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***Rules of procedure for the Strategy Board (SB)***

***created for drafting and implementing the***

***Integrated Territorial Strategy for the development of Romania-Bulgaria cross-border area***

**Approved by SB members on 03.06.2022**

**(Revision 1 – February 2023)**

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# **General Context**

* 1. The Strategy Board is set in line with the provisions of article 29 of Regulation (EU) 2021/1060.
  2. The Strategy Board (SB) has the overall responsibility for drafting, implementing, monitoring and evaluating the Integrated Territorial Strategy for the development of Romania-Bulgaria cross-border area (ITS).
  3. The Strategy Board will receive support for the drafting process of the integrated territorial strategy for the development of Romania-Bulgaria cross-border area in the form of contracting external expertise,
  4. The Strategy Board will received support from the Interreg VI-A Romania-Bulgaria Programme, under Priority 4 (Policy Objective *5- A Europe closer to citizens)* for implementing, monitoring and evaluatingof the integrated territorial strategy for the development of Romania-Bulgaria cross-border area. As such, project(s) for developing the administrative capacity of the SB, including for the implementation, monitoring and evaluation of ITS, can be included in the list of the projects of the ITS.
  5. The integrated territorial strategy for the development of Romania-Bulgaria cross-border area will be financed under Policy Objective 5 - A Europe closer to citizens, within Interreg VI-A Romania-Bulgaria Programme and by other funding instruments (if needed and available).

# **Tasks of the Strategy Board**

The Strategy Board shall have the following tasks, the list being non-exhaustive:

1. **Drafting the Integrated territorial strategy**

The Strategy Board will supervise the implementation of the external service contracts, as detailed in the documents signed between the Contracting Authority and the Consultant, by ensuring that the strategy complies with all mandatory requirements mentioned by article 29 of Regulation (EU) 2021/1060 and EuroVelo standards.

In the drafting process of the integrated territorial strategy, the SB members will make sure that all programmes (including the programmes financed by the EU), strategies, plans and strategic documents (local, regional, national) from both countries and EU level and all national relevant legislations in force with relevance and impact on the EuroVelo Route 6 are taken into consideration

The Strategy Board will collaborate closely with the Consultant, the Contracting Authority and the Interreg VI-A Romania-Bulgaria Programme structures and will offer guidance in all activities related to the elaboration of the strategy, planned and carried out by the Consultant

When drafting the strategy, the SB members will make sure that the integrated territorial strategy complies with the principles of transparency, equal treatment and non-discrimination, as well as with the partnership and multi-level governance principles set out by article 8 of Regulation (EU) 2021/1060 and Commission Delegated Regulation (EU) No 240/2014 on the European code of conduct on partnership in the framework of the European Structural and Investment Funds

The Strategy Board members will be involved in all stages of the development of the strategy, by taking part in working meetings organised in the context of the contract with the purpose to present the SB members the results of the activities carried out and to receive feedback and guidance from the SB members.

The SB members will be directly involved in the process of identifying and developing the list of potential projects to be financed within the ITS under the Interreg VI-A RO-BG Programme, as mentioned by article 29 of Regulation (EU) 2021/1060. The evaluation and selection methodology for the projects, the applicant’s guide, the template of the concept note/application form, the format of the list of projects and the final list of projects proposed by the Consultant will be checked and approved by the SB

The Strategy Board shall ensure the transparency, equal treatment principle and avoid any conflict of interest in the process of setting the criteria for evaluation and selection of projects and in the endorsement process of the list of operations to be financed under the strategy. All the SB members and other participants (guests, observers, etc.) will sign a declaration for confidentiality and impartiality and conflict of interest and to observe the Code of Conduct included in Annex 2. Also, Strategy Board shall ensure that the criteria and procedures for selecting operations comply with the provisions of Art. 22.2 of Regulation no 1059/2021 regarding the principles of non-discrimination, transparency and accessibility of persons with disabilities, gender equality, taking into account the Charter of Fundamental Rights of the European Union and the principle of sustainable development and of the Union policy on the environment in accordance with Article 11 and Article 191(1) of the TFEU.

