

Rules of Procedure of the Monitoring Committee
of the INTERREG Caraïbes programme 2021-2027
Validated by the Monitoring Committee on 10 March 2023

- Considering Regulation (EU) 2021/1058 of the European Parliament and the Council of 24 June 2021 on the European Regional Development Fund and on the Cohesion Fund, and its implementing and delegated acts;
- Considering Regulation (EU) 2021/1059 of the European Parliament and the Council of 24 June 2021 laying down specific provisions for the European Territorial Cooperation goal (Interreg) supported by the European Regional Development Fund and external financing instruments, and its implementing and delegated acts;
- Having regard to 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 laying down the financial rules for those Funds, as well as for the Asylum, Migration and Integration Fund, the Internal Security Fund and the instrument for financial support for border management and visa policy, and its implementing and delegated acts;
- Considering Delegated Regulation (EU) n°240/2014 of 7 January 2014 on the European Code of Conduct on Partnership in the framework of the European Structural and Investment Funds;
- Considering Law No. 2014-58 (FR) of 27 January 2014 on the modernization of territorial public action and the establishment of metropolitan authorities;
- Considering the cooperation programme "(Interreg VI-D) Caribbean" CCI: 2021TC16FFOR003 approved by the European Commission through Implementing Decision C(2022) 8884 of 29 November 2022,

A Monitoring Committee for the INTERREG Caraïbes European Territorial Cooperation programme is hereby established. The purpose of these rules of procedure is to lay down the organisational and operational arrangements for the Monitoring Committee.

Article I – Role and missions

The Monitoring Committee is the strategic steering body of the programme. It ensures the effectiveness and quality of the implementation of the programme.

In accordance with provisions of Article 30 of Regulation (EU) 2021/1059, the Monitoring Committee shall examine:

- a) progress in the implementation of the programme and in achieving the intermediate goals and targets of the Interreg programme;
- b) problems affecting the performance of the Interreg programme and the measures taken to address them;
- c) with regard to financial instruments, the elements of the ex ante assessment listed in Article 58(3) of Regulation (EU) 2021/1060 and the strategy document referred to in Article 59(1) of that Regulation;
- d) progress in conducting evaluations and summaries of evaluations, as well as in responding to findings;
- e) implementation of communication and visibility actions;
- f) progress in the implementation of Interreg operations of strategic importance and, where appropriate, major infrastructure projects; and
- g) progress in strengthening the administrative capacity of public institutions and beneficiaries, where appropriate.

In addition, in accordance with provisions of article 30 of regulation (EU) 2021/1059, the Monitoring Committee approves:

- a) the method and criteria for the selection of projects, including any changes thereto, after informing the Commission upon request, in accordance with Article 22(2) of Regulation (EU) 2021/1059, without prejudice to points (b), (c) and (d) of Article 33(3) of Regulation (EU) 2021/1060;
- b) the evaluation plan and any amendments thereto;
- c) any proposal by the management authority for the amendment of the Interreg programme, including a transfer in accordance with Article 19(5) of Regulation (EU) 2021/1059; and
- d) the final performance report.

The Monitoring Committee shall set up a Steering Committee in charge of selecting projects in accordance with Article 22 of Regulation (EU) No 2021/1059. The Steering Committee shall act under the responsibility of the Monitoring Committee.

Article II – Composition

1 – Status of members:

The Monitoring Committee is composed of full members and observer members.

As defined in article I of the present rules of procedures, the full members of the Monitoring Committee, except in the case of non-participation linked to a situation of conflict of interest, analyze and decide on each subject proposed on the agenda.

The observer members of the Monitoring Committee, except in the case of non-participation linked to a situation of conflict of interest, are invited to share observations on the subjects proposed on the agenda within the framework of the debates. However, they do not take part in the decision of the Monitoring Committee.

2 – List of organisations members of the Monitoring Committee:

The Monitoring Committee of the INTERREG Caraïbes programme is composed of the following bodies (full members):

- The President of the Regional Council of Guadeloupe, Managing Authority of the INTERREG Caraïbes programme, or his representative;
- The president of the Assembly of the Territorial Collectivity of French Guiana, or his representative;
- The president of the Executive Council of the Territorial Collectivity of Martinique, or his representative;
- The president of the Territorial Council of the Collectivity of Saint Martin, or his representative;
- The prefect of Guadeloupe, representing the French State in collectivities of Saint-Martin and Saint-Barthelemy, who ensures the coordination of the French States services, or his representative;
- The General Secretary of the Association of Caribbean States, or his representative;
- The Director General of CARIFORUM, or his representative;
- The Director General of the Organisation of Eastern Caribbean States, or his representative.

