**Annex II – Legal bases and explanations for the programme supported by the EMFAF**

The procedural and institutional arrangements presented in the self-assessment apply not only to the programmes supported by the ERDF, CF and ESF+, but also to the programme supported by the EMFAF. The table below summarises how these arrangements apply in practice to this programme and indicates the legal basis where relevant.

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| **Chapters of the self-assessment** | **“European Funds for Fisheries” (FER) programme for 2021-2027** |
| **Chapters I-III** | As described in the self-assessment (no specific arrangements) |
| **Chapter IV. Obligation of the institutions and the beneficiary to respect the Charter of Fundamental Rights:** | |
| 1. Institutions obliged to respect the Charter | As described in the self-assessment (no specific arrangements) |
| 2. Obligations of the Beneficiary | All beneficiaries of the FER programme are obliged to respect the Charter. This arrangement will be provided on the basis of the Guidelines on the implementation of horizontal rules under the European Funds for Fisheries programme for 2021-2027. The MA of the FER programme has prepared draft of Guidelines which is currently consulted with the IB. The draft of Guidelines is based on the Guidelines on the equality principles for cohesion policy programmes 2021-2027. Furthermore, each operation under the programme will be assessed on the basis of the selection criterion regarding compliance with the Charter, in accordance with the resolution of the Monitoring Committee of the European Funds for Fisheries programme for the years 2021-2027 No. 19/2023 of August 11, 2023. |
| **Chapter V. System for the protection of fundamental rights in Poland in the context of implementation of the European Funds:** | |
| 1. The Ombudsman and his role in dealing with complaints  2. Institutions of the system for the implementation of European funds  2.1 Managing authorities | As described in the self-assessment (no specific arrangements) |
| 2.2 Coordinator for Charter of Fundamental Rights in the Managing Authority | As described in the self-assessment (no specific arrangements).  The Coordinator for the Charter was appointed by the Managing Authority. |
| 2.3 European Funds Ombudsman (EFO) | This role is played by Programme Ombudsman in line with Article 8 of the Law on Supporting the Sustainable Development of the Fisheries Sector with the Participation of the European Maritime, Fisheries and Aquaculture Fund for 2021-2027. The act was published on 4 June 2023 in Official Journal pos. 1273) |
| 3. Administrative courts | As described in the self-assessment (no specific arrangements) |
| **Chapter VI. Responsibilities of the institutions of the system for the implementation of European funds to ensure compliance with the Charter for the implementation of the tasks entrusted to them at all stages of programme implementation:** | |
| 1. Programming and preparation of implementation documents | As described in the self-assessment common rules apply with some specific arrangement to be organized and applied by the relevant minister. Specific arrangements on the monitoring committee composition were introduced in accordance with ordinance no. 1 of the Minister of Agriculture and Rural Development of 25 January 2023 on the appointment of the Monitoring Committee for the European Funds for Fisheries program for 2021-2027 (Journal of Laws of the Min. Agriculture and Rural Development, item 1 , as amended by the order of the Ministry of Agriculture and Rural Development No. 14 of April 26, 2023, Journal of Laws of the Ministry of Agriculture and Rural Development, item 17). These arrangements include the open calls organized in order to supplement the composition of the Monitoring Committee with non-governmental representatives acting with promotion of social inclusion, persons with disabilities, equal treatment and environmental protection in order to ensure a balanced representation of the relevant representatives of the partners as referred to in CPR Regulation. |
| 2. Implementation of programmes | As described in the self-assessment (no specific arrangements) |
| 3. Evaluation | The evaluations for the FER programme will cover enforcement/application of the Charter. This was pointed out in the draft of Guidelines on the implementation of horizontal rules under the European Funds for Fisheries program for 2021-2027. |
| 4. Controls and audit & 5. Information and promotion | As described in the self-assessment (no specific arrangements). Applied by the relevant minister. |
| **Chapter VII. Procedure for complaints to institutions implementing EU programmes** | The procedure for complaints regarding violations of rights and freedoms set out in the Charter was prepared by the Ministry of Agriculture and Rural Development and it constitutes an attachment to the draft of Guidelines on the implementation of horizontal rules under the European Funds for Fisheries program for 2021-2027. |
| **Chapter VIII. Informing the MC of complaints and cases of non-compliance with the Charter** | The reporting obligations are set out in Article 8 of the Law on Supporting the Sustainable Development of the Fisheries Sector with the Participation of the European Maritime, Fisheries and Aquaculture Fund for 2021-2027. The act from 26 May 2023 was published on 4 July 2023 in Official Journal (pos. 1273) |