All reports and documents (deliverables) elaborated by the Consultant within the contract will be consulted with the Strategy Board and will be subject for endorsement by the SB, before being approved by the Contracting Authority. At the request of the SB, the Consultant shall draft ad-hoc reports and will take part in the SB meetings to present the results of the activities and the status of the Integrated Territorial Strategy

**Submission of integrated territorial strategy for Monitoring Committee’s approval**

In maximum 18 months following the approval of Interreg VI-A Romania-Bulgaria Programme by European Commission, the Strategy Board shall submit the final Integrated Territorial Strategy (including the list of proposed operations and possible open calls, if necessary, in accordance with further decisions and methodologies) for Monitoring Committee of the Interreg VI-A Romania-Bulgaria Programme appraisal. The assessment criteria used in the appraisal process by the Monitoring Committee will be set in advance in accordance with the Art 22 from Regulation 1059/ and with the applicable legal requirements for PO 5 and the rules of the Programme.

The Monitoring Committee shall appraise the Strategy in order to determine whether it is in line with the Programme provisions (including Priority 4) for Policy Objective 5, if it complies with the applicable provisions of the European Regulations and the principles listed in the Guiding principles for elaboration of ITS. The list of proposed operations shall be appraised in order to determine whether the assessment criteria established beforehand by the Programme (in relation to the contribution to the Programme objective, relevance, cross-border dimensions etc.) are fulfilled. The appraisal criteria of the strategy, including the list of operations, from the Programme perspective, shall be approved by the Monitoring Committee and shall be communicated in advance to the Strategy Board.

It is the SB responsibility to identify and select the operations, as well as the type of calls (e.g. open, targeted restricted etc.) to be included in the Integrated Territorial Strategy. However, the MC shall take the decision regarding the funding the projects selected by the SB to be financed under the Interreg Romania-Bulgaria Programme. The decision of funding shall be taken, based on the individual evaluation of each project.

In case clarifications or revisions are needed, the Strategy Board shall reply within the deadline set by the Monitoring Committee

After the approval of the Integrated Territorial Strategy by the Monitoring Committee, the operations identified in the strategy and accepted by the Programme shall be submitted for financing by the lead applicants, in JeMS, according to the rules set by the Programme (applicant’s guide and Programme documents) for the eligibility and technical and financial evaluation. To this end, the Programme shall launch an invitation for the operations included in the ITS to be submitted under the Programme electronic system (JeMS).

The financing of the operations shall consider the financial allocations available for PO 5 and the contribution to the Programme target indicators set for Priority 4. The decision of financing shall be taken based on the results of the evaluation of the proposed operations, in the context of the Programme. The assessment shall be performed by designated evaluators, in line with the selection criteria set by the regulation and MC (eligibility and technical and financial quality).

The Monitoring Committee and the Strategy Board shall cooperate closely for the benefit of the cross-border area and of the Programme.

**C. Implementation and monitoring of the Integrated Territorial Strategy**

The Strategy Board shall monitor the implementation of the Strategy and shall assess the attainment of its objectives, based on a mechanism and the set of output and result indicators for monitoring the Strategy.

The Strategy Board shall be responsible for the implementation, monitoring and evaluation of the Integrated Territorial Strategy.

The SB members may develop joint projects for enhancing their administrative capacity and to receive support for the implementation and monitoring of the strategy. These projects are to be included in the list of operations included in the strategy in order to receive financial support from the Interreg VI-A Romania-Bulgaria Programme. To this end, the SB may delegate one or more members to develop and implement such projects, for the benefit of the entire SB.

In the implementation and monitoring process of the Strategy, the Strategy Board shall work closely with the Programme’s management bodies and should notify the latter immediately, if any risks are identified in the implementation of the strategy/operations financed under the Programme

The Managing Authority shall have the responsibility of contracting and together with the JS for monitoring the operations financed under Interreg VI-A Romania-Bulgaria Programme