The following bodies are associated as observers:

- The President of the Departmental Council of Guadeloupe or his representative;
- The President of the Territorial Assembly of Martinique, or his representative;
- The representative of DG REGIO in charge of territorial cooperation, or his representative;
- The heads of the European Union Delegations covered by the programme's cooperation area, or their representatives;
- The President of the Executive Council of the Collectivity of Saint-Barthelemy, or his representative;
- The Ambassador of France to the OECS, or his representative;
- The Ambassador in charge of regional cooperation in the Atlantic area, or his representative;
- The Prefect of French Guiana, or his representative;
- The Prefect of Martinique, or his representative;
- The Director General of French Overseas Territories or his representative;

- The Director of the Atlantic Ocean Regional Directorate of the French Development Agency (AFD) or his representative;
- The Director of the Banque Publique d'Investissement (BPI) Antilles Guiana or their representative;
- The Head of the EIB Regional Representation Office for the Caribbean or their representative;
- The President of the Caribbean Development Bank, or his representative
- the President of the Regional Economic, Social and Environmental Council of the Guadeloupe Region, or his representative;
- the President of the Council for Economic, Social, Environmental and Educational Affairs of French Guiana, or his representative;
- the President of the Council for Economic, Social, Environmental and Educational Affairs of Martinique, or his representative;
- the President of the Economic, Social and Cultural Council of the Community of Saint-Martin, or his representative;
- the President of the Council of Culture, Education and Environment of the Guadeloupe Region;
- the Director of the Caribbean Export Development Agency (CEDA), or his representative;
- the Director of the Joint Secretariat of the INTERREG Amazonian cooperation programme, or his representative;
- Members of the European Parliament.

Depending on the items on the agenda, other public or private institutions and independent experts may be associated with the work, upon proposal from the Chair or from a member. In addition to the public authorities mentioned and in accordance with Article 8 of Regulation 2021/1060 and the European Code of Conduct on Partnership established by Delegated Regulation (EU) No 240/2014, the Monitoring Committee may involve competent economic and social partners at Caribbean level (e.g. chambers of commerce) or bodies representing civil society (e.g. environmental partners, non-governmental organisations and bodies responsible for promoting social inclusion, gender equality and non-discrimination). To specifically strengthen the consideration of sustainable development by the programme, the Monitoring Committee may request the support of environmental partners (e.g. NGOs, scientific institutions specializing in climate and environmental issues, environmental protection authorities).

Article III – Operation

1 - Chair:

The Monitoring Committee is chaired by the Managing Authority of the programme, the Regional Council of Guadeloupe. The chairmanship of the meeting will be ceded to the executive of the territory where the meeting is held when it takes place on an EU territory outside Guadeloupe.

The Joint Secretariat will cooperate closely with the executive concerned so that the latter can preside over the work under the best conditions.

The Monitoring Committees follow the principle of geographical rotation among territories that are partners of the programme, according an annual provisional schedule that will be validated by the Monitoring Committee members.

The Chair of the Monitoring Committee shall be responsible for:

- convening the Committee at least once a year on its own initiative or at the written request of one of its members;
- developing meeting agendas;
- notifying all members of meetings;
- ensuring the smooth running of the work.

The President will be assisted by the Joint Secretariat in the performance of his duties.

2 – Secretariat of the Committee:

The Committee shall have a permanent secretariat, the Joint Secretariat.

3 – Code of conduct and working principles:

Committee members are required to observe the following rules of conduct:

- participate in all meetings;
- act for an effective implementation of the programme in accordance with its strategy;
- decide in the public interest and not for the purpose of obtaining financial or other benefits for themselves or for any other person;
- declare to the Chair of the Committee, at the beginning of the meeting, any conflict of interest situation in which they may find themselves with regards to the topics discussed;
- report on the work of the organisation they represent.

4 – Notification of meetings and preparatory documents:

In consistence with article 28.3 of Regulation (EU) 2021/1059, “the monitoring committee shall meet at least once a year and shall review all issues that affect the programme’s progress towards achieving its objectives”.

The agenda shall be initiated by the Managing Authority and be based on input from the members.

The Joint Secretariat, on behalf of the Chairman of the Monitoring Committee, shall convene the members:

- no later than 15 calendar days before the date of the meeting;
- within shorter time limits, in exceptional cases, with the agreement of all members, indicating the day, place and time of the meeting and the agenda.

In the event of urgent decisions, members may, during the meeting, propose the addition of other items to the agenda.

If a request to change the agenda is made, the Joint Secretariat, on behalf of the Chair, shall obtain the approval of the other members prior to the meeting.

The Joint Secretariat, in agreement with the Chair, shall transmit the working documents to the members of the Monitoring Committee no later than 15 calendar days before the date of the meeting. These documents will be submitted electronically and will be available in English and French.

