



European Neighborhood and Partnership Instrument

**Black Sea Basin
Joint Operational Programme
2007-2013**

**RULES OF PROCEDURE
of
the Joint Monitoring Committee**

December 2008



Art. 1. - General provisions

(1) The Joint Monitoring Committee (hereinafter referred to as the “JMC”) for the Black Sea Basin Joint Operational Programme 2007-2013 (hereinafter referred to as the “Black Sea Programme”) is a partnership structure, without legal personality, with a strategic decision-making role in the implementation of Black Sea Programme, according to the provisions of:

- a) Regulation (EC) No 1638/2006 of the European Parliament and of the Council laying down the general provisions establishing a European Neighbourhood and Partnership Instrument (ENPI) (hereinafter referred to as the “**ENPI Regulation**”);
- b) Commission Regulation (EC) No 951/2007 laying down implementing rules for cross-border cooperation programmes financed under Regulation (EC) No 1638/2006 of the European Parliament and of the Council laying down the general provisions establishing a European Neighbourhood and Partnership Instrument (ENPI) (hereinafter referred to as the “**ENPI Implementing Rules**”);
- c) Black Sea Basin Joint Operational Programme 2007-2013;
- d) the Commission Decision No C(2008) 7406 for the approval of the joint operational programme "Black Sea 2007-2013";

(2) The present Rules of Procedure establish the composition, the tasks, and the organization and functioning principles of the JMC.

(3) The duration of the term of office for the JMC will cover the whole period of implementation of the Black Sea Programme until the Programme is wound up.

(4) The official seat of the Joint Monitoring Committee will be at the Joint Managing Authority of the Black Sea Programme and can be contacted as follows:

Ministry of Regional Development and Housing
Libertatii, 12
Bucharest, Romania

Phone: +40 372 111 309

Fax: +40 372 111 456

e-mail: blacksea-cbc@mdlpl.ro

This shall not prejudice the places of the meetings of the Joint Monitoring Committee, which will be fixed by the Joint Monitoring Committee at the previous meeting.



Art. 2 - JMC Tasks

The JMC shall ensure the efficiency, effectiveness and the quality of implementation of the Black Sea Programme by performing the following tasks:

(1) Strategic - with long-term strategic implications on programme implementation

- a. Approves the Annual Communication Plan prepared by the JMA and supervises the implementation of this plan, the information and publicity measures performed and the means of communication used;
- b. It may propose the Black Sea Programme to be reviewed and, if necessary, revised in the cases described in article 7(2) of the ENPI Implementing Regulation;
- c. It may request to the European Commission to terminate the Black Sea Programme before the expiry date of the period of execution in the cases described in article 9(10)(c) and (d) of the ENPI Regulation and in other duly justified cases;

(2) Financial - with impact on the programme budget (allocations, re-allocations, use of funds)

- e. Approves the Multi-annual Technical Assistance Strategy and the Annual Technical Assistance Strategy, as well as their revision, at the proposal of the JMA;
- f. Decides on the volume and allocation of the programme's resources for technical assistance and human resources;
- g. Approves the proposals sent for examination by the Joint Managing Authority, regarding any adjustments to the Black Sea Programme financial table which involve the transfer from one priority to another of no more than 20% of the Community funds initially allocated to each priority;
- h. Examines any contentious cases of recovery brought to its attention by the Joint Managing Authority;
- i. Approves any substantiated waiver decision, before being submitted to the European Commission, in case the Joint Managing Authority is planning to waive recovery of an established debt,.

(3) Regulatory - establishing rules for programme implementation

- j. Approves unanimously its own Rules of Procedure, as well as any other revision of these rules, in agreement with the Joint Managing Authority;
- k. Approves the Joint Managing Authority's work programme and work plan;
- l. Approves the establishment of a Joint Technical Secretariat with the requisite resources to assist the Joint Managing Authority with the day-to-day management of the activities under the Black Sea Programme.
- m. Approves the Guidelines for applicants before the calls for proposals are launched by the Joint Managing Authority;



- n. Decides on the selection criteria for the projects and take the final decision on projects and on the amounts granted to them;
- o. Approves any revision of selection criteria in accordance with programme needs;
- p. Appoints the project-selection committees for the assessment of project proposals, on the basis of JMA proposal.

