

**Subject:** Management of Pre-Accession Funds to be Provided by the EU and Management of the Accession to the EU Programmes

**CIRCULAR**

**2023/11**

**I- INTRODUCTION**

**1. PURPOSE AND SCOPE**

The purpose of this Circular is to determine the public institutions which shall ensure the efficient use of the funds provided under the Instrument for Pre-Accession Assistance (IPA), Cross-Border Cooperation and EU (Union) Programmes provided by the European Union (EU) within the framework of administrative and financial management principles in accordance with the agreements concluded with the EU, and to regulate the relations among these institutions.

This Circular covers the rules and procedures regarding the cooperation and coordination during operations among institutions that have responsibilities for the management of the Instrument for Pre-Accession Assistance, Cross-Border Cooperation Programmes and EU Programmes.

**2. LEGAL BASIS**

The funds to be provided as grants by the EU to Türkiye for the period 2021-2027 shall be made available within the framework of:

- a. Regulation (EU) 2021/1529 of the European Parliament and of the Council of 15 September 2021 establishing the Instrument for Pre-Accession assistance (IPA III),
- b. Commission Implementing Regulation (EU) 2021/2236 of 15 December 2021 on the specific rules for implementing Regulation (EU) 2021/1529 of the European Parliament and of the Council establishing an Instrument for Pre-accession Assistance (IPA III),
- c. Regulation (EU) 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,
- ç. Regulation (EU) 2021/947 of the European Parliament and of the Council of 9 June 2021 establishing the Neighbourhood, Development and International Cooperation Instrument, amending and repealing Decision No 466/2014/EU of the European Parliament and of the Council and repealing Regulation (EU) 2017/1601 of the European Parliament and of the Council and Council Regulation (EC, Euratom) No 480/2009,
- d. Commission Implementing Decision (EU) 2022/74 of 17 January 2022,
- e. Commission Implementing Decision (EU) 2022/75 of 17 January 2022,
- f. All the Regulations of the European Parliament and of the Council establishing the EU Programmes and Agencies,

- g. Commission Implementing Decision No C(2022) 1895 of 31 March 2022 on the establishment of a Türkiye Investment Platform, and

International agreements concluded with Türkiye pursuant to these Decisions and Regulations.

The purpose of the Instrument for Pre-Accession Assistance is to support the political, institutional, legal, administrative, social and economic reforms carried out by the candidate countries in order to comply with the EU's values, standards, policies and practices with a view to full EU membership, and to prepare the candidate countries for using the European structural and investment funds to be made available following their membership.

Meanwhile, to ensure continuity, without any interruption, in legal, administrative and financial processes, the structures established under the Circular No. 2011/15 regulating the period 2007-2013 and the Circular No. 2019/20 regulating the period 2014-2020 shall fulfil their duties until the projects and programme activities initiated within the mentioned periods are completed.

In order to ensure the implementation of the financial cooperation between Türkiye and the EU in line with the EU Regulations mentioned above, "Financial Framework Partnership Agreement between the Republic of Türkiye and the European Commission on Specific Arrangements for Implementation of Union Financial Assistance to the Republic of Türkiye under the Instrument for Pre-Accession Assistance (IPA III)" (IPA III Financial Framework Partnership Agreement) was signed between the Republic of Türkiye and the European Commission on 17 October 2022. Ratification of the Agreement herein was approved by the Law No. 7424 dated 1 December 2022, and published in the Official Gazette No. 32037 of 8 December 2022. The Decision of the President No. 2022/6537, dated 12 December 2022 on the ratification of the Agreement was published in the Official Gazette No. 32042 of 13 December 2022.

The terms and conditions regarding the participation in EU Programmes and Agencies are regulated with the "Framework Agreement between the Republic of Türkiye and the European Community on the General Principles for the Participation of the Republic of Türkiye in Community Programmes", signed on 26 February 2002 and published in the Official Gazette No. 24799, dated 28 June 2022. Based on this Agreement, a Participation Agreement is signed between the Republic of Türkiye and the European Commission for each programme and Türkiye is provided with access to the opportunities offered by the programmes.

The funds provided to Türkiye under the Instrument for Pre-Accession Assistance shall be made available for the priorities identified under five thematic windows included in the "IPA III Programming Framework Document (2021-2027)" adopted by the "Commission Implementing Decision of 10 December 2021 adopting the Instrument for Pre-Accession Assistance (IPA III) Programming Framework for the Period 2021-2027".

The funds to be provided by the European Union shall be made available within the framework of strategies and priorities set out in the Action Documents drafted in accordance with the objectives indicated in the Strategic Response in line with Türkiye's goal of full membership to the EU as well as the Rural Development Programme and the Cross-Border Cooperation Programme Documents.

## **II- GENERAL PRINCIPLES**

The basic principles to be complied with by all institutions and organisations responsible for the programming, implementation, monitoring, evaluation and supervision of the IPA, EU Programmes and Cross-Border Cooperation Programmes, which are among the instruments within the scope of Türkiye – EU Financial Cooperation, are as follows:

- a. to implement, monitor and report programmes, projects and activities through a performance-based approach,
- b. to use the financial supports provided effectively and efficiently so as to ensure maximum benefit from the funds within the framework of the targeted results and impacts,
- c. with a view to taking advantage of the synergy and complementarity opportunities of different instruments and maximizing the effect of the supports, to address all instruments with a holistic approach, to ensure coordination within and among institutions within this scope, and to observe complementarity with other projects and programmes carried out other than the Türkiye - EU Financial Cooperation, and to prevent duplication,
- ç. to ensure the sustainability and dissemination of the benefits, results and impacts of the programmes, projects and activities carried out,
- d. to carry out the programme projects and activities in line with the policies and strategies set out in the macro policy documents, particularly in the national development plans,
- e. to increase the total impact of communication, promotion, awareness and visibility activities by using modern communication facilities efficiently and carrying out the activities in coordination and cooperation with all relevant institutions and organisations.