# **Members of the Strategy Board**

1. The members of the SB are designated as representatives of the two Member States, according to Annex 1 to the present document. At any moment during the SB functioning there should be a parity between Romanian and Bulgarian members with voting rights. The list of the SB members may be modified by replacing of members that decided to withdraw from the SB, by including new members as representatives of relevant stakeholders identified during the consultation process of the ITS, or through the procedure mentioned at article 7(2)g.
2. The Strategy Board shall set up a permanent **secretariat of the Board,** which will perform tasks related to the organization of meetings, communication towards its members, submittal of agenda and other working documents, preparation of minutes and any other relevant administrative tasks.
3. SB may decide to delegate the above task of the permanent secretariat to the CBC ROC Călărași (with a leading role) and/or other possible SB members (voting or/and non-voting). In this case, a decision will be issued by the SB. Thus, CBC RO Călărași (with a dedicated unit, distinct of the Joint Secretariat and First level control Unit) may be included as member of the SB, without voting rights, with the purpose to ensure a SB permanent Secretariat and develop and implement (alone or in partnership with other SB voting or/and non-voting members) (a) project(s) for ensuring SB administrative capacity and SB support for the strategy implementation and monitoring.
4. Depending on the topic of the meetings organised by the SB, the Managing Authority, the National Authority, the Joint Secretariat and the European Commission shall be invited. If necessary, the SB members may decide to invite on a case by case basis any other relevant bodies jointly agreed to attend the meeting as guests.
5. The members of the SB have decision-making power in the SB, one vote per institution/body.
6. The members and guests shall seek consensus among themselves, shall avoid any conflicts of interest and shall act in favour of the border region. The decisions shall be taken in the public interest, the members and guests shall not act with the purpose of obtaining financial advantages or other benefits for themselves or for others.
7. The members of the Strategy Board will have the right to carry out coordination procedures and activities with the countries that have nominated them to participate in the Board in order to fully cover and comply with territorial priorities - in relation to the requirements to prevent unauthorized dissemination of information, request for coordination with the district administrations of the region.
8. SB members can be also members of the Monitoring Committee, by complying with all the rules regarding the conflict of interest.

# **Tasks of the permanent Secretariat**

1. The activity of the SB is assisted by a permanent Secretariat. Until the appointment of the Secretariat) this task shall be ensured by the Joint Secretariat (JS) of the Programme, with the support of the Managing Authority and National Authority.
2. The permanent Secretariat has the following tasks:
3. prepares the documents that will be provided to the representatives in the SB, the list of participants, as well as the provisional agenda of the meeting;
4. ensures the logistical preparation and the transmission of the invitations for participation to the SB meetings;
5. officially transmits to the SB members the relevant documents by email, with the confirmation of their receipt;
6. Provides to the representatives of the SB, at their request, all the necessary information in order to support the decision-making process in the SB;
7. Manages the written procedure, when the Chair and the Co-Chair decide on the application of this procedure;
8. Drafts the minutes of the SB meetings and ensures the transmission of the final drafts of the minutes to all participants, as well to those members and observers who were absent;
9. Receives, registers and ensures the activities related to the correspondence regarding the activity of the SB and informs accordingly the SB Chair and Co-Chair; in case its competences and attributions are surpassed, ensures the urgent transmission of correspondence to the Chair and Co-Chair of the SB;
10. Ensures the electronic and paper, if the case, archiving of all documents regarding the SB meetings;
11. Ensures a special registry with the evidence of all decisions of the SB and keeps a database with all SB members;
12. Ensures visibility (on the Programme website) of the SB decisions and the ITS itself
13. Supports the Chair and the Co-Chair of the SB in any other matter related to the activity of the SB

3. Any request for information regarding the activity of the SB is addressed to the permanent Secretariat, electronically.

**5. Correspondence**

1. Correspondence relating to the SB shall be submitted via the permanent Secretariat, to the attention of the chair/co-chair of the SB.
2. Correspondence to SB members shall be submitted to each of them by the permanent Secretariat, electronically.
3. It is the responsibility of each member to indicate to the Secretariat the electronic address for correspondence and to inform on each change that may appear.

