory capacity (CPR Art 48)**
- **List of members is to be published!**

How?

- ***Deadlines – invitation, agenda and documents***
 - general rule: shall not be less than 10 working days before the meeting (Code of conduct, Art 11(b));
- ***Rules of procedures - minimum requirements are set in the code of conduct***
 - the members' voting rights
 - the notice given of meetings and the transmission of documents,
 - the arrangements for publication and accessibility of the preparatory documents
 - the procedure for adoption, publication and accessibility of the minutes
 - the arrangements for the establishment and activities of working groups under the monitoring committees
 - the provisions on conflict of interest for partners involved in monitoring, evaluation and calls for proposals
 - the conditions, principles and arrangements for reimbursement rules, capacity building opportunities and use of technical assistance

What?

Tasks of the Monitoring Committee

- 1. MC shall review implementation of the OP and progress made towards achieving its objectives (CPR Article 49)**
 - financial data
 - common indicators
 - progress towards milestones and targets defined in the performance framework
 - all issues that affect the performance of the OP
- 2. MC is to be consulted and it should deliver an opinion on any amendments to the OP**
- 3. MC may make observations to MA on implementation and evaluation (incl. reduction of administrative burden)**
- 4. In relation to potential financial instruments**
 - Ex-ante assessments need to be submitted to MC for information (CPR Article 37)
 - MC is to examine the strategy document setting out the terms and conditions of FIs where the MA undertakes implementation tasks (CPR Article 38)

What?

Tasks of the Monitoring Committee (cont.)

- 5. All evaluations shall be examined by the MC (CPR Art 56)**
- 6. MC is to give its prior agreement to operations implemented outside the programme area (CPR Art 70)**
- 7. Additional EMFF-specific tasks (EMFF Article 113)**
 - Approval of selection criteria;
 - Examination of activities and output of the evaluation plan;
 - Examination of actions towards the fulfilment of the ex-ante conditionalities;
 - Examination and approval of AIRs (before submission!);
 - Examination of actions promoting gender balance, equal opportunities (including accessibility).