## **III- INSTITUTIONAL STRUCTURES, MONITORING, IMPLEMENTATION, EVALUATION AND REPORTING**

The institutional structures of the IPA, EU Programmes and Cross-Border Cooperation Programmes, which are among the instruments within the scope of Türkiye - EU Financial Cooperation, as well as the issues related to monitoring, evaluation, implementation and reporting are listed below.

### **1. INSTRUMENT FOR PRE-ACCESSION ASSISTANCE (IPA)**

#### **1.1 INSTITUTIONAL STRUCTURES**

The following institutions and titles/positions are designated in order to fulfil the duties set out in the IPA III Financial Framework Partnership Agreement and to ensure more efficient use of the financial assistance.

### **1.1.1 National IPA Coordinator**

The Director for EU Affairs is appointed as the National IPA Coordinator. The secretarial services of the National IPA Coordinator shall be performed by the Directorate for EU Affairs of the Ministry of Foreign Affairs.

The National IPA Coordinator shall perform the following tasks:

- a. to perform duties to determine the financing priorities of the IPA III period,
- b. to make the link between the use of IPA III assistance and the overall accession process,
- c. to coordinate the drafting of the Strategic Response and submitting it to the European Commission,
- ç. to coordinate the negotiation processes regarding the contents of the IPA III Financial Framework Partnership Agreement, sectoral agreements and financing agreements, and to sign these agreements on behalf of the Republic of Türkiye and submit them to the European Commission,
- d. to coordinate the drafting of the programming documents of the Operational Programmes,
- e. to coordinate the drafting of programme amendments with the exception of the Instrument for Pre-accession for Rural Development (IPARD III) programme,
- f. to coordinate the drafting of Action Documents,
- g. to submit major projects to the European Commission for evaluation,
- ğ. to conduct the consultation process with all relevant stakeholders regarding the IPA III assistance and to ensure timely access to relevant information regarding the IPA III assistance,
- h. to participate in the monitoring meetings and steering committees of the actions carried out within the scope of annual and multi-annual programmes in order to ensure coordination throughout the implementation process,
1. to represent Türkiye in the Operational Board of the EU's Türkiye Investment Platform (TIP), together with the relevant Vice President of the Presidency of Strategy and Budget, under the Turkish Presidency, and the Deputy Minister of Treasury and Finance with whom the Directorate General of Foreign Economic Relations is affiliated, and
- i. to coordinate training activities related to Türkiye-EU Financial Cooperation funds; to this end, to make a pool of staff capable of providing training in institutions, to assist their communication, to set standards in trainings, to develop curriculum and build capacity, to prevent contradictions and duplications, to organize and steer trainings, to support systemization activities, to cooperate with national and international organisations, and to coordinate activities aimed at establishing an ecosystem in training.

With a view to ensuring the integrity of the actions implemented by the relevant institutions/organisations under IPA, all data, documents, statistics and reports (agreements and their annexes, inception reports, interim reports, final reports and essential implementation documents, etc.) produced during the tendering and implementation phase shall be made available to NIPAC, upon request.

### **1.1.2 National Authorising Officer (NAO)**

The Deputy Minister of Treasury and Finance to whom the Directorate General of Foreign Economic Relations is affiliated is appointed as the National Authorising Officer. The NAO shall bear overall responsibility for the financial management of the funds to be provided to Türkiye under IPA III and for ensuring legality and regularity of the transactions.

The secretarial services of the NAO shall be performed by the Management Structure established under the Ministry of Treasury and Finance and composed of the Accounting Unit and NAO Support Offices.

The NAO shall be, in particular, responsible for:

- a. management of IPA III accounts and financial transactions through the Accounting Unit,
- b. submitting proposals to the European Commission to assign budget implementation duties for a particular programme, and
- c. efficient functioning of and monitoring the internal control system established for the management of IPA III funds in line with the procedures set out in Annex B of the IPA III Financial Framework Partnership Agreement and notifying the European Commission about significant changes to the system.

### **1.1.3 National Programming Compliance Coordinator (NPCC)**

Vice President of the Presidency of Strategy and Budget under the Turkish Presidency with whom the General Directorate of Sectors and Public Investments is affiliated is appointed as the National Programming Compliance Coordinator.

NPCC shall be responsible to ensure compliance of the Strategic Response, agreements and action documents drafted within the scope of IPA III as well as action/programme documents financed with the national policies, plans, programmes and budgetary processes.

The NPCC shall be, in particular, responsible for:

- a. providing guidance for the drafting of the Programming Framework, IPA III Financial Framework Partnership Agreement, Strategic Response, Financing Agreements, Action Documents and Operational Programmes in line with the national policies, plans, programmes and budget processes,
- b. providing guidance for the drafting of action documents in accordance with the national policies, plans, programmes and budgetary processes through giving opinion to the Managing Authorities and Intermediate Bodies within a reasonable time for consideration in the programming process,
- c. representing Türkiye in the Operational Board of the EU's Türkiye Investment Platform (TIP), and
- ç. monitoring and evaluating the compliance of the actions with the national plans, programmes and budget priorities through direct involvement as a member in steering and monitoring committees during the implementation process.

All institutions, including the Managing Authorities, shall coordinate with the NPCC to ensure the compliance of programming activities with the national policies, plans, programmes and

budget processes, and shall provide the information, documents, and reports requested by the NPCC within the specified time with a view to ensuring compliance and consistency with national programme priorities and efficiency in budget processes.

The secretarial services of NPCC shall be performed by the Presidency of Strategy and Budget under the Turkish Presidency.

#### **1.1.4 Managing Authority**

The Managing Authorities shall be responsible for the overall management of the relevant thematic priorities under the five thematic windows identified in the third period of the Instrument for Pre-Accession Assistance 2021-2027. To this end, institutions designated as the management authority shall be required to take all necessary actions and measures to ensure respect for the principles laid down on instruments for pre-accession assistance.