**6. Meetings and decision–making process of the Strategy Board**

1. The SB shall meet at least once a year, in localities within the programme area. Exceptionally, the meetings may be organized outside the programme area, with the approval of the Chair and Co-Chair of the SB. The meetings can be organized, in duly justified cases, in an online/ hybrid format, with the prior agreement of the Chair and Co-chair and may be organised whenever necessary depending on the topic of discussions. The meetings will take place respecting, if possible, the principle of rotation between the two states as regards their location.
2. The SB meetings shall be chaired by a Chair and a Co-chair. The Chair and Co-chair shall be appointed among the members of the Strategy Board during the meeting of the SB following the approval of this Rules of procedure.
3. The decisions shall be taken by consensus by the Member State delegations. The SB decisions may be signed electronically by the Chair and Co-Chair. For situations where consensus cannot be reached, the decision shall be deemed adopted with the qualified majority of the voting members at the level of each Member State delegation present at the meeting support it and both the Chair and the Co-chair agree with it In case of absence, voting right might be delegated in writing. Each delegation shall have an equal number of votes.
4. The mandate of the Chair and Co-chair is of 12 months, starting with the date of the meeting when they were elected. The SB members may decide to extend the mandate of the Chair/co-chair, based on the national delegation decision. The Chair/Co-chair shall represent the two national delegations. The role of the Chair and Co-chair shall alternate annually, starting with the first meeting.
5. In the absence of the Chair or Co-chair, its attributions will be exerted by the deputy of the Chair or Co-chair, a substitute person delegated by the Chair or Co-chair.
6. In order to adopt decisions, the SB must meet the necessary quorum. A quorum is reached if at least half plus one of the voting members of each national delegation are attending the meeting.
7. The decisions of the SB are in force from the day they are approved by the SB, regardless of when they are signed by the Chair and Co-chair.
8. In case the quorum is not obtained, decisions cannot be adopted and may be subject for approval at the next meeting, or by written procedure.
9. The decisions for approving the Integrated Territorial Strategy and the list of potential projects cannot be approved in written procedure.
10. The working language of all meetings, documents and written communication is English. The documents will be presented to the SB members in English. During the SB meetings, the permanent Secretariat will ensure translation and interpretation in Romanian and Bulgarian language for the participants. As well, upon the request of the SB members, the permanent Secretariat will provide the translation of different documents in Romanian or/and Bulgarian language, if the case, in the limits of the available funds and only from Interreg VI-A Romania-Bulgaria budget allocated to PO 5. The English version of the documents shall prevail and shall be considered by the Programme structures.
11. The permanent Secretariat of the Strategy Board, on behalf of the Chair/Co-chair, shall send the agenda and the relevant documents via email at least 10 working days before the meeting. Members shall send their comments on the agenda and the relevant documents in the following 5 working days. The minutes of the meeting shall be drafted by the Secretariat of the Strategy Board and send to the members within a deadline of 7 working days. Members shall send their comments within the following 5 working days.
12. The work of the Strategy Board should be arranged according to principles of effectiveness and efficiency.
13. Strategy Board members may also exchange and agree on documents in written form and according to the same efficiency principles applied to the meetings.
14. Comments on proposed documents shall be done in writing via email in order to allow a smooth and fast communication process.
15. If a member/guest of the SB is not able to participate in the SB meeting, he/she informs the SB Secretariat at least 5 working days in advance of the meeting. The deputy or a substitute representing the member/observer can attend the meeting instead, having the same rights and duties as the member/observer him/herself.

# **7.** **Strategy Board Chairmanship**

1. The SB is headed jointly by a Chair and a Co-Chair.
2. The Chair and Co-Chair are heading the activity of the SB by exercising, the following responsibilities:
3. Represent the SB in relation with third parties, including the mass-media, or may delegate this task;
4. Approve the list of documents that will be submitted to all participants to the meeting, the list of the guests, as well as the provisional agenda of the meeting;
5. Convoke the meetings of the SB, at least once a year and whenever necessary;
6. Chair the meetings of the SB (declares the opening and closing of each meetings, gives the floor, announces the decisions, etc.);
7. Ensure the decision-making process, by trying to solve any divergence that may appear during the meetings;
8. Approve the publication on the webpage of the Interreg VI-A Romania-Bulgaria Programme or on the SB website, if available, of documents and of other information regarding the SB activity.
9. May propose changes of SB members in the national delegation that they represent. If such cases will appear, the process of amending Annex 1 of the present Rules of Procedures should begin with a written consultation (generally, by email) between Chair and Co-Chair that will commonly agree to start a written procedure and inform the Permanent Secretariat accordingly. In order to be valid, SB members modifications should be made with at least 30 calendar days before any SB decision is taken. If the deadline is not met, the already existing members (including the members intended to be replaced) will have voting rights for the respective SB decisions.
10. Any approval given by the Chair, outside the framework of SB meetings, according to his/her responsibilities mentioned above must be done only after written consultation (generally, by email) with the Co-Chair.
11. The relations with the media fall within the responsibilities of the Chair and Co-Chair. Any statement made by any other member of the SB shall not be considered as an official position of the SB, unless otherwise agreed.

