



No. 05-308/23-335/23

Podgorica, 23. januar 2025. godine

Na osnovu Rješenja o osnivanju IPARD III odbora za nadgledanje u Crnoj Gori od 19. decembra 2024. godine (Broj 05-308/23-335/22), IPARD III odbor za nadgledanje na svom četvrtom zasijedanju, održanom 23. januara 2025. godine usvojio je:

## POSLOVNIK O RADU IPARD III ODBORA ZA NADGLEDANJE U CRNOJ GORI

### (IPARD III odbor)

#### Opšte odredbe

#### Član 1

1. Odlukom Komisije C(2022)4726, 29. juna 2022. godine odobren je Program razvoja poljoprivrede i ruralnih područja u okviru pretpristupne podrške (IPARD III) za period 2021-2027.
2. Ministarstvo poljoprivrede i ruralnog razvoja osnovalo je IPARD III odbor za nadgledanje 13. aprila 2023. godine. Na osnovu Zakona o potvrđivanju Okvirnog finansijskog sporazuma o partnerstvu između Evropske komisije i Crne Gore koju predstavlja Vlada Crne Gore i o modelima sprovođenja finansijske podrške EU Crnoj Gori u okviru instrumenta pretpristupne podrške (IPA III) („Službeni list CG-Međunarodni ugovori“, broj 6/2022) i Zakona o potvrđivanju Sektorskog sporazuma između Vlade Crne Gore i Evropske komisije kojim se utvrđuju pravila za upravljanje i sprovođenje finansijske pomoći Unije Crnoj Gori u okviru Instrumenta pretpristupne podrške za oblast politike „Poljoprivreda i ruralni razvoj“ (IPARD III) („Službeni list CG-Međunarodni ugovori“, broj 1/2023) i čl. 15 i 291 Zakona o državnoj upravi („Sl. list CG“ br. . 78/2018, 70/21 and 52/22).
3. Poslovnik o radu IPARD III odbora za nadgledanje sprovođenja Programa razvoja poljoprivrede i ruralnih područja u okviru IPARD III 2021-2027 uređuje način rada, prava i obaveze članova, proces donošenja odluka i druga pitanja od značaja za rad Odbora i može biti i izmijenjen u skladu sa potrebama. Ovakve izmjene potrebno je da unaprijed budu iskomunicirane sa Komisijom.
4. Za potrebe člana 53(1) FFPA, IPARD III odbor će razmatrati rezultate IPARD III programa, posebno postizanje ciljeva postavljenih za različite mjere i napredak u korišćenju finansijskih sredstava izdvojenih za te mjere. S tim u vezi, IPARD Upravljačko telo će obezbijediti da sve relevantne informacije u vezi sa napretkom mjera budu dostupne IPARD III odboru i NIPAC-u.
5. U skladu sa članom 53(6) FFPA, IPARD III odbor će usvojiti svoj poslovnik, koji će biti sastavljen u konsultaciji sa IPARD Upravljačkim tijelom, IPARD agencijom, NIPAC-om i Komisijom. Ova pravila će usvojiti IPARD III odbor na svom prvom sastanku i može ih

promijeniti po potrebi. Takve promjene će biti unaprijed iskomunicirane sa Evropskom komisijom.

6. IPARD III odbor za nadgledanje uspostavljen na ovaj način biće odgovoran za izvještavanje, monitoring i evaluaciju sprovođenja IPARD III programa u skladu sa odredbama VI Odjeljka Sektorskog sporazuma.

## Definicije

### Član 2

U okviru ovog Poslovnika:

- a) Ministarstvo se odnosi na Ministarstvo poljoprivrede, šumarstva i vodoprivrede,
- b) Komisija se odnosi na Evropsku komisiju,
- c) Odbor se odnosi na IPARD III odbor za nadgledanje,
- d) Predsjedavajući se odnosi na Predsjedavajućeg IPARD III odbora za nadgledanje,
- e) Program se odnosi na Program razvoja poljoprivrede i ruralnih područja Crne Gore u okviru IPARD III 2021-2027 (IPARD III program),
- f) Sekretarijat se odnosi na IPARD Upravljačko tijelo, koje ima funkciju stalnog Sekretarijata IPARD III odbora,
- g) NAO se odnosi na Nacionalnog službenika za ovjeravanje,
- h) NIPAC se odnosi na Nacionalnog IPA koordinatora,
- i) Posmatrači se odnose na eksperte iz sektora relevantnih za implementaciju Programa.

## Imenovanje i struktura IPARD III odbora

### Član 3

1. IPARD III odbor je uspostavljen i njegovi članovi/zamjene su imenovani odlukom Ministarstva poljoprivrede, šumarstva i vodoprivrede, od 19. decembra 2024. godine, referenca broj 05-308/23-335/22.
2. Odluka o uspostavljanju Odbora je u Prilogu.
3. IPARD III odbor se sastoji od predstavnika nadležnih državnih organa, tijela i drugih zainteresovanih strana u skladu sa članom 53(7) FFPA.
4. Sledeće nacionalne i teritorijalne (lokalne) vlasti i organi, predstavnici iz oblasti ekonomije, socijalnog, ekološkog, civilnog društva ali i predstavnici akademskih institucija i mreže za ruralni razvoj učestvuju u radu IPARD III odbora:
  - Ministarstvo poljoprivrede, šumarstva i vodoprivrede
  - Uprava za bezbjednost hrane, veterinu i fitosanitarne poslove
  - Ministarstvo finansija
  - Ministarstvo evropskih poslova
  - Ministarstvo ekonomskog razvoja
  - Ministarstvo ljudskih i manjinskih prava
  - Ministarstvo prostornog planiranja, urbanizma i državne imovine
  - Ministarstvo turizma
  - Ministarstvo energetike
  - Ministarstvo ljudskih i manjinskih prava
  - Agencija za zaštitu životne sredine
  - Uprava za statistiku Crne Gore