The Managing Authority shall designate one or more Intermediate Bodies for Financial Management to perform only financial management tasks of the relevant thematic priority. The Intermediate Bodies for Financial Management shall make independent decisions regarding the performance of their duties. The Managing Authority shall be responsible for the oversight of the Intermediate Bodies for Financial Management with due respect for their independence.

The Managing Authority may designate one or more Intermediate Bodies for Policy Management to perform management tasks of the thematic priority for which it is responsible. The Managing Authority shall be responsible for the oversight of the Intermediate Bodies for Policy Management.

In cases where the Managing Authority does not designate an Intermediate Body for Policy Management to perform management tasks of the thematic priority for which it is responsible, it shall perform duties and responsibilities laid down for Intermediate Body for Policy Management.

The Managing Authorities and the Intermediate Bodies shall provide to the NIPAC, the NAO, the Audit Authority and sectoral monitoring committees any information required to support their work and the preparation of the relevant reports.

The President of the Managing Authority shall be at least at director general or equivalent level.

#### **1.1.5 Institutions Responsible for Sectors**

The institutions responsible for sectors listed in Table 1 shall support the Managing Authority throughout the programming, tendering, implementation and monitoring phases under the relevant thematic priority.

In particular, the institutions responsible for sectors shall in particular:

- a. assist the NIPAC and the Managing Authority in the drafting of the Strategic Response,
- b. prioritize project proposals during the programming and coordinate the drafting of action documents by the Intermediate Body/Bodies for Policy Management,
- c. provide support for the drafting of relevant agreement documents, if requested, in order to provide sectoral expertise,
- ç. participate, upon request, in the monitoring and evaluation activities to be conducted by the Managing Authority and provide the necessary technical support,

- d. participate in the steering committees established under the actions within the scope of the sector for which it is responsible; thus monitor and evaluate the compliance of the implementation with the sector priorities and general targets,
- e. participate in the monitoring meetings and provide information, documents and reports that may be requested by the Managing Authority within the specified timeframe, and
- f. monitor and evaluate the sustainability of benefits, results and impacts achieved through actions under the sector for which it is responsible.

#### **1.1.6 Intermediate Body for Policy Management**

The Intermediate Body for Policy Management shall provide technical expertise for the programming, implementation, management and control of financial assistance in the thematic priorities to which it is assigned. To this end, the Intermediate Body for Policy Management shall:

- a. support the Managing Authority in the areas of public administration which it is responsible for,
- b. provide technical expertise in programming as well as in programme implementation, management and control, and
- c. provide the information, documents and reports regarding programming, monitoring and evaluation activities that may be requested by the Institution Responsible for Sectors within the specified timeframes.

Accordingly, the Intermediate Body for Policy Management shall:

- a. propose actions and drafts programming documents,
- b. prepare technical documents required to initiate calls for tenders and calls for proposals and assist in creating responses to requests for clarifications,
- c. nominate the voting members of the evaluation committees,
- ç. establish a team of experts or support the Managing Authority in establishing such a team to absorb the outputs of ongoing actions and agreements,
- d. be responsible for technical monitoring and evaluation of actions and contracts,
- e. confirm that services are provided, materials are delivered and installed, construction works are completed and actions are carried out throughout the implementation phase,
- f. identify and implement the necessary measures to ensure the sustainability of the benefits, results and impacts achieved through the implemented actions and agreements, and
- g. fulfil/ support any other duty/request connected to its technical expertise.

#### **1.1.7 Intermediate Body for Financial Management**

In cooperation with other structures and institutions, the Intermediate Body for Financial Management shall:

- a. ensure that the activities financed are proposed in accordance with the rules and procedures applicable to the programme, action, call for tender and call for proposals,
- b. perform agreement-level monitoring, including the administrative, financial, technical and physical aspects of the performance of the agreement, and

- c. verify that payments made to recipients (contractors in procurement contracts, grant beneficiaries in grant contracts) comply with the Union law and national legislation, programme requirements and contract terms.

The Intermediate Body for Financial Management shall perform the following duties independently:

- a. to manage procurement procedures, procedures for awarding grants and other contracting procedures,
- b. to ensure that the activities financed are selected in accordance with the rules and procedures applicable to the programme, action, call for tender and call for proposals,
- c. to conclude contracts and addendums,
- ç. to manage the implementation process of the contracts according to the contract terms, taking into account the feedback related to the technical expertise provided by the Managing Authority (or by the Intermediate Body for Policy Management, if designated),
- d. to authorise payments to the recipients of IPA III assistance, and
- e. to authorise refunding from the recipients of IPA III assistance.

Thematic priorities for IPA III and the institutions to be responsible for making the EU funds available regarding these priorities are given in Table.1.

**Table.1: IPA III Thematic Windows, Thematic Priorities and Relevant Institutions**

Thematic Window	Thematic Priority	Managing Authority	Institutions Responsible for Sectors	Intermediate Body for Financial Management
<b>Window 1: Rule of law, fundamental rights and democracy</b>	Judiciary	Directorate for EU Affairs	Ministry of Justice	Central Finance and Contracts Unit (CFCU)
	Fight against organised crime / security	Directorate for EU Affairs	Ministry of Interior	CFCU
	Migration and border management	Directorate for EU Affairs	Ministry of Interior	CFCU
	Fundamental rights	Directorate for EU Affairs	Directorate for EU Affairs	CFCU
	Civil society	Directorate for EU Affairs	Directorate for EU Affairs	CFCU
<b>Window 2: Good governance, EU acquis alignment, good neighbourly relations and strategic communication</b>	Good governance	Directorate for EU Affairs	-	CFCU
	Institutional capacity and EU acquis alignment			
	Strategic communication, monitoring, evaluation and communication activities			
<b>Window 3: Green agenda and</b>	Environment and climate change	Ministry of Environment, Urbanisation and Climate Change	-	Ministry of Environment, Urbanisation and Climate Change



