Annex 9

**COMMENTS/PROPOSAL RECEIVED**

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| **Institution** | **National Health Institute (NHI)** | |
| **Proposition/proposed modification** | 1. **In the PA corresponding to the Thematic Objective 11 – Administrative capacity, the NSI identified indicative actions that target the human health in the cross-border area.**   The NSI translated in Romanian the below mentioned actions and proposed some modifications on the Romanian translation that can be considered as a change of emphasis of the indicative action’s envisaged output. | |
| **Text of the OP Draft** | **Proposition of the National Health Institute** |
| **PA 5, OS 5.1:**  **Action 4** “supporting the modernisation of public services in areas such as customs, social policies, education, health and employment (including purchase of equipment and infrastructure development)” | Propunere de modificare:  4. Prevederea echipamentului și infrastructurii pentru a sprijini modernizarea serviciilor publice în zone cum ar fi vamă, politici sociale, educație, sănătate și ocuparea forței de muncă  Proposed amendment:  4. Provision of equipments and infrastructure to support the modernisation of public services in areas such as customs, social policy, education, health and employment |
| **PA 5, OS 5.1:**  **Action 5** “Coordination of policies and investments in the programme area - development of common approaches to common problems - in areas such as social policies, education, health, employment and customs” | Propunere de modificare:  5. Coordonarea politicilor și investițiilor în domeniul programului - dezvoltarea de abordări comune la probleme comune - în domenii cum ar fi politici sociale, educație, sănătate, ocuparea forței de muncă și vamă  Proposed amendment:  5. coordination of the policies and investment in the field of the program- development of common approaches for common problems in areas such as social policy, education, health, employment, labor and customs |
| **PA 5, OS 5.1:**  **Action 13** “Raising awareness regarding cross-border opportunities (employment, health care, education and so)” | Propunere de modificare:  13/ Creșterea gradului de conștientizare privind oportunitățile transfrontaliere (ocuparea forței de muncă, asistență medicală, educație, etc.) forței de muncă și vamă  Proposed amendment:  Increasing awareness on cross-border opportunities (employment, health care, education, etc.) workforce and customs |
| 1. **The NSI proposed also a list of challenges and needs to be added:** 2. Education infrastructure, sanitary education especially. Lifelong learning. 3. Promotion of medical cooperation mechanisms and the transfer of best practices in this field (for emergency service in the rural and isolated areas). 4. Development of infrastructures „green utilities” for drinking water provision, heating, waste and wastewater collecting and treating. 5. Development of new methods and ways for providing efficient healthcare services (apart from emergency ones), especially in the rural areas. | |
| **Point of view** | 1. If the first indicative action in the left column seems to request a change of emphasis, the following two are conform to the already existing English text. Concerning the first remark, the INS is asking for a change of emphasis from the general modernization of public services to the support of investments in “equipment and infrastructure for the modernization of public services in the cross-border area”. Unfortunately, the **ERDF funds cannot finance activities that aim solely to the purchase of equipment for the provision of public services. These types of investments are supported just as part of more general actions for the development of administrative capacity to provide public services. Moreover, it will considerably restrict the kind of activities that can be supported by the programme in order to support the modernization of public services (e.g. the trainings or exchanges of experience, the adoption of common procedures across the border, etc.)** | |
| 1. The proposed challenges and needs are relevant and are already included in the challenges and needs identified in the Territorial Analysis of the RO-BG cross-border area. Given the possible overlapping with national OPs thematic selection and indicative actions, only some of them are included in the indicative actions of the CBC ROBG 2014-2020 OP Draft. As long as their practical formulation is including a cross-border approach and character, the challenges/needs A, B, D are included in the indicative actions relative to TO 11 and TO8 (lifelong learning) of the OP Draft. The C challenge is only partially included in the indicative actions of TO 11 and TO5 under the indicative actions that tackle the better provision of joint cross-border public service (e.g. exchanges of experience in the field of waste management and green utilities) and the activities that tackle risk prevention (for pollution by wastewater, solid waste, etc.). Moreover, the development of „green utilities” will be strongly financed by National Ops in Romania and Bulgaria. | |

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| **Institution** | **Ministry of Environment and Water Bulgaria** |
| **Proposition/proposed modification** | Thematic Objectives (TO) 6, 8 and 11 to be worded in line with the last version of the Bulgarian Partnership Agreement (dd. 10-Mar-2014), namely:   * TO 6 - Preserving and protecting the environment and promoting resource efficiency; * TO 8 - Promoting sustainable and quality employment and supporting labour mobility; * TO 11 - Enhancing institutional capacity of public authorities and stakeholders and fostering an efficient public administration. |
| **Point of view** | **The Thematic Objectives formulation was modified to correspond to the latest version of the ERDF Regulation.** |