(4) Formal - mainly examination of reports and other information sources, other current decisions regarding programme implementation

- q. At each of its meetings, reviews the management decisions taken by the Joint Managing Authority;
- r. Reviews all reports submitted by the Joint Managing Authority and, if necessary, take appropriate measures;
- s. Ensures that funds are used in accordance with the rules and principles governing programme management;
- t. At each of its meetings and on the basis of the documents submitted by the Joint Managing Authority, evaluates and monitors progress towards the objectives of the joint operational programme;
- u. May establish special working groups for developing large scale investment project ideas, until an advanced stage is reached, from where the ideas can be later taken over, finalized and implemented by the potential beneficiaries;
- v. May establish any other working groups and sub-committees as necessary for the sound implementation of the programme.

Art. 3 -JMC Composition

- (1) The JMC shall comprise a limited number of representatives of each participating country, appointed on a functional basis.
- (2) The national delegations are formed of members, designated by the organizations listed in Annex 1 of the Rules of Procedure, and observers, from local authorities, economic and social partners, and civil society. Each country has the right to appoint maximum three members and maximum one observer. The appointment shall be reported to the Joint Managing Authority. The same rules shall apply in case of change of membership.
- (3) If a country decides to appoint more than one observer, the participation in the JMC meetings will be on a rotation basis.
- (4) The head of the delegations, nominated in case of Romania by the Ministry of Development, Public Works and Housing, and in case of other participating countries by the National Authorities (NA), leads each national delegation.



- (5) During the process of appointing the members and observers of the JMC a balanced representation between men and women will be pursued. The Joint Monitoring Committee shall strive for a balanced representation of men and women.
- (6) The Commission representative shall be invited to each meeting of the JMC and he/she may take part in all or part of each JMC meetings on its own initiative, as an observer without any voting right.
- (7) The representatives of the EC Delegation in Turkey shall participate to the JMC meetings in an advisory capacity.
- (8) The Audit Authority representative shall participate to the JMC meetings as an observer without any voting right.

Art. 4 -JMC Chairmanship

- (1) The head of the JMA shall act as Chairperson and shall lead the work of the JMC. The chairperson is appointed for the entire programme period and shall have no voting right.
- (2) In duly justified cases, if the chairperson cannot attend a meeting, its attributions shall be delegated to a deputy, representative of the Joint Managing Authority. JMC members shall be informed about this nomination before the meeting.
- (3) The chairperson shall head the activity of the JMC by exercising the following responsibilities:
 - a) Convenes the meetings of the JMC, at least once per year or as often as necessary, at the request of the JMA or following duly justified written request from one or more of its members or from the Commission;
 - b) Approves the documents that will be submitted to all participants to the meeting, as well as the provisional agenda of the meeting;
 - c) Chairs the meetings of the JMC (declare the opening and closing of each meeting, facilitate and direct the discussions, invites representatives of JMA/JTS to present the documents and provide the necessary information and clarifications to the JMC members, accord the right to speak, put questions to the vote, announce the decisions, rule on points of order, and pursuant to these rules of procedure, have control of the proceedings, etc.);
 - d) Ensures the decision-making process based on consensus, by trying to solve any divergence that may appear during the meetings; in case this cannot be achieved, decides the adoption of decisions by vote;
 - e) Signs the correspondence, the decisions and the minutes of the JMC meetings;



- f) Approves the publication on the webpage of the programme of documents and of other information regarding the JMC activity;
- g) Represents the JMC in relation with third parties, including the mass-media, or may delegate this task;
- h) Is responsible for ensuring that decisions of the Joint Monitoring Committee comply with the rules laid down in the ENPI Implementing Regulation.