<b>sustainable connectivity</b>	Transportation, digital economy and society, energy			
	1. Sub-priority: Transport	Ministry of Transport and Infrastructure	-	Ministry of Transport and Infrastructure
	2. Sub-priority: Digital economy and society	Relevant Managing Authority	-	Relevant institution
	3. Sub-priority: Energy	Directorate for EU Affairs	Ministry of Energy and Natural Resources	CFCU
<b>Window 4: Competitiveness and inclusive growth</b>	Education, employment, social protection and inclusive policies, health			
	1. Sub-priority: Education, employment, social protection and inclusive policies,	Ministry of Labour and Social Security	-	Ministry of Labour and Social Security
	2. Sub-priority: Health	Directorate for EU Affairs	-	CFCU
	Private sector development, trade, research and innovation	Ministry of Industry and Technology	-	Ministry of Industry and Technology
	Fisheries, agriculture and rural development (institutional capacity building)	Directorate for EU Affairs	Ministry of Agriculture and Forestry	CFCU
	IPARD Programme	Ministry of Agriculture and Forestry	-	Agriculture and Rural Development Support Institution (ARDSI)

### 1.1.8 Rural Development Programme Managing Authority

The Directorate General of Agricultural Reform of the Ministry of Agriculture and Forestry is assigned as the Managing Authority in charge of the programme preparation, implementation and revision, monitoring and evaluation, reporting and publicity activities as well as secretarial and coordination services of the monitoring committee for the Rural Development Programme under the Fisheries, Agriculture and Rural Development thematic priority. The duties of the Rural Development Programme Managing Authority shall be performed by the department assigned within the Directorate General of Agricultural Reform.

### 1.1.9 Agriculture and Rural Development Support Institution

Under the Rural Development Programme, the Institution shall be responsible for the operations related to publishing the calls for proposals, selecting projects by carrying out administrative and on-the-spot checks, contracting, carrying out ex-ante administrative and on-the-spot checks, payments, accounting, monitoring and reporting. The Institution shall fulfil its duties in accordance with the IPA III Financial Framework Partnership Agreement, sectoral agreement,

and the Law No. 5648 dated 4/5/2007 on Establishment and Duties of the Agriculture and Rural Development Support Institution as well as the provisions of the Presidential Decree No. 4 on the Organisation of Affiliated, Related, Associated Institutions and Organisations with Ministries and Other Institutions and Organisations, and shall adopt its decisions independently.

#### **1.1.10 Anti-Fraud Coordination Service**

As AFCOS (Anti-Fraud Coordination Service), the State Supervisory Council shall be responsible for conducting examinations, inquiries, and investigations regarding the use of the financial resources provided by the European Union, or have these functions conducted, and shall ensure coordination primarily with the European Anti-Fraud Office (OLAF) as well as with the relevant institutions.

The main duties of AFCOS are:

- a. To lead the preparation/implementation of strategies to protect the EU's financial interests,
- b. To identify possible weaknesses in the national system for the management of Union funds, including IPA III assistance,
- c. To provide adequate human resource capacity for these duties, including training of anti-fraud staff,
- ç. To support cooperation between national authorities, investigative authorities and OLAF,
- d. To share information on irregularities and suspected fraudulent incidents with national authorities and OLAF in accordance with national legislation, including those identified in audits and controls by the Audit Authority, internal audit units, Management Structure and managing authorities and intermediate bodies, and
- e. To recommend changes in national legislation when necessary to protect the EU's financial interests.

#### **1.1.11 Audit Authority**

The Board of Treasury Controllers of the Ministry of Treasury and Finance is assigned as the Audit Authority to audit the functionality and efficiency of the management and control mechanisms of the Instrument for Pre-Accession Assistance.

The audit performed by the Audit Authority shall be carried out in accordance with internationally recognized auditing standards. The Audit Authority shall audit systems, operations and accounts.

The Audit Authority shall by no means receive instructions from persons or institutions involved in the management and control systems established within the scope of the IPA III Financial Framework Partnership Agreement, and shall be functionally independent. The Audit Authority shall audit all management and control systems as well as activities, operations, accounts, liabilities (taxes, duties, fees, etc. and other financial liabilities), eligibility of expenditures and financial statements related to the Instrument for Pre-Accession Assistance. Institutions and any natural and legal persons including public administrations under this scope shall be obliged to submit any kind of information, documents, records, reports and information systems related to management and control systems as requested by the Audit Authority and make them available for audit.

Each year, by the end of November, the Audit Authority shall submit to the European Commission an audit strategy covering the next three fiscal years, based on a risk assessment, with a copy to be submitted to the NAO, and shall update this strategy annually.

#### **1.1.12 Internal Audit Unit**

The internal audit function of the institutions within the scope of the Instrument for Pre-Accession Assistance shall be carried out by a sufficient number of internal auditors assigned by their institutions among those appointed under the Public Financial Management and Control Law No. 5018 dated 10 December 2003. However, the internal audits of the Central Finance and Contracts Unit and the Agriculture and Rural Development Support Institution, which are not covered by Law No. 5018, shall be carried out by their respective internal auditors.

### **1.2 COORDINATION BOARD AND COMMITTEES**

The following boards and committees are established in order to fulfil the duties set out in the IPA III Financial Framework Partnership Agreement and to ensure more efficient use of the financial assistance.

#### **1.2.1 Financial Cooperation Coordination Board**

Under the chairmanship of the National IPA Coordinator, the Financial Cooperation Coordination Board shall be composed of the National Programming Compliance Coordinator, the National Authorising Officer, the Deputy Ministers governing the Managing Authority, institutions responsible for the sectors and Intermediate Bodies responsible for the thematic priorities indicated in Table 1, the Head of the Agriculture and Rural Development Support Institution, and the Director of the Central Finance and Contracts Unit. When deemed necessary, other related public institutions and organisations may also be invited to the Board.