- Privredna komora Crne Gore
  - Zanatska komora Crne Gore
  - Fakultet za tehnologiju hrane, bezbjednost hrane i ekologije/ Univerzitet Donja Gorica
  - Biotehnički fakultet/ Univerzitet Crne Gore
  - Fakultet za turizam i hotelijerstvo - Univerzitet Crne Gore
  - Udruženje „Zdravo zrno“
  - Zajednica opština Crne Gore
  - Savez pčelarskih organizacija Crne Gore
  - Nacionalno udruženje vinogradara i vinara Crne Gore
  - Udruženje maslinara i proizvođača maslinovog ulja Bar
  - Centar za razvoj Agrara, Bijelo Polje
  - Kontrolno i sertifikaciono tijelo „Monteorganica“ doo
  - Mreža za ruralni razvoj Crne Gore
  - Unija stočara sjevera Crne Gore
  - Regionalna razvojna agencija za Bjelasicu, Komove i Prokletije
  - Udruženja seoskih domaćinstava “Turizam na selu”
  - Poljoprivredni klaster Crne Gore
  - Udruženje „Marikultura“ Udruženje proizvođača pastrmke Crne Gore Savez udruženja privatnih vlasnika šuma
5. Članovi i njihovi zamjenici mogu biti zamijenjeni:
- a) na njihov zahtjev;
  - b) u slučaju sistematskih kršenja njihovih obaveza;
  - c) u slučaju izrečene kazne za namjerno krivično djelo opšteg karaktera;
  - d) u slučaju neispunjavanja svojih obaveza u periodu dužem od jedne godine;
  - e) u slučaju smrti ili ukoliko su pod krivičnom odgovornošću.
6. Prisustvo predsjedavajućeg ili njenog/njegovog zamjenika je obavezno za rad IPARD III odbora.
7. Svi članovi IPARD III odbora (u slučaju odsustva njihovi zamjenici), uključujući predsjedavajućeg, imaju jedan glas.
8. Predstavnici sledećih institucija imaju status posmatrača:
- Investiciono-razvojni fond
  - Delegacija Evropske unije u Crnoj Gori
  - Revizorsko tijelo
  - Evropska komisija/Generalni direktorat za poljoprivredu i ruralni razvoj.

#### **Član 4**

1. Predstavnici IPARD Upravljačkog tijela, IPARD agencija, NAO i NIPAC učestvovalaće u radu IPARD III odbora kao članovi bez prava glasa.
2. Komisija će učestvovati u radu IPARD III odbora, u savjetodavnom svojstvu i bez prava glasa. Predstavnik Komisije može dati usmeni komentar na pitanja koja su pokrenuta tokom rasprave o pitanjima na dnevnom redu. Međutim, zvaničnim se smatraju samo oni izraženi u pisanom obliku.

3. Radni jezik IPARD III odbora je engleski. Simultani prevod na nacionalni jezik biće obezbjeđen, kao i prevod dokumenata kada za to bude bilo potrebe.

### **Sekretarijat IPARD III odbora**

#### **Član 5**

1. Upravljačko tijelo će pomagati u radu IPARD III odbora i istovremeno ima funkciju stalnog sekretarijata IPARD III odbora.
2. Sekretarijat obavlja sve poslove neophodne za pravilno vođenje rada IPARD III odbora, a posebno:
  - a) prikuplja/razrađuje, prevodi i distribuira elektronski/ili u papirnoj verziji dokumenta i materijale (izvještaje, analize i prijedloge) potrebne za rad IPARD III odbora, koje šalje svim članovima IPARD III odbora;
  - b) organizuje i obavlja pripremu sastanaka IPARD III odbora i pomaže u njegovim aktivnostima;
  - c) pravi nacрте zapisnika sa sjednica IPARD III odbora;
  - d) odgovoran je za čuvanje dokumentacije sa rada sastanaka IPARD III odbora, uključujući izvave i odluke koje su usvojene na sastancima;
  - e) izvršava odluke IPARD III odbora i obezbjeđuje potrebnu razmjenu informacija između zainteresovanih strana;
  - f) obezbjeđuje dovoljno javnosti radu IPARD III odbora;
  - g) obezbjeđuje sve potrebne tehničke i logističke aranžmane, uključujući prevođenje i tumačenje, gdje je to i potrebno, kako bi se omogućilo efektivno učešće u diskusijama na sastancima.
3. Sva korespondencija o aktivnostima IPARD III odbora treba da bude upućena Sekretarijatu IPARD III odbora.

#### **Član 6**

Predsjedavajući po svom nahođenju ili na zahtjev članova IPARD III odbora, može, ukoliko je potrebno pozvati predstavnike drugih tijela državne uprave, kao i druge domaće ili strane eksperte da uzmu učešće u postupcima.

### **Odgovornosti i zadaci IPARD III odbora**

#### **Član 7**

IPARD III odbor će obavljati zadatke i odgovornosti propisane članom 54. SA i članom 53 (4) FFPA uključujući sljedeće:

- a) Treba da se uvjeri u djelotvornost i kvalitet implementacije Programa u cilju postizanja specifičnih ciljeva.
- b) Podnosi izveštaj IPA monitoring odboru. Ovom odboru posebno obezbjeđuje informacije koje se odnose na:
  - i. napredak postignut u sprovođenju Programa, mjera ili operacija; ovo obuhvata postignute rezultate, indikatore finansijske realizacije, operativne zaključke, neke preporuke i druge faktore i utvrđuje se sa ciljem da se poboljša sprovođenje Programa;

