



Implementing the 'partnership principle' through the CAP Strategic Plans

1st meeting of the Thematic Group on CAP Strategic Plans: Monitoring Committees
25 September 2023

Disclaimer: This PowerPoint Presentation has no legal value: it was realised only to support discussions within the Thematic Group.

Outline:

1. The 'partnership principle': the European code of conduct on partnership

2. Setting-up & functioning of Monitoring Committees: lessons learned



1. The 'partnership principle': the European code of conduct on partnership

The 'partnership principle'

- ✓ It applies to **EU funds in shared management** with the Member States
- ✓ **Applies to the CAP Strategic Plans** – Article 106 of Regulation (EU) 2021/2115 (“SPR”)
- ✓ It builds on the **principle of subsidiarity** and on the **multi-level governance**
- ✓ It implies **a close cooperation between public authorities at the different levels** – EU, national, regional and local authorities – **as well as cooperation with private stakeholders** from relevant sectors
- ✓ It aims **to ensure that the needs of concerned territories and citizens are taken into account**

The European code of conduct on partnership

- ✓ Established by the Commission **Delegated Regulation (EU) No 240/2014**
- ✓ It tasks the Commission to facilitate the exchange of good practice and to support the Member States, notably by establishing the **European Community of Practice on Partnerships (ECoPP)**
- ✓ Through the ECoPP suggestions for future update/improvements of the code of conduct are being collected and discussed

Partnership organisation under the CSPs

- ✓ The partnership shall include at least the following stakeholders (Article 106(3) SPR) for programming and implementation:
 - relevant national, regional (where appropriate), and local authorities, including authorities competent for **environment and climate issues**
 - economic and social partners, including representatives of the **agricultural sector**
 - relevant bodies representing the civil society, and bodies promoting **social inclusion**, fundamental rights, gender equality and non-discrimination
- ✓ For the CSP implementation, the application of partnership is ensured by the **Monitoring Committees** (Article 124 SPR)

Other channels & opportunities for stakeholder involvement within the framework of the CAP SPs

- ✓ EU CAP Network (& National Networks)



- ✓ Civil dialogue groups



- ✓ The Rural Pact





2. Setting-up & functioning of Monitoring Committees: lessons learned and key messages

Monitoring Committees – Setting-up

- ✓ MCs (**national and regional ones**) to be set-up within 3 months of the date of notification to the MS of the Decision approving the CSP – Art. 124 (1) SPR



good practice: in some MSs 'shadow' monitoring committees were set up already ahead of the adoption of the CSPs

- ✓ MC composition: **balanced representation of partners** referred to in Article 106(3) SPR. Commission representatives are advisors in the MC



good practice: some MSs organised open calls for the identification and selection of members to set-up their monitoring committees

- ✓ **Gender equality and non-discrimination** – Art. 10(1) of Reg. 240/2014
- ✓ **Online publication of the list of members** – Art. 124(2) SPR

Monitoring Committees – Internal procedures

- ✓ **Voting rights** – Each member of the MC shall be given a vote – Art. 124(2) SPR (*N.B.: the MC is not approving documents, it provides opinions*)



lesson learned: ‘weighting’ of voting rights could be possible but should not jeopardise the balance in the MC composition; also, ‘veto rights’ should be avoided

- ✓ **Conflict of interests** – MC internal procedures must contain provisions and appropriate measures to prevent potential situations of conflict of interests of MC members – Art. 11(f) and 12 of Reg. 240/2014 and Art. 61 of Reg. 2018/1046

Monitoring Committees – Internal procedures

- ✓ **Frequency of meetings** – MCs must meet at least once a year. The minimal frequency is to be set in the MC internal rules – Art. 124(1) SPR



lesson learned: MC meetings could be combined with informal networking opportunities for MC members to gather and exchange experiences, views, information; as well as with formation/training opportunities for MC members; and visits to funded projects

- ✓ **10-working-day-notice** – The notice given for calling MC meetings as well as for written consultations, and for the transmission of documents, must, as a rule, not be less than 10 working days – Art. 11(b) of Reg. 240/2014



lesson learned: derogations to the 10-wd rule in exceptionally urgent cases, if duly justified, should only be applied to such exceptional cases

Monitoring Committees – Internal procedures

- ✓ **Written consultations** – MC members may be consulted also through written procedure (if foreseen in the rules of procedures)



lesson learned: written procedures should be limited to consultations on a restricted number of agenda items. When MC is called to provide opinions on several and important aspects of the CSP, ideally an actual meeting (either in person or virtually hosted) should be organised



good practice: managing authorities should inform MC members of the outcomes of written consultations; also, when MC members are consulted on new proposals for CSP amendments through a written procedure, it would be advisable to inform them when the request for amendment is formally submitted to the Commission, keeping them updated on the follow-up and final adoption of the amendments

Monitoring Committees – Internal procedures

- ✓ **Publication & accessibility of documents** – The adopted rules of procedure and the opinions of the monitoring committee shall be published – Art. 124(1) of Reg. 2021/2115;



good practice: to further improve transparency MSs are encouraged to consider publishing the MC meeting minutes as done by several managing authorities (and as also suggested by the code of conduct (Art. 11(d)))

- ✓ **Working groups** – MC members may consider establishing working sub-groups addressing specific thematic focuses – Art. 11(e) of Reg. 240/2014
- ✓ **Capacity building opportunities** – Use of technical assistance in order to support the strengthening of the institutional capacity of partners – Art. 17(1) and (2) of Reg. 240/2014

How to further support and improve the partnership

- ✓ **Implementing and facilitating the partnership is an on-going work & commitment**

Key enabling factors (also stressed in the code of conduct):

- ✓ **Transparency** – ensuring transparent procedures for the involvement of stakeholders in the implementation of the CSPs (e.g. sharing up-to-dated information on CSPs on national websites)
- ✓ **Effective involvement of stakeholders** – ensuring adequate opportunities for relevant stakeholders to participate and contribute meaningfully to the implementation of CSPs (e.g. capacity building activities / providing sufficient time for consultations)

Thank you



© European Union 2020

Unless otherwise noted the reuse of this presentation is authorised under the [CC BY 4.0](https://creativecommons.org/licenses/by/4.0/) license. For any use or reproduction of elements that are not owned by the EU, permission may need to be sought directly from the respective right holders.