The secretarial services of the Board shall be provided by the Directorate for EU Affairs of the Ministry of Foreign Affairs.

The duties of the Financial Cooperation Coordination Board are:

- a. To coordinate, monitor and evaluate the overall progress of the financial cooperation process,
- b. To ensure the overall coordination of the bilateral cooperation with the Member States towards the accession,
- c. To ensure that the funds provided by the EU are used efficiently, for the intended purpose, in a timely manner and in compliance with the gender responsive planning and budgeting requirements,
- ç. To evaluate fund utilisation levels and risks related to loss of funds and determine the measures to be taken,
- d. To evaluate the institutional capacity established in the Managing Authority, institutions responsible for the sectors and intermediate bodies, and to determine the measures to be taken, and
- e. To provide information and follow up on the fulfilment of the principles laid down regarding the Instruments for Pre-Accession Assistance.

The implementation process of the decisions adopted by the Board shall be monitored by the National IPA Coordinator. To this end, if needed, under the chairmanship of the Director General for Financial Cooperation and Project Implementation under the Directorate for EU Affairs of the Ministry of Foreign Affairs, the Financial Cooperation Committee, which is composed of the representative of the Presidency of Strategy and Budget under the Turkish Presidency, the representative of the National Authorising Officer's Management Structure, and the representatives of the managing authorities, the institutions responsible for the sectors and the intermediate bodies (Table 1), may convene. The representatives of other relevant institutions and organisations may also be invited to the Committee.

### **1.2.2 Türkiye Investment Platform Committee**

Under the chairmanship of the Director General for Financial Cooperation and Project Implementation under the Directorate for EU Affairs of the Ministry of Foreign Affairs, the Türkiye Investment Platform Committee shall be composed of the representative of the Presidency of Strategy and Budget under the Turkish Presidency, the representative of the Ministry of Treasury and Finance, and the representatives of the relevant Managing Authorities and/or the institutions responsible for the sectors which carry out or plan to carry out projects within the scope of the TIP. When deemed necessary, the representatives of other relevant institutions and organisations may also be invited to the Committee.

The secretarial services of the Committee shall be provided by the Directorate for EU Affairs of the Ministry of Foreign Affairs.

For each TIP investment window, sub-committees composed of experts from relevant public institutions may be established.

The Committee shall carry out the following duties regarding the grants, guarantees and loans allocated to Türkiye within the scope of the TIP in accordance with the objectives and priorities set out in the top policy documents, especially in the Development Plan, as well as in the Programming Framework Document and the Strategic Response:

- a. To evaluate, direct and monitor the overall operation of the TIP process,
- b. To follow up on the project portfolios of international financial institutions within the scope of TIP, taking into account national priorities and the priorities of the EU,
- c. To evaluate the public investment projects included in the Investment Programme within the context of the TIP priorities,
- ç. To ensure the necessary coordination in the programming and implementation phases with international organisations which will operate within the scope of the TIP and with the EU Delegation to Türkiye, public institutions and organisations and umbrella organisations representing the business world, and to hold regular meetings to this end, and
- d. To follow the EU's decisions towards Operational Board of the Türkiye Investment Platform and the Strategic Board of the European Fund for Sustainable Development Plus.

### **1.3. MONITORING COMMITTEES**

Under the Instrument for Pre-Accession Assistance, the following Monitoring Committees are established to ensure efficient utilisation of EU funds and to fulfil the duties set out in the IPA III Financial Framework Partnership Agreement, the sectoral agreements, and the financing agreements. The Monitoring Committees shall be established to cover the IPA III period as well as the previous IPA periods.

The relevant Managing Authority shall submit to the National IPA Coordinator brief reports on the use of funds in the sector for which the relevant Managing Authority is responsible, accompanied particularly by data and information regarding on-going activities which may constitute the basis for evaluation of the achievement of the sectoral indicators, not later than 10 working days before the Monitoring Committee meetings. The Managing Authority may receive support from the Intermediate Bodies and the Institutions Responsible for the Sectors for the drafting of this report. The National IPA Coordinator shall share these reports with the relevant institutions.

#### **1.3.1 IPA Monitoring Committee**

Under the co-chairmanship of the National IPA Coordinator and the representative of the European Commission, the IPA Monitoring Committee shall be composed of the representatives of the National Authorising Officer, the National Programming Compliance Coordinator, the Central Finance and Contracts Unit, the Agriculture and Rural Development Support Institution, the Managing Authority, the Institution(s) Responsible for the Sectors, and the Intermediate Bodies. Where appropriate, other stakeholders such as relevant public institutions and organisations, international financing institutions and organisations, grant providers, international organisations and non-governmental and private sector institutions and organisations shall join the Committee. The representatives of the stakeholders shall be determined in accordance with the rules and criteria set out in the Committee's rules of procedure, and in agreement with the European Commission.

The Committee shall convene at least twice a year.

The secretarial services of the Committee shall be performed by the Directorate for EU Affairs of the Ministry of Foreign Affairs.

The Committee shall be responsible for ensuring efficiency and quality of the Pre-Accession Assistance, and the compliance of all practices under the windows and thematic priorities with the objectives set out in the financing agreements and the Strategic Response, and responsible for fulfilling other duties assigned under the IPA III Financial Framework Partnership Agreement. To this end, the Committee shall base its evaluation on the information reported by the sectoral monitoring committees.

The IPA Monitoring Committee may make proposals to the European Commission, the National IPA Coordinator and the National Authorising Officer to better coordinate IPA assistance and strengthen its overall efficiency and sustainability as set out in the IPA III Programming Framework Document or the IPA III Regulation. The Committee may also make recommendations to sectoral monitoring committees to ensure that IPA III objectives are achieved.

The working procedures and principles of the Committee are determined by the Committee.