- ii. sve aspekte funkcionisanja sistema, upravljanja i kontrole koje je pokrenulo Revizorsko tijelo, NAO ili NIPAC.
- c) Razmatra rezultate Programa, posebno ostvarenje ciljeva za različite mjere i napredak o korišćenju finansijskih sredstava, za te mjere u Programu, predstavljenih u vidu ažuriranih monitoring tabela. U tom smislu, Upravljačko tijelo će osigurati da sve relevantne informacije o napretku mjera budu dostupne Komisiji i NIPAC-u.
- d) Periodično razmatra napredak u postizanju ciljeva, ostvarivanju planiranih outputa i rezultata postavljenih Programom i raspravlja o svim problematičnim pitanjima i aktivnostima. Za ovu svrhu, neophodno je da mu budu obezbijeđene informacije o sledećem:
  - i. informacije o svim sektorima u kojima su se javljale poteškoće,
  - ii. informacije o rezultatima sprovedenih kontrola.
- e) Razmatra i odobrava, gdje je to i odgovarajuće svaki predlog, pripremljen od strane IPARD Upravljačkog tijela Komisiji za izmjenu Programa.
- f) Može, nakon konsultacija sa Upravljačkim tijelom i IPARD agencijom, predložiti Upravljačkom tijelu da podnese Komisiji, uz primjerak za NIPAK i NAO, izmjene i dopune ili komentare na IPARD III program, kako bi se obezbijedilo postizanje ciljeva Programa i poboljšala efikasnost pružene podrške.
- g) IPARD III odbor razmatra i odobrava godišnje i završne izvještaje o implementaciji prije njihovog slanja NIPAK-u za podnošenje Komisiji, uz primjerak za NAO i Revizorsko tijelo.
- h) Razmatra i odobrava godišnji plan evaluacije Programa.
- i) IPARD III odbor će biti obaviješten o glavnim zaključcima godišnjeg izveštaja o reviziji i rezultatima kontrola preduzetih od strane IPARD Agencije, kao i praćenje ovih kontrola.
- j) IPARD III odbor razmatra i odobrava Plan vidljivosti i komunikacionih aktivnosti iz člana 32 SA, kao i sve dalje dopune Plana.
- k) IPARD III odbor konsultovaće se u vezi sa aktivnostima za tehničku pomoć. Svake godine razmatra i odobrava indikativni akcioni plan za sprovođenje aktivnosti tehničke pomoći, uključujući i indikativne iznose za svrhu informisanja.
- l) Kada je propisano Programam ili SA da je neophodno da da mišljenje o bilo kojem pitanju, IPARD III odbor treba tako i da postupi.
- m) Sve konačne verzije dokumenata o sastancima IPARD III odbora biće dostupne javnosti.

## **Rad IPARD III odbora**

### **Član 8**

1. Sastanke IPARD III odbora saziva Predsjedavajući. Oni se održavaju na lokaciji koju predloži Predsjedavajući. IPARD III odbor se sastaje najmanje 2 puta godišnje.
2. Predsjedavajući može, po sopstvenoj inicijativi ili na inicijativu 1/3 članova ili na inicijativu Komisije, sazivati *ad hoc* sastanke.

### **Član 9**

1. Predsjedavajući treba da odredi datum za svaki sastanak i predloži Agendu.
2. Sekretarijat šalje pozivnice zajedno sa predloženom Agendom uključujući prapratna dokumenta elektronski ili u štampanoj verziji, najkasnije 10 radnih dana prije sastanka članovima IPARD III odbora. Sva dokumenta koja se šalju Komisiji moraju biti na engleskom jeziku.
3. Odluke o tačkama Agende uključene manje od 10 dana prije održavanja sastanka mogu biti uzete u obzir jedino ukoliko postoji konsensus u okviru IPARD III odbora.
4. Ukoliko dokumenta nijesu poslata na vrijeme, članovi IPARD III odbora mogu zahtijevati odlaganje donošenja odluke na narednoj sjednici, ili da onda bude podnijeta u pisanoj proceduri.
5. Agenda treba da napravi razliku između predloženih pitanja, na koja IPARD III odbor treba da da mišljenje/saglasnost i drugih pitanja koja se IPARD III odboru dostavljaju radi informisanja ili jednostavno razmijene mišljenja.
6. Ukoliko neko od članova želi da doda nešto u Agendu, on/ona treba da podnese zahtjev, u pisanoj formi. Takav zahtjev sa pratećom dokumentacijom treba dostaviti najmanje pet dana prije održavanja sastanka.
7. Agenda treba da bude usvojena na početku sastanka.
8. Ukoliko većina članova IPARD III odbora odluči, može odložiti donošenje odluke za neku od tačaka dnevnog reda za sledeći sastanak, ili da IPARD III odboru bude podnijeta u pisanoj proceduri.

#### **Član 10**

1. Članovi bi trebalo da analiziraju dokumenta prije sastanka IPARD III odbora u pogledu razvijanja njihovog stava. U ovom radu, članovi mogu koristiti tehničke stručnjake i konsultovati dokumenta unutar ili izvan svoje organizacije, po potrebi.
2. Sve odluke i druga dokumenta usvojena od strane IPARD III odbora treba da budu pripremljena od strane Sekretarijata, kao i potpisana i podnijeta od strane Predsjedavajućeg.
3. Sve odluke, prezentacije i finalni zapisnik IPARD III odbora biće dostupni za javnost, npr. na sajtu/portalu IPARD Upravljačkog tijela.