Art. 5 - Members and observers

- (1) The members are persons that have decision-making power in the JMC and are delegated by the institutions listed in the Annex 1 of the Rules of Procedure.
- (2) The membership of JMC is composed of members and deputy members. Each member has one appointed deputy.
- (3) The observers are the persons delegated by the institutions included in the Annex 2 of the Rules of Procedure, who participate at the JMC meetings with an exclusively consultative role, without decision-making power. At the same time, the observers may be consulted also for the decisions taken by written procedure, when the discussed issues are in their area of competence.
- (4) Each observer has the right to have a deputy, who undertakes the same tasks as the observer, when the observer is absent.
- (5) The capacity of member, observer or deputy shall be lost, when the persons delegated in the JMC are in one of the following situations:
 - a) end their activity in the public authority, institution or body that they represent;
 - b) break the provisions of the Rules of Procedure or of the Code of Conduct.In the last case, the JMC shall propose the replacement of the respective person.
- (6) The quality of member, observer or deputy shall end also at the decision of the institution/organization that they represent, communicated to the Joint Managing Authority together with the delegation of a new person.
- (7) The chairperson of the Joint Monitoring Committee shall have the right to invite other participants to the meeting of the JMC as observers or advisors, with prior agreement of the JMC members.
- (8) In duly justified and exceptional cases only, when neither the member nor his/her deputy is able to attend the JMC meeting, the member of the JMC may delegate a substitute to the JMC meeting, after informing the chairperson of the JMC. The above rules apply also to appointed observers of the JMC.
- (9) The substitute has to present its mandate, according to Annex 5, at the beginning of the JMC meeting at the latest.



Art. 6 - Rights and duties of the JMC members and observers

(1) The JMC members have the following rights and duties:

- a) To attend the JMC meetings and to participate in the decision-making process, to bring into discussion relevant aspects regarding the implementation of the Black Sea Programme;
- b) To participate in the written decision-making procedure, according to the Rules of Procedure.
- c) To inform the JMC about the activities developed by the bodies they represent and which are related to the Black Sea Programme;
- d) To contribute to achieving the decisions of the JMC, according to their responsibilities.

(2) The JMC observers have the following rights and duties:

- a) To attend the JMC meetings and to bring into discussion, through the head of the national delegation of their respective country, relevant aspects regarding the implementation of the Black Sea Programme;
- b) To participate in the written decision-making procedure, according to the Rules of Procedure.
- c) To inform the JMC, through the head of their national delegation, about the activities developed by the bodies they represent and which are related to the Black Sea Programme;

(3) As a rule, the member of the JMC will participate at the JMC meeting. In case the member is unable to attend the meeting, he/she may delegate an appointed deputy to the meeting, or subject to article 5(9) and 5(10), a substitute.

(4) The JMC members and observers shall not be remunerated for the activity performed in the JMC.

(5) The heads of delegations, as a rule, or as the case may be, one member per delegation, shall have their travel, accommodation and daily allowances expenses reimbursed from the technical assistance budget of the Black Sea Programme.

(6) To avoid any conflict of interest, the members and observers must not act as beneficiaries, or as any of the project partners.

(7) Each member/observer/substitute will sign a Declaration of Impartiality and Confidentiality at the beginning of the meeting in which they participate.

Art. 7 - The Secretariat of JMC

(1) The activity of the JMC is assisted by a Secretariat, ensured by the JMA.



The Joint Technical Secretariat (JTS) of the Black Sea Programme will take over the tasks of the Secretariat, when it is operational.

(2) The Secretariat has the following tasks:

- a) Prepares the documents that will be provided to the members of the JMC, the list of participants, as well as the provisional agenda of the meeting;
- b) Ensures the logistical preparation and the transmission of the invitations for participation to the JMC meetings;
- c) Officially transmits to the JMC members the relevant documents by email, and only when such possibility does not exist, by fax, post or courier, with the confirmation of their receipt;
- d) Provides to the members of the JMC, at their request, all the necessary information in order to support the decision-making process in the JMC;
- e) Manages the written decision-making procedure, when the Chairperson decides on the application of this procedure;
- f) Drafts the minutes of the JMC meetings and ensures the transmission of the final drafts of the minutes to all participants, including the EC representative, as well to those members and observers who were absent, and to their appointed deputies;
- g) Monitors the implementation of the JMC decisions and ensures the exchange of information regarding these issues between the parties involved; informs the Chairperson of the JMC about any difficulty in the implementation of the JMC decisions;
- h) Receives, registers and resolves the correspondence regarding the activity of the JMC; in case its competences and attributions are surpassed, ensures the urgent correspondence regarding the JMC to the Chairperson of the JMC;
- i) Ensures the electronic and paper archiving of all documents regarding the JMC meetings;
- j) Ensures a special registry with the evidence of all the decisions of the JMC;
- k) Ensures, with the approval from the Chairperson, the publishing and permanent updating of the webpage of the programme, of the information and documents regarding the activity of the JMC;
- l) Supports the Chairperson of the JMC in any other matter related to the activity of the JMC;

(3) Any request for information regarding the activity of the JMC is addressed to the Secretariat, either electronically or on paper.