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| **Institution** | **The Black Sea Basins Directorate, Bulgaria** |
| **Proposition/proposed modification** | The Black Sea Basins Directorate requires that PA/IP/SO shall include "to achieve good environmental status of water" under Strategic Objective 3.2.  **Existing**  Specific Objective 3.2: To enhance the sustainable development of the ecosystems from the cross-border area and the green infrastructure  **Proposed**  Specific Objective 3.2: To enhance the sustainable development of the ecosystems from the cross border area and the green infrastructure and to achieve good environmental status of water |
| **Point of view** | Given the rearrangement of SO in the latest OP draft, the SO 3.2 has become the SO 2.2 and is formulated as follows: “To enhance the sustainable management of the ecosystems from the cross-border area”. From the last OP draft version, the emphasis has changed from “sustainable development” to the “enhancement of sustainable management”. The CBC ROBG Programme 2014-2020 has a limited financial allocation that cannot finance strategic projects that will “achieve good environmental status of water” for the Danube and its tributaries and for the Black Sea. Moreover, strategic projects linked with the Black Sea are already included in the national POs and there is a specific CBC Black Sea Programme.  The aim of the SO 2.2 is to support the development of common management plan for the preservation and the valorisation of the environment in the cross-border area, focusing mainly on specific ecosystem areas such as the NATURA 2000 areas.  Some activities leading indirectly or contributing to the improvement of the environmental quality of waters in the cross-border area might be financed by the future CBC ROBG Programme but this improvement cannot be achieved solely and only by its intervention. According to EU regulation, Specific Objectives must be formulated in order to reflect as much as possible the changes that the Member States seeks to achieve solely by the intervention of each Programme. As such, including a very general, complex and expensive objective under the ROBG CBC Programme 2014-2020, that cannot be achieved due to the small amount of funds compared to National OPS, will not be conform to the EU regulation. Moreover, a Specific Objective cannot include two objectives but must focus on one. |

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| **Institution** | **ANAR (Romanian Waters National Administration)** | |
| **Proposition/proposed modification** | **Text of the OP Draft** | **Proposition of the ANAR ( in Romanian and translated in English)** |
| **PA 3, OS 3.2 (PI 6d), Indicative actions:** | |
| 3/ Cross-border coordination and exchange of information to reinforce the implementation of relevant policies (Water Framework Directive), and biodiversity conservation (Flora, Fauna, Habitat Directive and Birds Directive), organise knowledge transfer, exchange of good practice examples, networking and development of innovations on protecting/preserving ecosystems | 3/ Coordonarea transfrontalieră și schimbul de informații pentru a consolida implementarea politicilor relevante şi a Planurilor de Management Bazinale Jiu, Olt, Arges-Vedea şi Dobrogea-Litoral (Directiva Cadru privind Apa), protecția contra inundațiilor (Directiva privind Inundațiile), și conservarea biodiversității (Directiva privind Flora, Fauna, Habitatul și Directiva privind Păsările), organizarea de transfer de cunoștințe, schimb de exemple de bună practică, conectarea și dezvoltarea de inovații privind protejarea/păstrarea ecosistemelor  3/ Cross-border coordination and exchange of information in order to strengthen the implementation of relevant policies and River basin Management plans of the Bazinale Jiu, Olt, Arges-Vedea and Dobrogea-Seaside (framework directive on water), flood protection (Floods Directive), and the conservation of biodiversity (the Directive on Flora, Fauna, and Habitat and the Directive on Birds), the setting up of knowledge transfer, the exchange of examples of good practice, the connection and development of innovations for the protection/preservation of ecosystems |
| 8/ Joint designation and management of protected sites and species of the NATURA 2000 network – translated by: 8. Desemnarea și managementul **locurilor** și speciilor protejate | 8/ Desemnarea și managementul zonelor și speciilor protejate  8/ The designation and management of areas and species |
| **P A 4, OS 4.1 (IP 5b), indicative actions** | |
| 5 (6 in the previous version)/ Purchasing common equipment for measuring/monitoring environmental parameters, e.g. emission levels, water **purity**, analysis of soil and water samples etc., and joint assessment of results – translated in Romanian as:  Achiziționarea de echipament specific pentru măsurarea/monitorizarea parametrilor de mediu, ex nivele de emisie, **puritatea** apei, analiza solului și mostre de apă, etc. și evaluarea comună a rezultatelor (de mutat la PI 6d) | 6/ Achiziționarea de echipament specific pentru măsurarea/monitorizarea parametrilor de mediu, ex nivele de emisie, calitatea apei, analiza solului și mostre de apă, etc. și evaluarea comună a rezultatelor;  6/ The purchase of specific equipment for measuring/monitoring environmental parameters, e.g. emission levels, water quality, soil analysis, and samples of water, etc., and common assesment of the results; |
| **Point of view** | The explicit inclusion of the river basin management plans of Jiu, Olt, Arges-Vedea and Dobrogea seaside in the formulation of the indicative action, is not necessary as these areas are already eligible as long as they are included in the CBC area. Moreover, River basin management plans are national documents that are established according to relevant secondary and tertiary legislation and have, thus, limited possibilities to include a cross-border approach. They can be, of course, an element of a cross-border action having impact on the river basin management, but they can hardly be the main activity and the scope of cross border projects.  The rest of the suggestions are relevant and are rather corrections of the initial Romanian translation of the indicative actions. | |