#### **Učešće na sastancima IPARD III odbora**

#### **Član 11**

1. Predsjedavajući predsjedava sastancima IPARD III odbora. U slučaju njegove/njene odsutnosti mijenja ga zamjenik.
2. Odlaganje sastanaka, plan rada za sledeći sastanak i druge detalje vezane za rad na sastanku treba da odredi Predsjedavajući.
3. Članovi IPARD III odbora na sastancima djeluju lično (sa pravom glasa). U slučaju njene/njegove odsutnosti izabrani zamjenici treba da prisustvuju sastancima. U svakom slučaju, primjenjuju se odredbe stava 3 Člana 3(3).
4. Sve promjene o članovima IPARD III odbora ili njihovim zamjenicima, u skladu sa prvim članom 3(1), treba da budu upućene Sekretarijatu IPARD III odbora najkasnije 10 radnih dana prije održavanja sastanka.

5. IPARD III odbor razmatra odsustvo članova i njihovih zamjenika i može predložiti mjere organima koji su ih i imenovali, uzimajući u obzir osnovne principe na kojima je IPARD III odbor uspostavljen.

## **Odlučivanje / Glasanje**

### **Član 12**

1. Odluke u okviru IPARD III odbora mogu biti donijete ako je najmanje 2/3 članova prisutno (uključujući Predsjedavajućeg i zamjenike).
2. Odluke IPARD III odbora treba da budu postignute konsensusom. Ukoliko se oko neke odluke ne može postići konsensus, ona će biti upućena na radnu grupu koja će se uspostaviti kako bi se to pitanje riješilo. IPARD III odbor treba da bude informisan o ishodu razmatranja, nakon čega će po drugi put pokušati da dostignu konsensus.
3. Kada IPARD III odbor ne može postignuti konsensus, treba pratiti proceduru glasanja. Odluka je donešena ukoliko  $\frac{3}{4}$  prisutnih članova (ili njihovih zamjenika) glasa u korist usvajanja odluke. Svaki član IPARD III odbora koji izražava oprečno mišljenje o nekom pitanju, ima mogućnost da njegovo mišljenje bude u Zapisniku sa sastanka.

### **Član 13**

1. U slučaju hitnih pitanja, ili pitanja koja ne opravdavaju sazivanje IPARD III odbora, Predsjedavajući može podnijeti predlog članovima IPARD III odbora za odobrenje pismene procedure. Predsjedavajući podnosi nacrt odluke svim članovima IPARD III odbora, uz eksplanatorni memorandum. Članovi IPARD III odbora mogu izraziti mišljenje o tom nacrtu odluke u okviru 10 radnih dana od dana prijema istog.
2. Prijedlog je usvojen u skladu sa odredbama člana 12. Kada se pismena procedura završi Predsjedavajući treba da obavijesti sve članove IPARD III odbora o rezultatu, uključujući komentare članova IPARD III odbora.
3. Svako odbijanje da daju saglasnost mora biti obrazloženo. Odbijeni prijedlog u pismenoj proceduri mora biti raspravljen na sledećem sastanku.

## **Pomoćna tijela**

### **Član 14**

1. Predsjedavajući uspostavlja radne grupe kako bi se riješila neka specifična pitanja.
2. Ove radne grupe mogu činiti kako članovi IPARD III odbora, tako i eksperti za pojedine oblasti izabrani od strane IPARD III odbora.
3. Na osnovu rezultata sopstvenog rada, radne grupe podnose prijedloge i preporuke IPARD III odboru.

## **Evidencija sastanaka**

### **Član 15**

1. Zapisnik se sačinjava nakon svakog sastanka IPARD III odbora.
2. Zapisnik priprema Sekretarijat ili osoba koju Predsjedavajući odredi.
3. Zapisnik sadrži Agendu sastanka, listu učesnika, rezime sa svim intervencijama, rezultate glasanja, odluke koje su usvojene i napravljene preporuke od strane IPARD III odbora.
4. Zapisnik sa sastanka šalje se svim članovima IPARD III odbora na komentare u okviru od 15 radnih dana nakon sastanka. Članovi IPARD III odbora u roku od 10 radnih dana od dana prijema dokumenata treba da pošalju svoje komentare, zapažanja, razmatranja.
5. Nacrt zapisnika, uključujući komentare članova IPARD III odbora, podnosi se Komisiji na komentare najkasnije 5 radnih dana nakon isteka roka komentarisanja za članove IPARD III odbora.
6. Jedan primjerak Zapisnika čuva se 7 godina u arhivi Upravljačkog tijela. Finalni nacrt Zapisnika potpisuje Predsjedavajući i šalje se svim članovima IPARD III odbora ne kasnije od 45 radnih dana nakon održavanja sastanka.
7. O zapisniku se raspravlja, odlučuje i usvaja na početku sledećeg sastanka.

## **Praćenje odluka IPARD III odbora**

### **Član 16**

1. Predsjedavajući prati sprovođenje odluka IPARD III odbora i preuzima odgovarajuće mjere, kad god je to potrebno, kako bi se osiguralo njihovo sprovođenje između sastanaka Odbora.
2. Predsjedavajući može tražiti izvještaje o ispunjavanju odluka IPARD III odbora od odgovarajućih institucija. Predsjedavajući na sledećem sastanku IPARD III odbora predstavlja kratki izvještaj o aktivnostima za praćenje odluka.
3. Izvještaji treba da budu pripremljeni u skladu sa planom rada i vremenskim planom odobrenim od strane IPARD III odbora.

## **Kodeks ponašanja**

### **Član 17**

1. Svaki član IPARD III odbora i njihovi predstavnici treba da potpiše izjavu o nepristrasnosti i kodeksu ponašanja.
2. Kodeks ponašanja obuhvata sledeće principe:
  - članovi IPARD III odbora ne mogu se angažovati za pružanje usluga savjetovanja pravnih ili fizičkih lica, niti da zavise od osoba koje mogu uticati na njihovu nepristrasnost/objektivnost u izvršavanju dužnosti kao članova IPARD III odbora, i ne smiju koristiti svoje članstvo kako bi zadobili privilegije ili dobiti za sebe ili druge;
  - članovi IPARD III odbora ne smiju koristiti svoje članstvo kako bi dobili, utičući kroz odluke na zakonodavstvo, benefite za sebe ili druge.
3. Ukoliko član IPARD III odbora krši principe nepristrasnosti, Predsjedavajući kroz Sekretarijat šalje pismeno upozorenje ovom članu. U slučaju da se kršenje nastavi, Sekretarijat šalje pismeni zahtjev Predsjedavajućem određene institucije da imenuju drugu osobu kao člana IPARD III odbora u okviru 20 radnih dana.