### **1.3.2 Sectoral Monitoring Committees**

The sectoral monitoring committees shall be established by the managing authorities so as to cover the thematic priorities in Table.1 in order to elaborate on the issues to be discussed at the IPA Monitoring Committee in parallel with each window or thematic priority and to ensure the efficient and targeted use of the funds provided and to fulfil other duties assigned under the IPA III Financial Framework Partnership Agreement.

The sectoral monitoring committees may make proposals, if necessary, to amend the programmes and take corrective measures with a view to enable IPA III assistance achieve its objectives and to strengthen its effectiveness. Executive decisions of the sectoral monitoring committees covering proposals shall be drafted at the end of the committee meeting and the evaluation regarding the implementation of the decisions shall be made at the next meeting of the committee.

The overall coordination of the sectoral monitoring committees shall be conducted by the National IPA Coordinator. However, the coordination and the secretarial services of each sectoral monitoring committee shall be carried out by the relevant managing authority and, if any, by the relevant institution responsible for the sector.

The sectoral monitoring committee meetings shall be chaired by the relevant managing authority. The meeting schedules of the sectoral monitoring committees shall be decided in coordination with the National IPA Coordinator and notified to the European Commission.

Under the chairmanship of the managing authority and under the co-chairmanship of the European Commission representative depending on the programme, each Sectoral Monitoring Committee shall be composed of the participants from appropriate levels, representing the National IPA Coordinator, National Authorising Officer and National Programming Compliance Coordinator as well as the representatives of the Intermediate Body for Financial Management, the Institutions Responsible for the Sectors, the Intermediate Body/Bodies for Policy Management, the European Commission and the EU Delegation to Türkiye and other related public institutions considering each thematic priority, and when deemed necessary, representatives of civil society organisations. Where appropriate, international financing institutions and organisations shall be invited to the Committee.

Each committee shall adopt its rules of procedure.

The sectoral monitoring committees shall convene at least twice a year. Following each committee meeting, the managing authority shall submit to the participants the minutes of the meeting, including the issues discussed and the decisions adopted, together with supplementary documents such as those indicating state of play in the use of funds.

When deemed necessary, with the assent of the National IPA Coordinator, sectoral monitoring sub-committees for the thematic priorities listed in Table.1 may be established or where necessary, the sectoral monitoring committees may be combined, and monitoring and steering boards may be established to ensure coordination and monitoring of the implementation.

If the sectoral monitoring committees regulated in the second article of this chapter cannot be established, their duties shall be carried out by the IPA Monitoring Committee.

### **1.3.3 Rural Development Programme Monitoring Committee**

The composition and duties of the Rural Development Programme Monitoring Committee shall be determined on the basis of the related provisions of the Sectoral Agreement. The secretarial services of the Committee shall be performed by the Rural Development Programme Managing Authority.

Other monitoring committees at appropriate levels shall be set up, if deemed necessary. These committees shall inform the National IPA Coordinator of their activities.

The National IPA Coordinator shall communicate these reports and information with the relevant institutions.

### **1.4 EVALUATION**

The Managing Authority indicated in Table.1 shall draft an evaluation plan regarding the activities under the relevant thematic priority. This plan shall indicate at which stage of the implementation the evaluation activity is to be carried out. The National IPA Coordinator shall submit the country evaluation plan consisting of the drafted evaluation plans to the European Commission.

The evaluation shall cover the evaluation of the conditions for the implementation of the assistance, of its current and expected performance, of its compatibility with the objectives, of the level of achievement of the anticipated results, of the programming process, of its traceability and of the lessons learned for the determination of the future strategies.

The National IPA Coordinator shall monitor the process related to the implementation of the results of the evaluation activities carried out under the country evaluation plan. To this end, the results of the evaluation activities shall be timely reported to the National IPA Coordinator by the Managing Authority.

The results of the evaluation activities shall be communicated to the relevant institutions by the National IPA Coordinator.

### **1.5 REPORTING**

As regards the implementation of the funds provided through the Instrument for Pre-Accession Assistance, pursuant to Article 59(1) of the IPA III Financial Framework Partnership Agreement, the National IPA Coordinator shall submit to the European Commission the annual report on the implementation of the financial assistance provided under IPA, IPA II and IPA III, until 15 February of the following financial year.

In this context, in accordance with Articles 57, 58 and 59 of the IPA III Financial Framework Partnership Agreement, a report shall be drafted covering the entire financial year and including programming, visibility works, progress made and proposals for the next period. The National IPA Coordinator shall submit this report to the European Commission.

The National IPA Coordinator shall also submit the final report on the implementation to the Commission within 16 months at the latest from the completion of the implementation of each programme, in accordance with Article 60 of the IPA III Financial Framework Partnership Agreement.

In addition to the general rules in Articles 57 and 58 of the IPA III Financial Framework Partnership Agreement, reports required from the National Authorising Officer, the Managing

Authority and the Audit Authority shall be performed in accordance with the principles set out in detail in Articles 61, 62 and 63 of the IPA III Financial Framework Partnership Agreement.

## **1.6 VISIBILITY AND COMMUNICATION**

The institutions responsible for the implementation of the EU funds under the Instrument for Pre-Accession Assistance at the thematic priority level shall adhere to the principles of transparency and visibility of the EU. The responsible institutions shall report on the visibility and communication activities to the related sectoral monitoring committees.

## **2. EU PROGRAMMES AND AGENCIES**

### **2.1. INSTITUTIONAL STRUCTURES**

#### **2.1.1 EU Programmes and Agencies National Coordinator**

The Director for EU Affairs is appointed as the EU Programmes and Agencies National Coordinator. The secretarial services of the EU Programmes and Agencies National Coordinator shall be performed by the Directorate for EU Affairs of the Ministry of Foreign Affairs.