# **Relationship with Interreg VI-A Romania-Bulgaria Programme structures (Managing Authority, National Authority, Monitoring Committee, Audit Authority and Joint Secretariat)**

1. The Managing Authority and National Authority of Interreg VI-A Romania-Bulgaria Programme shall support the works of the Strategy Board in an advisory capacity. Their role will be to support the Strategy Board in order to determine the scope of operations to be supported under the Programme and to provide feedback on the strategy developed regarding its compliance with the priorities and objectives of the Programme.
2. By signing the Declaration of Commitment, the members of SB express their full commitment to the drafting process of the strategy and its implementation as well as their ownership of the strategy.
3. If any modification related to the commitment of a member of the SB occurs, the SB shall inform the Managing Authority about the outcomes of this process and propose alternative solutions.
4. The Strategy Board, through the Permanent Secretariat, will send regular updates (every month/every 3 months) to the Managing Authority and the National Authority regarding the progress of the strategy.
5. The Strategy Board members will work closely with the Joint Secretariat.
6. The Strategy Board shall reply to any request for clarification/provide additional information/documents received from any of the Programme’s management structures (Managing Authority, National Authority, Monitoring Committee, Audit Authority, Joint Secretariat) or from other competent national or European authorities, investigating the proper use of Programme’s funds.
7. The Strategy Board members may be invited to the meetings of the Programme’s Monitoring Committee in order to provide information about the development and implementation process of the strategy.

# **Funding**

1. The process of drafting the Integrated Territorial Strategy for the development of Romania-Bulgaria cross-border area will be financed from Technical Assistance funds of Interreg V-A Romania-Bulgaria Programme (according to MC Decision no. 244/16.12.2021 Approving the usage of the technical assistance funds from Interreg V-A Romania-Bulgaria Programme for financing the preparation of PO 5.2 funded under Interreg VI-A Romania-Bulgaria Programme).
2. The costs regarding the SB permanent Secretariat tasks shall be supported by the Joint Secretariat of the Interreg V-A Romania-Bulgaria Programme and, if decided by the MC of the Interreg VI-A Romania-Bulgaria Programme, from the TA funds of these programmes until the approval of the ITS by the MC.
3. If, before the approval of the ITS by the MC, the SB decides to entrust the tasks of the Permanent Secretariat to a different entity, other than the Joint Secretariat, , the costs shall be supported by Interreg VI-A Romania-Bulgaria under Priority 4, under the conditions presented under Art.1.4 and 2.C.3, starting with the date of the SB decision.
4. Support to SB for the implementing, monitoring and evaluation of the integrated territorial strategy for the development of Romania-Bulgaria cross-border area can be financed under Priority 4 (Policy Objective 5- A Europe closer to citizens), within Interreg VI-A Romania-Bulgaria Programme, on the conditions presented under Art.1.4 and 2.C.3.
5. Any other funding sources identified by the Strategy Board members (private or public).

# **Final provisions**

1. The present Rules of procedure enter into force from their date of the approval by the SB.
2. These Rules of procedure may be amended whenever is deemed as necessary, at the initiative of one third of the SB members. Any modification/s are approved by SB decision.
3. Amendments to the Rules of Procedure can be requested by any member of the SB.
4. Any amendment shall be prior discussed with the Programme structures. Any amendment must be in compliance with the Programme provisions and the EU regulations.