## Član 18

Ovaj Poslovnik stupa na snagu danom usvajanja od strane IPARD III odbora.

**Predsjedavajući:**

**Andrija Delić**



*Andrija Delić*

## ANEKS

### Ministarska odluka o imenovanju komisije

#### 1. Članovi komisije (poimenično)

#### 2. Promjena članova

U slučaju promjene članova ili promjene radnog odnosa članova komisije u organizaciji koja je imenovala člana komisije, dotični član je dužan da o tome obavijesti ministra poljoprivrede, šumarstva i vodoprivrede i IPARD III odbor.

Nakon informacija o promjeni člana ili njegovom/njenom zaposlenju, preduzimaju se koraci za oslobađanje tog člana i imenovanje novog člana.

Oslobađanje člana i imenovanje novog člana IPARD III odbora vrši ministar poljoprivrede, šumarstva i vodoprivrede uz prethodnu najavu predsjedavajućeg da je došlo do promjene članova ili njihovog radnog odnosa.

#### 3. Sukob interesa

Članovi IPARD III odbora zastupaju interese programa prije svojih ličnih interesa. Ako član komisije ima lični interes u okviru predmeta rasprave, o tome obavještava predsjednika i druge članove IPARD III odbora. U tom slučaju predsjedavajući daje instrukciju da se u zapisniku sa tog sastanka upiše da određeni član ima lični interes u vezi sa predmetom rasprave, te da samim tim taj član ne može učestvovati u glasanju o toj temi.

#### 4. Odluka o uspostavljanju IPARD III odbora

Odluku o uspostavljanju IPARD III odbora, uključujući imenovanje predsjednika, zamjenika i članova, donio je ministar poljoprivrede, šumarstva i vodoprivrede pod brojem 05-308/23-335/3 od 13. aprila 2023. godine, i nalazi se u prilogu ovog priloga.

## **Prilog : Izjava o nepristrasnosti i kodeks ponašanja**

Ja, dolje potpisani/a, izjavljujem da sam upoznat/a sa Programom za razvoj poljoprivrede i ruralnih područja Crne Gore u okviru IPARD III 2021-2027 (IPARD III programa) i da ću doprinijeti njegovom boljem sprovođenju.

Sve odluke koje napravim biće objektivne i zasnovane na pravilima Programa.

Aktivno ću učestvovati u radu IPARD III odbora i zastupaću interese institucije koju predstavljam.

Svoje interese neću stavljati ispred interesa ustanove koju predstavljam, niti ispred interesa Programa.

Neću otkrivati povjerljive informacije.

Potpisivanjem ove izjave, potvrđujem da ću sve obaveze izvršavati u skladu sa Poslovnikom o radu IPARD III odbora za nadgledanje u Crnoj Gori (IPARD III odbor).

<b>Naziv institucije</b>	
<b>Ime:</b>	
<b>Prezime:</b>	
<b>Datum:</b>	
<b>Potpis:</b>	





**Government of Montenegro**  
**Ministry of Agriculture, Forestry and Water Management**  
**No. 05-308/23-335/23**  
**Podgorica**

On the basis of the Decision of establishment of the IPARD II monitoring committee of Montenegro from 19 of December 2024 (No. 05-308/23-335/22), IPARD III monitoring committee on its forth session, held on 23<sup>th</sup> of January 2024 adopted the:

**RULES OF PROCEDURE**  
**OF THE MONITORING COMMITTEE FOR THE IPARD III PROGRAMME OF MONTENEGRO**  
**(IPARD III monitoring committee)**

**General provisions**

**Article 1**

1. Commission implementing decision C (2022)4726 on 29<sup>th</sup> June 2022. was formally adopted the IPA III Rural Development programme (IPARD III) of Montenegro for the years 2021-2027.
2. Ministry of Agriculture, Forestry and Water Management established the IPARD III monitoring committee on 13<sup>rd</sup> of April 2023 on the basis of the Law on Ratification of the Framework Financial Agreement between Montenegro represented by the Government of Montenegro and the European Commission on the rules for the implementation of the Union's financial assistance to Montenegro under the Instrument for Pre-Accession Assistance (IPA III) ("Official Gazette of Montenegro-International Treaties", No. 6/2022) and the Law on Ratification of the Sectoral Agreement between the Government of Montenegro and the European Commission, which sets out rules for the management and implementation of the Union's financial assistance to Montenegro under the Instrument for Pre-accession support for the policy area „Agriculture and rural development“ (IPARD III) ("Official Gazette of Montenegro International Treaties", No. 1/2023) and Art. 15 and 29 of the Law on State Administration ("Official Gazette of Montenegro" No. 78/2018, 70/21 and 52/22).
3. Rules of Procedure of the IPARD III monitoring committee for monitoring the implementation of the Programme for the development of agriculture and rural areas in Montenegro under IPARD III 2021-2027 shall regulate the manner of work, rights and obligations of members, decision-making process and other issues relevant for the work of the Committee and may be changed by the IPARD III monitoring committee as need arises. Such changes shall be communicated in advance to the Commission.
4. For the purposes of Article 53(1) of the FFPA, the IPARD III monitoring committee shall examine the results of the IPARD III programme, in particular the achievement of the targets set for the different measures and the progress on utilisation of the financial allocations to those measures. In this regard, the IPARD Managing Authority shall ensure that all relevant information in relation to the progress of measures is made available to the IPARD III monitoring committee and the NIPAC.
5. According to Article 53(6) of the FFPA, the IPARD III monitoring committee shall adopt its rules of procedure, to be drawn up in consultation with the IPARD Managing Authority, the IPARD Agency, the NIPAC and the Commission. Those rules shall be adopted by the IPARD III monitoring committee at its first meeting and may be changed by the IPARD III monitoring committee as need arises. Such changes shall be communicated in advance to the Commission.
6. The IPARD III monitoring committee thus established shall be responsible for reporting, monitoring and evaluating the implementation of the IPARD III programme in accordance with the provisions of Section VI of the sectoral agreement (SA).