(4) The JMA Programme Manager shall act as a Secretary of the JMC, with no voting right, and shall co-sign the final minutes of the JMC meetings.



Art. 8 - JMC Task Force and consultation procedure

- (1) In order to support the implementation of the Black Sea Programme, the JMC shall be assisted by the JMC Task Force, which is a technical body.
- (2) The JMC Task Force members shall be nominated by the National Authorities, and to the extent possible, shall be the former members of the Joint Task Force, which were responsible for programming the Black Sea Programme.
- (3) The members of JMC Task Force shall be involved by JMA during the preparation of the documents to be submitted to the JMC, being asked to provide comments/inputs.
- (4) The Task Force members shall consult their respective National Delegation members on the documents in order to prepare and present to the Secretariat a consolidated opinion.
- (5) Taking into consideration the different opinions gathered, the Secretariat may modify or propose amendments to the documents.
- (6) The consultation process shall end with at least 20 calendar days before the date of the JMC meeting.

Art. 9 - JMC Meetings

- (1) The JMC meetings will take place at least once per year respecting, if possible, the principle of rotation between the participating countries as regards the location of the reunions.
- (2) If serious problems appear in the implementation of the Black Sea Programme or if urgent decisions must be adopted, decisions that will lead to the improvement of the implementation of the programme, the JMC can meet in extra-ordinary meetings, following a duly justified request from one or more of the delegations or from the European Commission. In this situation, the proposal is submitted in written form to the Secretariat, which immediately informs the chairperson, who will decide on the organization of such a meeting.
- (3) The call of the JMC meetings and the submission of the provisional agenda shall be done by the Secretariat with at least 30 calendar days before the date of the meeting. The convocation of the extra-ordinary meetings of the JMC can be done in a shorter period than 30 calendar days if the chairperson decides in this way.
- (4) The call of the JMC meetings will always be done in written form, the invitations being forwarded by email, and only when such possibility does not exist, by fax, post or courier. The invited members have the obligation to confirm the participation.
- (5) The supporting documents shall be forwarded by the Secretariat with at least 15 calendar days before the date of the meeting.



(6) At the written request of any JMC member, addressed to the Secretariat with at least 7 calendar days before the JMC meeting, the initial provisional agenda can be filled in also with other subjects, with the approval of the Chairperson.. The additional documents can be sent afterwards.

(7) The Secretariat may provide the members of the JMC with other relevant information regarding the provisional agenda (until the day of the meeting or even at the beginning of the meeting), in order for them to have at their disposal the most recent information regarding the topics of the provisional agenda.

(8) At the beginning of each meeting, the agenda of the respective meeting will be adopted.

(9) The JMC meetings do not have a public character. A summary of the JMC decisions may be presented to the public on the website of the programme, when the JMC members decide so.

(10) In order to avoid any conflict of interests, the JMC members and observers will not take part in the decision-making process regarding the issues where there is a conflict of interest. The members will sign the Declaration of Impartiality and Confidentiality at the beginning of every meeting and they will indicate the issues where impartiality cannot be ensured. The JMC members are requested to declare before the start of discussions any conflict of interests that may exist on certain points of the agenda.

(11) A member/observer that declares its involvement into one of the agenda points under discussion shall be requested by the Chairperson to withdraw from the meeting during the discussions on the specific issues.

(12) The decisions adopted during the JMC meeting are summarized in a document called *Summary of JMC Decisions*. This document is elaborated by the Secretariat and is submitted to all JMC members, as well as to other persons responsible for the fulfilment of the decisions, not later than 15 calendar days after the date of the meeting. Subsequently, this document is annexed to the Minutes of the meeting.

(13) The Draft Minutes of the meeting, elaborated by the Secretariat, are submitted to all the participants within 15 calendar days from the date of the meeting, by e-mail or by fax.

(14) The remarks on the Minutes (in track changes) are submitted to the Secretariat in a period of maximum 15 calendar days from the sending date and shall be settled by written decision-making procedure.

(15) The final Minute shall be co-signed by the JMC Chairperson and the JMC Secretary and its provision shall enter into force in the same day.

Art. 10 - The decision-making procedure in the JMC meetings

(1) The JMC deliberates in a valid mode if 8 participating countries are represented at the meeting. There is one vote per participating country.