The EU Programmes and Agencies National Coordinator shall carry out the following duties:

- a. To ensure the general coordination of participation in EU Programmes and Agencies and to negotiate the participation agreements with the European Commission, accordingly,
- b. To coordinate the activities for the monitoring and evaluation of the execution processes of the EU Programmes and Agencies in which Türkiye participates.
- c. To take the necessary measures for ensuring that Türkiye benefits more from the EU Programmes and Agencies in which Türkiye participates and to urge the coordinating institutions to carry out activities such as promotion, awareness raising, capacity building, etc.,
- ç. To participate in committees and working groups related to EU Programmes and Agencies as well as other platforms established for the execution of programmes, and
- d. To ensure the necessary coordination and follow-up for the timely payment of annual contributions to the EU Programmes and Agencies in which Türkiye participates.

#### **2.1.2 National Authority**

The role of National Authority is defined only for Erasmus+ and European Solidarity Corps Programmes out of all EU Programmes, in accordance with the Programme Regulations.

The Director for EU Affairs is appointed as the National Authority for Erasmus+ and European Solidarity Corps Programmes. The secretarial services of the National Authority shall be executed by the Directorate for EU Affairs of the Ministry of Foreign Affairs.

#### **2.1.3 Independent Audit Institution**

The role of Independent Audit Institution is defined only for Erasmus+ and European Solidarity Corps Programmes out of all EU Programmes, in accordance with the Programme Regulations.



The Board of Treasury Controllers of the Ministry of Treasury and Finance is assigned as the Independent Audit Institution to audit the functionality and efficiency of the management and control mechanisms of the Erasmus+ and European Solidarity Corps Programmes.

The auditing performed by the Independent Audit Institution shall be carried out in accordance with the Regulation (EU) 2021/817 of the European Parliament and of the Council of 20 May 2021 establishing Erasmus+: the Union Programme for education and training, youth and sport and repealing Regulation (EU) No 1288/2013 and with the Regulation (EU) 2021/888 of the European Parliament and of the Council of 20 May 2021 establishing the European Solidarity Corps Programme and repealing Regulations (EU) 2018/1475 and (EU) No 375/2014.

#### **2.1.4 Coordinating Institution**

The coordinating institution shall be the ministry/institution/organisation responsible for execution and following-up the works related to the EU Programmes and Agencies in which Türkiye participates, and the dissemination of the project results as well as the payment of the national contribution and the follow-up of its refunding, when necessary. The coordinating institution shall assign a sufficient number of staff to carry out and effectively and efficiently follow up the works related to the EU Programme or Agency to which the coordinating institution is related, notify the staff's contact details to the secretariat of the Board of EU Programmes and Agencies, and update such contact details, when necessary.

#### **2.1.5 Anti-Fraud Coordination Service**

The State Supervisory Council (AFCOS) shall assume the duties and responsibilities set out in the sections of the participation agreements for EU Programmes and Agencies on combating irregularities, fraud and other criminal offenses affecting the financial interests of the EU, and shall ensure coordination with relevant organisations, primarily the European Anti-Fraud Office (OLAF).

#### **2.1.6 Internal Audit Unit**

The internal audit shall be carried out by a sufficient number of internal auditors employed in the institutions within the scope of this Circular, among those appointed under the Law No. 5018 on Public Financial Management and Control dated 10 December 2003.

### **2.2. COORDINATION BOARD AND COMMITTEES**

The following boards and committees are established in order to fulfil the duties related to participation in EU Programmes and Agencies, and to ensure the effectiveness of the implementation processes.

#### **2.2.1 Board of EU Programmes and Agencies (EU Programmes Board)**

The EU Programmes Board shall be composed of the representatives of the coordinating institutions who are at least at the level of director generals at the coordinating institutions, including the representative of the Presidency of Strategy and Budget under the Turkish Presidency as the natural member, and as well as the representatives of relevant institutions/organisations to be determined by the EU Programmes and Agencies National Coordinator, under the chairmanship of the EU Programmes and Agencies National Coordinator. According to the agenda of the meetings, the chairperson of the Board may also invite the representatives of private-sector umbrella organisations, universities and civil society organisations as well as of other relevant institutions to meetings.

The duties of the EU Programmes Board are as follows:

- a. to evaluate the request of the relevant institution/organisation or the EU Programmes and Agencies National Coordinator to participate in a programme and an agency, taking into account the opinions of the Presidency of Strategy and Budget under the Turkish Presidency regarding the potential burden of the contribution on Türkiye's budget in line with the national policy priorities and targets, and to make the final decision on Türkiye's participation in programmes and agencies;
- b. to determine the relevant coordinating institution at the Board meeting for the programme and agency agreed on participation, to decide to establish a Monitoring and Steering Committee (MSC) for each programme and, if appropriate, each agency;
- c. to ensure the establishment of the appropriate mechanism to effectively manage at the national level the EU Programme and Agencies in which Türkiye participates and to monitor the annual contribution payments;
- ç. to ensure the coordination of the EU Programmes and Agencies in which Türkiye participates as well as the overall coordination of programming, monitoring and steering activities, and
- d. when deemed necessary, to render a decision in order to leave the EU Programmes and Agencies for which the participation conditions are laid down under the participation agreement with the EU.

The Board shall adopt its rules of procedure.

The secretarial services of the Board shall be carried out by the Directorate for EU Affairs of the Ministry of Foreign Affairs.

## **2.3. MONITORING COMMITTEES**

### **2.3.1 Monitoring and Steering Committees (MSC) of EU Programmes**

The Monitoring and Steering Committee shall be composed of the representatives of the Presidency of Strategy and Budget under the Turkish Presidency and the Directorate for EU Affairs of the Ministry of Foreign Affairs as well as the senior representatives of relevant institutions/organisations to be designated by the coordinating institution in line with the thematic priorities of the relevant EU Programme and Agency under the chairmanship of President/Secretary-General/Director-General of the related coordinating institution of the relevant EU Programme and Agency.

The Monitoring and Steering Committee shall be established by the coordinating institution under the coordination of the Board secretariat following the decision to participate in the EU Programme and/or Agency and the completion of the participation agreement process.