## Definitions

### Article 2

In these rules of procedure:

- a) The Ministry refers to the Ministry of Agriculture, Forestry and Water management of Montenegro,
- b) The Commission refers to the European Commission,
- c) The committee refers to the IPARD III monitoring committee,
- d) The chairperson refers to the chairperson of the IPARD III monitoring committee,
- e) The programme refers to the 'Programme for the development of Agriculture and Rural Areas in Montenegro under IPARD III 2021-2027 (IPARD III programme),
- f) The secretariat refers to the IPARD Managing Authority which has the function as the permanent committee's secretariat,
- g) NAO refers to the National Authorising Officer,
- h) NIPAC refers to National IPA Coordinator,
- i) Observer refers to experts from the economic sectors relevant for the implementation of the programme.

### Appointment and structure of the committee

#### Article 3

1. The committee has been set up and its members/alternates have been appointed by the Decision of the Ministry of Agriculture, Forestry and Water Management, dated 19 of December 2024 with reference No. 05-308/23-335/22.
2. The Decision on the appointment of the committee is attached in Annex.
3. The committee is composed of the representatives of the relevant national authorities and bodies and other stakeholders in accordance with Article 53(7) of the FFPA.
4. The following national and territorial (local) authorities and bodies, representatives of economic, social, environmental, civil society partners but also representatives of the academic institutes and rural development network participate in the work of the committee:
  - Ministry of Agriculture, Forestry and Water Management
  - Ministry of Finance
  - Ministry of European Affairs
  - Authority for food safety, veterinary and phytosanitary affairs
  - Ministry of Economic Development
  - Ministry of Tourism
  - Ministry of Energy
  - Ministry of Spatial Planning, Urbanism and State Property Ministry of Human and Minority Rights
  - Environmental Protection Agency
  - Ministry for Human and Minority Rights
  - Statistical Office of Montenegro
  - Chamber of Commerce of Montenegro
  - Chamber of Crafts of Montenegro
  - Faculty for food technology, food safety and ecology/University of Donja Gorica
  - Biotechnical faculty/University of Montenegro
  - Faculty of Tourism and Hospitality / University of Montenegro
  - NGO "Healthy grain"
  - Union of Municipalities of Montenegro
  - National Association of Beekeepers

- National Association of viticulturist and wine producers of Montenegro
  - Association of olive and olive oil producers Bar
  - Centre for Agro development, Bijelo Polje
  - Control and certification body "Monteorganica"
  - Montenegro Business Alliance
  - Rural Development Network
  - Union of livestock breeders of Northern part of Montenegro
  - Regional Development Agency for Bjelasica, Komovi and Prokletije
  - Rural tourism association "Tourism in villages"
  - Agricultural cluster of Montenegro
  - Association – "Mariculture"
  - Association of Trout Farmers of Montenegro
  - Associations of Private Forest Owners
5. The members and their alternates shall be replaced with a decision of the authority, in charge of setting up the committee and designating its members, in the following cases:
- a. on their own request.
  - b. in the event of systematic violations of their obligations.
  - c. in the event of passed sentence for deliberate crime of general character.
  - d. in the event of not meeting their obligations for a period longer than one year.
  - e. in the event of death or setting under judicial disability.
6. The presence of the chairperson or her/his deputy is obligatory for the proceeding of the committee.
7. All members of the committee (in case of their absence their alternates) including the chairperson, have each one vote.
8. The following entities have observer status:
- Investment Development Fund
  - EU delegation to Montenegro
  - Audit Authority
  - European Commission/DG AGRI

#### **Article 4**

1. Representatives of the IPARD Managing Authority, the IPARD Agency, the NAO and the NIPAC shall participate in the work of the committee as members without voting right.
2. The Commission shall participate in the work of the committee, in an advisory capacity, and without voting rights. The Commission representative may give an oral comment on points raised during the discussion of issues on the agenda. However, official positions on the part of the Commission are only those expressed in writing.
3. The working language of the committee is English. Simultaneous interpretation to and from the national language and translation of documents shall be provided when necessary.

## **Secretariat of the committee**

### **Article 5**

1. The committee shall be assisted in its work by the IPARD Managing Authority, which, at the same time, has the function of a permanent committee's secretariat.
2. The secretariat shall perform all duties necessary for the proper conduct of the work of the committee and, in particular, it shall:
  - a) collect and/or elaborate, translate and distribute electronically/or in paper version, to all members of the committee, the documents and materials (reports, analyses, proposals) needed for the work of the committee,
  - b) organise and carry out the preparation of the committee meetings and assist its activities,
  - c) draft the minutes of the sessions of the committee,
  - d) be responsible for book-keeping and documentation of the committee's work, including all the statements and decisions taken at the sessions,
  - e) execute the decisions of the committee and ensure the necessary exchange of information between the concerned parties,
  - f) ensure sufficient publicity of the work of the committee,
  - g) provide for all technical and logistical arrangements, including translation and interpretation, where necessary, to permit the effective participation of the committee's members in discussions and resolutions.
3. All correspondence concerning the activities of the committee shall be addressed to the secretariat of the committee.