In the event that this deadline is not respected, the president, with the approval from the Monitoring Committee members, takes the decision in the meeting whether or not to keep the subject(s) concerned on the agenda.

5 – Technical meeting preparatory to the Monitoring Committee:

Prior to meetings of the Monitoring Committee, a technical preparatory meeting is organized with the programme partners and the European Commission.

6 - Procedures for adopting decisions:

Any members of the Monitoring Committee may be represented by another member.

Decision-making in the Committee will be made by consensus.

In the event of disagreement (lack of consensus), the chairman of the meeting works to obtain an agreement with the consent of all. If this is still not the case, the decision is adopted based on the votes from the representatives of the Monitoring Committee's full-members and the absolute majority principle. In the event of lack of majority, the vote from the Managing Authority, guarantor of the proper functioning of the programme and legally and financially accountable to the European Commission, will count double.

The meetings of the Monitoring Committee are held face-to-face. However, and subject to validation by the members, meetings may exceptionally be held by videoconference.

7- Procedures for adopting decisions by written consultation:

A decision by written consultation of the members of the Committee may exceptionally be requested. In this case, the Joint Secretariat will send, on behalf of the Chair, the documents to the members of the Committee and will set a deadline for a response of at least 15 calendar days.

After this period, and in the absence of a response, the decision is deemed favourable.

After the expiry period, the Joint Secretariat will review the opinions and comments received and inform the members of the decision that has been taken.

8 – Procedures for publishing and revising committee minutes:

The drafting of the Committee's minutes shall be the responsibility of the Joint Secretariat, in collaboration with the Chair.

The document will be circulated to members within 15 calendar days of the meeting.

Members may submit their comments or proposals for amendments no later than 15 calendar days after receipt of the document. If no comments are made during this period, the report shall be considered approved.

In the event of comments made by one or more participants, the Joint Secretariat shall amend the draft minutes accordingly after consulting with the Chairperson of the Monitoring Committee.

The document is sent to each member.

9 – Procedures for establishing working groups and their activities within the framework of the Monitoring Committee:

To ensure the implementation of the Committee's decisions (evaluation, communication, strategy, animation, etc.), and on the initiative of the Chair, specific working groups or standing or *ad hoc* subcommittees may be set up. They have no decision-making power and report on their work in session.

10 – Role of the Joint Secretariat:

In accordance with Article 46 of Regulation (EU) No 2021/1059 of the European Parliament and the Council, the Managing Authority is assisted by the Joint Secretariat (which acts under its authority) to carry out its tasks.

The Joint Secretariat shall assist the Managing Authority and the Monitoring Committee in the exercise of their respective functions. In addition, it provides information to potential beneficiaries on funding opportunities under the INTERREG programme and assists beneficiaries and partners in implementing operations.

11 – Conflict of interest provisions:

When a question which may give rise to a conflict of interest for one or more members of the Committee is debated, the member or members concerned shall not participate in the debate. This situation is recorded in the minutes of the Monitoring Committee.

The situation of the committee members vis-à-vis the conflict of interest must be formalized based on the declaration of independence distributed by the Joint Secretariat at the beginning of the meeting. These declarations, duly informed, are collected by the Joint Secretariat and annexed to the statement of decision.

With regards to the Regional Council of Guadeloupe, its services operate in accordance with the principle of functional separation formalized in the Description of Management and Control Systems. Only operational directorates can carry out projects and apply for a grant under INTERREG Caraïbes. The services that carry out the missions of Managing Authority of the programme have a functional independence from the other services of the organisation and a different field of competence.

In the light of these considerations, the Managing Authority will therefore sit and take part in the entire work.

12 – Conditions, principles and provisions governing reimbursement terms, capacity building opportunities and the use of technical assistance:

The Monitoring Committee members perform their functions free of charge.

Any costs relating to participation in the Monitoring Committee shall be borne by the participating members. However, in order to facilitate the participation of regional organisations that are full members of the Monitoring Committee of the INTERREG Caraïbes programme for 2021-2027, the travel and accommodation expenses of the political representative of the institution will be covered, in accordance with the rules laid down by the programme authorities, in compliance with the principles of sound financial management. In general, and subject to the reality of transportation, these travel and accommodation costs will be covered from the day before the meeting of the 21-27 INTERREG Caraïbes Monitoring Committee until the day after the plenary session.

13– Language and communication:

To ensure effective and rapid communication between the members of the Monitoring Committee, English and French are the working languages. Thus, all documents must be submitted in both English and French.

In view of the composition of the Committee, meetings will be simultaneously translated into English and French.

14 – Procedures for amending the rules of procedure:

The rules of procedure shall be amended on the initiative of the Chair, or at the request of one of the members.

15 – Validity of present rules of procedure:

These rules of procedure shall enter into force once adopted by the members of the Monitoring Committee.