The secretarial services and the coordination of the Monitoring and Steering Committees shall be carried out by the coordinating institution. The rules and procedure of the Monitoring and Steering Committees shall be set out under the guidance of the relevant coordinating institution for each EU Programme/Agency.

The duties of the Monitoring and Steering Committees are as follows:

- a. to define the strategies and actions for effective participation in the EU Programme and/or Agency, to ensure that the national coordination process of the programme is carried out effectively and efficiently, and to take related measures;
- b. to render decisions to mobilize, encourage, inform and support the relevant stakeholders within the framework of the defined strategy, and to carry out the necessary works;
- c. to review the annual/multi-annual work plan of the EU Programme and Agency,
- ç. to decide on and implement the strategy for the dissemination of information regarding the calls for EU Programme and
- d. to define mechanisms such as sub-committees, committees, working groups, etc. which will facilitate the functioning of the EU Programme as well as their participants and rules of procedure.

## **2.4. EVALUATION and REPORTING**

### **2.4.1 EU Programmes and Agencies**

The coordinating institution shall follow-up on the performance of the relevant EU Programme/Agency and regularly report to the Board secretariat before the meetings of the Monitoring and Steering Committees and the EU Programmes and Agencies Board. The coordinating institution shall draft an interim evaluation report for the mid-term of the implementation period of the relevant EU Programme and Agency and submit a general evaluation report covering the results to the Secretariat of the Board at the end of the implementation period.

### **2.4.2 Erasmus+ and European Solidarity Corps Programmes**

As the National Authority of Erasmus+ and European Solidarity Corps Programmes, the Directorate for EU Affairs of the Ministry of Foreign Affairs shall draft an annual report on monitoring and supervision activities based on the annual management statement of the Turkish National Agency, the independent audit opinion and the European Commission's analysis on the compliance and performance of the Turkish National Agency, and submit this report to the European Commission.

As the National Authority of Erasmus+ and European Solidarity Corps Programmes, the Directorate for EU Affairs of the Ministry of Foreign Affairs shall submit its report on the implementation and impact of the programmes in the middle of the seven-year implementation period for these programmes to contribute to the interim evaluation carried out by the European Commission in accordance with Programme Regulations No (EU) 2021/817 and (EU) 2021/888.

## **2.5 VISIBILITY AND COMMUNICATION**

The coordinating institution responsible for EU Programmes and Agencies shall ensure the visibility of the EU Programme/Agency, especially in promotion and dissemination of results, within the framework of the visibility and communication rules set out in the relevant Programme and Agency Regulation.

### **3. CROSS-BORDER COOPERATION PROGRAMMES**

#### **3.1 INSTITUTIONAL STRUCTURES**

##### **3.1.1 National Authority**

The Directorate for EU Affairs of the Ministry of Foreign Affairs is assigned as the National Authority to program, monitor and evaluate the Cross-Border Cooperation Programmes in which Türkiye is currently participating and will participate in the upcoming period, and to coordinate the implementation process.

The National Authority shall carry out these duties in accordance with the EU Regulations listed in Article 2 of First Part of this Circular, the rules of the programmes in which Türkiye participates, all documents related to the programmes and the agreements to which Türkiye is a party regarding the implementation of the programmes. When necessary, the National Authority shall ensure coordination with relevant institutions and organisations for the performance of these duties.

The National Authority shall establish the structures required by the Cross-Border Cooperation Programmes in which Türkiye is currently participating and will participate in the upcoming period, and employ staff in accordance with the relevant national legislation and the EU acquis.

#### **3.2 COORDINATION BOARD AND COMMITTEES**

##### **3.2.1 Cross-Border Cooperation Committee**

The Cross-Border Cooperation Committee shall be composed of the representatives of the Presidency of Strategy and Budget under the Turkish Presidency, the Ministry of Treasury and Finance, and the Ministry of Industry and Technology under the chairmanship of the National Authority. When necessary, the relevant institutions/organisations shall also be invited to the committee meetings.

The duties of the Cross-Border Cooperation Committee are as follows:

- a. to support the National Authority regarding the fields of study of the member institutions in the programming and implementation process of the Cross-Border Cooperation Programmes, and
- b. Depending on the agenda and upon the invitation by the National Authority, to participate in the meetings of the relevant programming committees, joint monitoring committees and other committees formed as required by the programmes, and to give opinions.

The secretarial services of the committee shall be carried out by the National Authority.

#### **3.3 MONITORING COMMITTEES**

Monitoring committees shall be established for each Cross-Border Cooperation Programme in accordance with the relevant EU Regulations listed in Article 2 of First Part of this Circular as well as with the rules of the EU and the programmes in which Türkiye participates. In the monitoring committees, Türkiye shall be represented by the National Authority and other relevant institutions and organisations in line with the programme rules.

### **3.4 EVALUATION**

The Cross-Border Cooperation Programmes shall be evaluated in accordance with the relevant EU Regulations listed in Article 2 of First Part of this Circular as well as with the rules of the EU and the programmes in which Türkiye participates. The National Authority and other relevant institutions and organisations shall contribute to the evaluation process.

### **3.5 REPORTING**

The National Authority shall contribute to the annual reports drafted by the programme authorities and submitted to the European Commission and to other reports to be drafted as per the programme rules.

### **3.6 AUDIT**

The Board of Treasury Controllers of the Ministry of Treasury and Finance shall participate in the Group of Auditors established under the Cross-Border Cooperation Programmes, and shall cooperate with the audit authorities of the programmes.

### **3.7 VISIBILITY AND COMMUNICATION**

The National Authority shall carry out visibility and communication activities in order to promote the Programmes and disseminate the results in accordance with the relevant EU Regulations listed in Article 2 of First Part of this Circular as well as with the rules of the EU and the programmes in which Türkiye participates.

23 June 2023

**Recep Tayyip ERDOĞAN**

PRESIDENT