# **Annex 1**

**Chairship**

**Chair**

**Co-chair**

**List of members (voting Right)**

**Romanian Delegation:**

1. Giurgiu County Council
2. Constanta County Council
3. Association for Sustainable Development Lower Danube
4. Regional Development Agency SV Oltenia
5. Danube Ecological Tourism Organization Association
6. Go4fun Association
7. Teleorman County Council
8. Calarasi County Council
9. Dolj County Council
10. Hai cu bicla
11. Federatia Biciclistilor din Romania
12. Ministry of Development, Public Works and Administration – Regional Development
13. Ministry of Development, Public Works and Administration – Romanian Recovery and Resilience National Plan (EuroVelo Route Centre)
14. Mare Nostrum NGO

**Bulgarian Delegation**

1. Regional administrations North West Region - Vidin District Administration
2. Representatives of the Local Authorities North West Region - Municipality of Mezdra
3. Representatives of the economic sector North West Region - BDIN BG COM Ltd.
4. Representatives of the NGOs in the North West Region - Agency for regional and economic development, Vratsa;
5. Regional administrations North Central Region - District Administration Ruse
6. Representatives of the Local Authorities North Central Region - Municipality of Pavlikeni
7. Representatives of the economic sector North Central Region - Ellea LTD, Ruse
8. Representatives of the NGOs in the North Central Region – Paralel-Silistra
9. Regional administrations Northeast Region - District Administration Dobrich
10. Representatives of the Local Authorities Northeast Region - Municipality of General Toshevo
11. Representatives of the NGOs in the Northeast Region – Agency for Entrepreneurship and Energy Management, Dobrich
12. Bulgarian national employers organisations: Bulgarian Chamber of Commerce
13. “Strategic Planning and Programmes for Regional Development” General Directorate, Ministry of Regional Development and Public Works
14. Road Infrastructure Agency, Ministry of Regional Development and Public Works

**Non-voting members**

* **CBC Roc Călărași - Biroul Regional pentru Cooperare Transfrontalieră Călărași pentru granița România – Bulgaria (BRCT Călărași)**
* **NAMRB –** National Association of Municipalities of the Republic of Bulgaria (NAMRB)

**Permanent guests**

* **Managing Authority for Interreg VI-A Romania-Bulgaria**
* **National Authority for Interreg VI-A Romania-Bulgaria**
* **European Commission**

**Observers**

The list is open to institutions relevant for the development, implementation and the monitoring of the integrated territorial strategy.

The observers may be proposed by the Interreg VI-A Romania-Bulgaria structures or by the members of the SB.

# **Annex 2**

**Code of Conduct**

1) The members (voting and non-voting) of the SB have the obligation to observe the following rules of conduct:

1. to participate to all the SB meetings, as well as to the decision-making process through the written procedure, when necessary;
2. to act in the interest of the efficient implementation of the Integrated Territorial Strategy;
3. 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;
4. to declare to the Chair, at the beginning of or during the 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;
5. to inform, after the closure of the meeting, the public authority, the institution or the organization that they represent about the main issues discussed and about the decisions taken;
6. 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
7. to observe the SB decisions, according to the Rules of procedures.

(2) The obligations stipulated at the previous article must also be observed by the deputies and the guests.

(3) In case the provisions of this code of conduct are not observed, the member/deputy member in question shall be replaced by the institution.

**Annex 3**

**Confidentiality and Impartiality Declaration**

I will preserve the confidentiality of all information and documents presented to me in the Strategy Board set for the drafting and implementation of Integrated Territorial Strategy (ITS) for the development of Romania-Bulgaria cross-border area and I agree to use all this information only for achieving the objectives of the ITS.

Also, I agree to respect the Rules of Procedures of the Strategy Board, including the Code of Conduct and to act impartially solely in the interest of the ITS. In case at any moment throughout the lifetime of the Strategy Board I will find myself in a situation where my impartiality is affected, I will immediately notify the Permanent Secretariat and the Chair and co-chair of the SB.

I shall communicate to my co-workers any confidential information only under the condition that they know and respect the terms of the present Declaration.

Name

Institution

Quality (members, deputy, guest)

Signature (electronic signature, if available)

Date