### **Article 6**

The chairperson in his own capacity or on the request of a member of the committee, may, if necessary, invite the representatives of other state administration bodies or other domestic as well as foreign experts to take part in the proceedings.

## **Responsibilities and tasks of the committee**

### **Article 7**

The committee shall carry out the tasks and responsibilities laid down in Article 53(4) of the FFPA and Article 54 of the SA, including the following:

- a. to review and ensure the effectiveness and quality of implementation of the programme in order to attain specific objectives of the programme.
- b. to report to the IPA monitoring committee, in particular, the information relating to:
  - i. the progress made in implementing the programme, by measures or operations; this shall include the results achieved, financial implementation indicators, operational conclusions, any



recommendations and other factors and shall be established with a view to improving the implementation of the programme;

- ii. any aspects of the functioning of the management and control system, raised by the Audit Authority, the NAO or the NIPAC.
- c. to examine the results of the programme, in particular the achievement of the targets set for the different measures and the progress on utilisation of the financial allocations to those measures in the programme presented in the form of up-to-date monitoring tables. In this regard, the IPARD Managing Authority shall ensure that all relevant information on the progress of measures is made available to the committee and the NIPAC.
- d. to review periodically progress made towards the objectives, achieving the planned output and results set out in the programme and discuss any problematic issues and actions. For this purpose, it shall, in particular, provide the following:
  - i. information on any sectors or measures where difficulties are experienced,
  - ii. information on the results of checks carried out.
- e. to consider and approve, where appropriate, any proposal, drawn up by the IPARD Managing Authority, to the Commission to amend the programme.
- f. It may, following consultation with the IPARD Managing Authority and the IPARD Agency, propose to the IPARD Managing Authority for submission to the Commission, with copy to the NIPAC and the NAO, amendments or reviews of the programme to ensure the achievements of the programme's objectives and enhance the efficiency of the assistance provided.
- g. to consider and approve the annual and final implementation reports before they are sent to the NIPAC for submission to the Commission, with copies to the NAO and the Audit Authority.
- h. to examine the evaluations of the programme and approve annual evaluation plans.
- i. to be informed on the main findings and conclusions of annual audit reports and results of the controls undertaken by the IPARD Agency as well as on the remedial follow-up actions of these controls.
- j. to consider and approve the plan of visibility and communication activities referred in Article 32 of the SA as well as any subsequent updates of the plan.
- k. to be consulted on the technical assistance activities under IPARD III programme. It shall consider and approve each year an indicative annual action plan for the implementation of technical assistance activities, including indicative amounts for information purposes.
- l. When required by the programme or by the SA, to give an opinion on any matter, it shall act accordingly.
- m. All final documents of the committee shall be made public.

#### **Work of the Committee**

#### **Article 8**

1. Meetings of the committee shall be convened by the chairperson and held at a location proposed by the chairperson. The committee shall meet at least twice per 12 months.
2. The chairperson can, at his own initiative or at the initiative of 1/3 of members or at the initiative of the Commission, convene ad hoc meetings.

#### **Article 9**

1. The chairperson shall determine a date for each meeting and propose the agenda.
2. The secretariat shall send the invitations together with the proposed agenda including any supporting documents electronically/or in paper version at least 10 working days prior to the meeting to the members of the committee. All documentation addressed to the Commission shall be sent in English.
3. Decisions on points included in the agenda less than 10 days prior to the convened meeting can only be taken if there is consensus within the committee.
4. If the documents have not been sent in time, the members can request the decision on the topic concerned to be postponed for a decision at the following meeting, or to be submitted in written procedure.
5. The agenda shall make a distinction between proposed issues about which the committee is asked to give an opinion and other issues put to the committee for information or a simple exchange of views.
6. If a member should wish to add something to the agenda, he/she shall submit, in written form, such a request with the accompanying documentation at least 5 working days prior to the convened meeting.
7. The agenda shall be adopted at the beginning of the meeting.
8. The majority of the members of the committee can decide to postpone a decision on a topic of the agenda to the next meeting or to be submitted to the committee in written procedure.

#### **Article 10**

1. Members of the committee should analyse the documents prior to the committee meeting in view of developing their position. In this work, members may use technical experts and consult the documents within or outside their organisations as appropriate.
2. All decisions and other documents adopted by the committee shall be prepared by the committee's secretariat, while they are signed and submitted by the chairperson.
3. All decisions, presentations and final minutes of the committee shall be made available to the public, e.g. on the website of the IPARD Managing Authority.

### **Participation in the meetings of the Committee**

#### **Article 11**

1. The chairperson chairs the committee meetings. In case of his absence this role is assumed by his deputy.
2. Adjournment of the meeting, the working plan for a next meeting and other details related to the work at the meetings of the committee shall be determined by the chairperson.
3. The member of the committee shall participate personally in its sessions (voting member). In case of her/his absence the designated alternate shall participate. However, the provisions of paragraph 3 of Article 3(3) shall apply.
4. All changes of the members and their alternates as decided in accordance with Article 3(1) shall be reported to the secretariat of the committee at least 10 working days prior to the meeting.
5. The committee shall examine the absence of members or their alternates and shall propose measures to the bodies, which have nominated them, taking into account the basic principles of the establishment of the committee.

### **Decision making/voting**

#### **Article 12**

1. The decisions within the committee can be taken if at least 2/3 of all committee members (including chairperson or alternates) are present.
2. The committee decisions shall be reached by consensus. In the event of the committee being unable to arrive at consensus in respect of any matter, the issue will be referred to a working group set up to resolve the issue. The committee will be informed of the outcome of the deliberations and try to reach consensus for the second time.
3. Where the committee still cannot reach consensus, a voting procedure shall follow. The decision is approved if  $\frac{3}{4}$  of the members (or their alternates) present at the meeting are in favour of the proposal concerned. Every member of the committee, who is still expressing a dissenting voice on the issue, shall have the opportunity of his opinion being reported in the minutes of the meeting.