(2) If the absence of any delegation is a result of “force majeure” or fortuitous situation, as defined and recognised in the international law, the respective participating country shall have the right to submit its opinion in writing. In this case the respective country shall be deemed as present at the JMC meeting.

(3) The JMC decision will be taken by consensus among the national delegations. In the meaning of the Rules of Procedure, the consensus represents the expression of will of all delegations present regarding the issue under consideration and the proposed decision, being considered as the best decision the JMC can adopt at that moment.

(4) In order to reach a decision, the Joint Managing Authority shall present its proposal, drawn up on the basis of results of consultation procedure, and, if the case, possible alternatives to this proposal.

(5) In case the consensus is impossible to be reached on the JMA proposal, the Chairperson may give a recess for consultations within and among the national delegations in order to reconsider their position; the impossibility to reach consensus appears if, after two rounds of discussions on one certain issue, a consensual decision cannot be reached.

(6) Should the consensus be impossible to reach on the proposal indicated by the JMA, alternative choices may be proposed by any of the Head of Delegations. On the basis of the alternatives formulated, the Chairperson shall ask for consensus on the alternatives.

(7) Where the consensus is impossible to be reached, particularly in those related to the final selection of projects and the grant amounts allocated to them, the JMC will take decisions by voting procedure, requiring a majority of 8 out of 10 votes.

Art. 11 - The written decision-making procedure

(1) At the initiative of the Chairperson or one of the participating countries, the consultation in view of adopting decisions may be done in written form, without arranging a meeting of the JMC.

(2) In case of applying the written decision-making procedure, the Secretariat submits to the JMC members the draft decision and the necessary documents for its adoption in a written form by email, and only when such possibility does not exist, by fax, post or courier, with the confirmation of receipt.

(3) The objections or the agreement on the documents transmitted according to the written decision making procedure can be submitted to the Secretariat in written form (e-mail, fax) during maximum 15 calendar days from the date the documents were transmitted. In exceptional cases, the Chairperson may request the reduction of the 15 calendar days deadline.

(4) If no objections are raised in the deadline, the proposal is considered as approved in the sent format.



- (5) If objections are received, the JMA shall review the proposal and resubmit it to the JMC. In this case, the decision shall be adopted by voting procedure, requiring a majority of 8 out of 10 votes. No other objections are allowed at this stage.
- (6) If the decision is not adopted, the Chairperson shall decide whether to submit a new proposal for adoption or to convene an extraordinary meeting.
- (7) The Secretariat submits to the JMC the final version of the documents adopted by written decision making procedure.
- (8) In case the JMA has objections concerning the compliance of a decision taken by the JMC with the legal framework of the Programme, the decision shall be taken with reservation until the JMA clarifies the matter with the European Commission. The JMA will report on the result of its consultation with the European Commission to the JMC. If necessary the JMC shall issue a new decision taking into consideration the JMA report.

Art. 12 - The appointment of Selection Committee members

- (1) The Selection Committee (SC), appointed by the JMC shall be composed of:
 - One non-voting chairperson proposed by the JMA;
 - One non-voting secretary from the JTS, or provided that JTS is not operational, from the JMA;
 - 5 voting members proposed by the participating countries, on a **rotation basis**;
 - Observers.
- (2) The rotation mechanism for the appointment of the SC members is based on the following principles:
 - Each country will take part in the assessment of projects in 2 Calls for Proposals (CfP) as members of the Selection Committee (SC).
 - The EU Member States shall be distributed as follows:
 - 2 Member States in the first and third CfP, starting with Romania, as the host of JMA, and followed by the Member State which is the first in alphabetical order, based on the country name in English language, for the first CfP, and by the Member State which is the second in alphabetical order, based on the country name in English language, for the third CfP;
 - 1 Member State in the second and fourth CfP, which has not participated in the previous CfP.
 - The Partner Countries shall be divided in two groups, one comprising three members and the other one four members, in alphabetical order, based on the country name in English language;
 - The Partner Countries shall be distributed as follows:



- 3 Partner Countries in the first and third CfP, namely the first one from the first group and the first two from the second group;
- 4 Partner Countries in the second and fourth CfP, namely the second and the third from the first group, and the third and the fourth from the second group.
- The participating countries not represented by voting members in the SC within a specific call may appoint observers¹, paid from own resources to supervise the work of the SC

(3) On the basis of the rotation system defined above, the composition of the four envisaged Selection Committees shall be the following:

First CfP	Second CfP	Third CfP	Fourth CfP
Romania	Greece	Romania	Bulgaria
Bulgaria		Greece	
Armenia	Azerbaijan	Armenia	Azerbaijan
R. Moldova	Georgia	R. Moldova	Georgia
Russian Federation	Turkey	Russian Federation	Turkey
	Ukraine		Ukraine

(4) In case more Calls for proposals are launched, the JMC shall decide the composition of the Selection Committees.