#### **Article 13**

1. In case of urgent matters, which do not justify a meeting of the committee, the chairperson can submit a proposal to the members of the committee for approval by written procedure. The chairperson shall submit to the committee members a draft decision duly accompanied by an explanatory memorandum. The committee members may express an opinion on that draft decision within 10 working days of the date of transmission of those documents.
2. The proposal shall be adopted in line with the provisions from Article 12. Once the written procedure is completed, the chairperson shall inform the committee members about the results, including comments from the committee members.
3. Any refusal to give agreement must be substantiated. A proposal refused in the framework of a written procedure as well as its substantiation shall be discussed during the next meeting.

### **Subsidiary bodies**

#### **Article 14**

1. The chairperson may set up working groups to solve specific issues.
2. These working groups shall consist of the committee members as well as other experts as appropriate and designated by the committee.
3. On the basis of the results of their work, the working groups shall submit proposals and recommendations to the committee.

### **Records of the sessions**

#### **Article 15**

1. Minutes shall be written of each meeting of the committee.
2. The minutes shall be taken and prepared by the secretariat or by a person designated by the chairperson.
3. The minutes shall contain the agenda of the meeting, the list of participants, a summary of the session with all interventions made, the result of the voting, the decisions that have been adopted and the recommendations made by the committee.
4. The draft minutes of each meeting shall be circulated for comment to all members of the committee within 15 working days after the meeting. Committee members shall submit their observations, remarks and recommendations to the secretariat within 10 working days after the date of the draft minutes' reception.
5. The draft minutes including the comments of the committee members shall be submitted to the Commission for comments at the latest 5 working days after end of the commenting deadline for committee members.
6. One copy of the minutes shall permanently be kept at the archives of the IPARD Managing Authority. The final draft minutes shall be signed by the chairperson and be sent to the members not later than 45 working days after the meeting.
7. The minutes shall be discussed, decided upon and adopted at the beginning of the following meeting.

### **Follow up of the Committee decisions**

#### **Article 16**

1. The chairperson shall monitor the implementation of the decisions of the committee and shall take the relevant measures, whenever necessary, to ensure their implementation between the meetings of the committee.
2. The chairperson may require reports on the fulfilment of the committee's decision from respective institutions. The chairperson shall present a short report on follow-up activities to the next meeting of the committee.
3. The reports of the committee shall be prepared in accordance with the work plan and timetable approved by the committee.

## Code of conduct

### Article 17

1. Every member of the committee and their representatives shall sign a declaration of impartiality and code of conduct.
2. The code of conduct includes the following principles:
  - the members of the committee may not engage in providing advice to legal or natural persons, nor be dependent on persons that could affect his/her impartiality in exercising his/her functions as a member of the committee, and must not use their membership to benefit or privilege for himself/herself or for another person;
  - the members of the committee must not use their membership to acquire, by the influencing decisions of the legislative, executive benefits for himself/herself or for others.
3. If a member of the committee violates the impartiality principles, the chairperson, through the secretariat shall issue a written warning to this member. In case that the violation continues, the secretariat shall send a written request to the Head of the respective institution to nominate another person as committee member within 20 working days.

### Article 18

These rules of procedure shall enter into force on the day of adoption by the committee.

Chairperson:

Andrija Delić



ANDRIJA Delić

## **ANNEX**

### **Ministerial Decision on the appointment of the committee**

#### **1. Members of the committee (by name)**

#### **2. Change of members**

In case of change of members or a change of the employment of members of the committee within the organisation which appointed a member to the committee, the member concerned is obliged to inform the Minister of Agriculture, Forestry and Water Management and the committee accordingly.

Following the information concerning the change of a member or his/her employment, steps to acquit such a member and to appoint a new member shall be taken.

The acquittal of a member and the appointment of a new member of the committee shall be done by the Minister of Agriculture, Forestry and Water Management with a prior notice from the chairperson that a change among members or their employment has occurred.

#### **3. Conflict of interest**

Members of the committee shall represent the interests of the programme before their personal interests. If a committee's member has any personal interest within the subject of discussion, he/she shall inform the chairperson and other members of the committee. In this case the chairperson shall give the instruction that the minutes of that meeting shall record that a particular member has a personal interest with regard to the subject of discussion, and that consequently, that particular member cannot participate in the vote on the topic concerned.

#### **4. Decision on the establishment of the committee**

The decision on the establishment of the committee for the programme, including the designation of the chairperson, deputy and the members, taken by Minister of Agriculture, Forestry and Water Management under n° 05-308/23-335/3 and dated 13<sup>rd</sup> of April 2023., is enclosed to this Annex.

**Annex: Statement of impartiality and code of conduct**

I, the undersigned, hereby declare that I am familiar with the 'Programme for the development of Agriculture and Rural Areas of Montenegro under IPARD III 2021-2027' (IPARD III programme) and that I will contribute towards its better implementation.

All decisions that I made will be objective and based on the rules of the programme.

I will participate actively in the committee and I will represent the interests of the institution whom I represent.

I will not seek to further own interests before the interests of institution whom I represent, nor before the interests of the programme.

I will not disclose information designated as confidential.

By signing this statement, I confirm that I will execute all obligations in accordance with Rules of Procedures of the monitoring committee for the IPARD III programme of Montenegro (IPARD III monitoring committee).

<b>Institution:</b>	
<b>Name:</b>	
<b>Surname:</b>	
<b>Date:</b>	
<b>Signature:</b>	