(5) A pool of experts/observers² will be created once at the beginning of the programme implementation period and updated periodically, on the basis of the CVs proposed by the participating countries

(6) Depending on the composition of the respective Selection Committee, the JMC will appoint the experts and observers for that particular call, on the basis of the JMA proposal which has checked in advance the availability of the experts.

(7) The SC observers have a key role in assuring the correctness of the evaluation process, their comments will be registered in the minutes of the Selection Committee meetings and in the Evaluation report, which will be analysed by the JMC.

(8) All members of the Selection Committees, as well as observers and assisting JTS staff are bound to the respect of the principles of confidentiality and impartiality.

¹ These observers are experts nominated by countries not represented in the Selection Committee within a specific call for proposals, to assist the SC meetings

² These experts are the evaluators of the SC proposed by countries and nominated by JMC



Art. 13 - Code of Ethics

- (1) The JMC members are guided in their activity by the principles of the Code of Ethics, which is an integral part of the Rules of Procedure and is presented in Annex 3.
- (2) Each member/observer/deputy/substitute of the JMC signs a Declaration of Impartiality and Confidentiality and, in case that the provisions of the Code of Ethics and of the Rules of Procedure are not respected, may be revoked and replaced according to the procedures provided in the Rules of Procedure.

Art. 14 - Working language

- (1) The official and working language of the JMC shall be English.
- (2) The documents will be presented to the JMC members in English. The meetings of the JMC and any communication with the JMC shall be conducted in English.

Art. 15 - Final provisions

- (1) The Rules of Procedure enters into force from the date of the unanimous approval by the JMC, during its first meeting.
- (2) The Rules of Procedure may be amended whenever that is deemed as necessary, at the initiative of two thirds of the JMC members or the JMA. The JMC approves the modifications by consensus. The annexes can be amended or completed directly by the JMA.
- (3) The JMC is legally set up of 9 participating countries that approved the Rules of Procedure. Azerbaijan shall have the possibility to join the JMC later on, in this case the Rules of Procedure being deemed as approved.
- (4) Until Azerbaijan decides to join the JMC, the voting procedure shall be applied with a majority of 8 out of 9, in order to keep the proportion as approved in the Black Sea Programme.



ANNEX 1
to the Rules of procedure of the JMC for
the
Black Sea Programme

Members of the Joint Monitoring Committee of the Black Sea Basin Joint Operational Programme 2007-2013

Romania - Ministry of Regional Development and Housing

Ministry of Finance

Ministry of Foreign Affairs

Armenia - Ministry of Economy

Project Administration Agency

Azerbaijan - Ministry of Economic Development

Bulgaria - Ministry of Regional Development and Public Works

Ministry of Finance

National Association of Municipalities in the Republic of Bulgaria

Georgia - State Minister's Office of European and Euro Atlantic Integration

Greece - Ministry of Economy and Finance

R. Moldova - Government Office

Ministry of Local Public Administration

Association of Mayors and Local Communities

Russian Federation - Ministry of Regional Development

Turkey - Turkish International Cooperation and Development Agency (TIKA)

Ministry of Foreign Affairs

Central Finance and Contracts Unit (CFCU)

Ukraine - Ministry of Economy

Ministry of Foreign Affairs



ANNEX 2
to the Rules of procedure of the JMC for
the Black Sea Programme

Observers of the Joint Monitoring Committee of the Black Sea Basin Joint Operational Programme 2007-2013

Romania - SME's Employers Association, Constanta County

NGO Mare Nostrum

Armenia -

Azerbaijan -

Bulgaria - Institute for Ecological Modernization

Georgia -

Greece - Praksis Non Governmental Organisation of Greece

R. Moldova - Eco Tiras NGO

First Club of the Council of Europe

Russian Federation -

Turkey - Koza Environment and Life Culture Association

Ukraine - Sevastopol Association for Sustainable development "Aura"

Black Sea Regional Network of Civil Society Organisation

Zaporizhya Regional Youth Organisation "Union of innovators and project managers"

Kherson Civil Society organization "Rodina"

Ukrainian Ecological Association "Zelenyj Svit"

Donetsk Regional Ecological Organisation "Do chistyx dzherel"

Center of Economic Education and Consulting "Zovnishkonsalt"



Rural Development and Legal support Centre

Audit Authority within Court of Accounts

European Commission

European Commission Delegation in Ankara



ANNEX 3
to the Rules of procedure of the JMC for
the Black Sea Programme

Code of Ethics

- (1) The members of the JMC undertake to observe the following rules of ethics:
- a) to act in the interest of the efficient implementation of the Black Sea Programme, in accordance with the scope of activities and objectives established by the programme;
 - b) to take decisions in the public interest and not to act in the purpose of obtaining financial advantages or other benefits for themselves or for others;
 - c) to declare to the chairperson, at the beginning of or during any meeting, any situation of conflict of interests in which they might be with regard to the discussions on a specific subject. In this case, the person will exit the meeting room and will come back only after the end of discussions of that specific point on the agenda;
 - d) to maintain the confidentiality of the information which, if disclosed, might harm the legitimate interest of any institution, organization or person, or the information that might create illegitimate advantages through their privileged usage
 - e) to observe the JMC decisions, according to the Rules of Procedure.
- (2) The obligations stipulated at the previous article must also be observed by the deputy members, observers, and respectively their deputies or substitutes.



ANNEX 4
to the Rules of procedure of the JMC for
the Black Sea Programme

Joint Monitoring Committee
for the Black Sea Programme 2007 - 2013

Declaration of Impartiality and Confidentiality

I, the signatory

3

have been appointed by

as **member/ observer/ guest** of the Joint Monitoring Committee for the Black Sea Programme

I am aware of the provisions stipulated in Article 9(10) of the rules of procedure of the Joint Monitoring Committee, whereupon any assessment and/or decision of the Committee shall be free from bias and not be influenced by partial interest of any of the individual members/observers of the Joint Monitoring Committee.

According to Article 9(10) of the rules of procedure, I shall sign this declaration of impartiality and confidentiality. I declare that:

- The above-named authority/organization does not act as a Beneficiary or as any of the project partners who have submitted an application to the programme;
- I have no personal financial involvement in any of the projects to be approved by the Joint Monitoring Committee, e.g. as project manager, expert or consultant subcontracted by the Beneficiary or a project partner.

Should one of the aforementioned circumstances come into being during the procedure of a funding decision (including the assessment), I will inform

³ Please insert your first name and last name.



immediately the Chairperson of the Joint Monitoring Committee and shall be recorded in the Joint Monitoring Committee meeting minutes. I will then leave the meeting room from the beginning of the consultation on the project applications until the decision on the applications is made.

I accept furthermore that, if I have neglected to give the necessary statement as mentioned above, the Chairperson of the Joint Monitoring Committee has the right to demand my resignation from the Joint Monitoring Committee immediately.

Finally I confirm that I will keep the confidentiality of all non-public information of which I become aware as a result of my activity as a member/observer/deputy/substitute in the Joint Monitoring Committee.

Place and date: _____

Signature: _____



ANNEX 5
to the Rules of procedure of the JMC for
the Black Sea Programme

MANDATE

To the secretariat of the Joint Monitoring Committee of the Black Sea Basin Joint Operational Programme 2007-2013

I, the undersigned,⁴,⁵ in the Joint Monitoring Committee of the Black Sea Basin Joint Operational Programme, hereby designate⁶,⁷ to participate on my behalf to the meeting on⁸ in⁹, to fulfill all the tasks of voting member/observer according to the Rules of Procedure of the Joint Monitoring Committee, and to present the position on the issues to be discussed and decided upon.

Date _____

Full name: _____

Capacity within the JMC: _____

Signature _____

⁴ Please insert your first name and last name

⁵ Please insert your capacity within the JMC

⁶ Please insert first name and last name of the substitute

⁷ Please insert the function of the substitute

⁸ Please insert the date of the JMC meeting

⁹ Please insert the place of the JMC meeting