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| **Institution** | **BSC SME Ruse (Business Support Centre for SMEs – Ruse)** |
| **Proposition/proposed modification** | With regards to the public consultation launched by the Managing Authority for the first draft of the Romania-Bulgaria Cross Border Cooperation Programme 2014-2020, we would like to express the following concerns and suggestions:  1) The cross-border region is the poorest in the whole European Union, which is not reflected in the draft. On the contrary, measures for enhancing the business environment and the employment are almost completely missing. Labour mobility in the cross-border region cannot exist if opportunities for employment do not exist. Moreover, the cross-border region is suffering from the severe brain-drain exactly because of missing opportunities for development. The pure building of roads for which most of the resources seem to be planned will never resolve the problem and produce the required impact and results.  2) One of the most important pillars of the Danube Strategy is only very slightly reflected in the draft of the Programme, namely Pillar 3 “Building prosperity in the Danube region”. All priority areas included in this pillar are completely missing from the draft Programme. The limited representation within the IP8i of the draft Programme related to labour mobility is tackling only an extremely limited action and scope of Priority Area 9, which is completely insufficient taking into consideration the socio-economic situation of the region. The European Commission report on the implementation of the Strategy recommends the inclusion of the Strategy in the OPs planning, which in this case is not adequately followed.  3) Regarding the inclusion of business supporting measures within the draft ETC Programme, the European Commission has stated that “the enabling of business environment and business infrastructure can be eligible under the conditions set out in the relevant EU regulations. Indeed, the ERDF supports primarily the development of endogenous potential for SME competitiveness. It allows productive investments, fixed investment in business infrastructure, support for enterprises, networking, cooperation and technical assistance. Furthermore, the Commission considers that business advisory services have a high European added value for the ERDF, in particular in the areas of business start-up, business transfer, access to new markets, business strategy and monitoring, technology transfer and foresight as well as user-oriented and design-driven innovation, raising innovation management capacity and encouraging the development and use of such services through innovation voucher programmes.”  4) Regarding the “translation” of the above mentioned European priorities within the ETC Programmes, the Commission has stated that “indeed SME support may also be related to support under IP8a, i.e. to entrepreneurship, the development of business incubators and investment support for self-employment, micro-enterprises and business creation.”  Thus, taking into consideration the above-mentioned objectively existing facts, **we suggest that the IP8i is replaced by the much more appropriate IP8a** in order to reflect the missing links and measures related to the socio-economic environment of the cross-border region to allow projects for joint development and exploitation of enabling business infrastructure |
| **Point of view** | The assessment of the socio-economic situation of the cross-border area made by the Business Support Centre for SMEs from Ruse is correct and is also included in the Territorial Analysis. That’s why the the OP draft includes under its PA 4 (A well-skilled and inclusive region) and its indicative activities measures for “business environment and business infrastructure” such as “*creation and development of cross border business incubators and virtual incubators for promoting employment of staff from both side of the border (companies based on local assets and local service needs such as innovative heritage tourism, nautical and water tourism and ecotourism products located in the region)”*. This indicative action answers mainly to the request expressed by the BSC SMEs.  Moreover, the TO 8i is a more inclusive one and we wanted to stay also focus on one the main needs of the RO-BG CBC area, which is social inclusion and to continue the support for projects of the previous programming that tackled the challenges resulting from demographic change, including in particular those related to a shrinking working population, youth unemployment, an increasing proportion of retired people in the overall population and depopulation issues. Therefore, one of the main issues was to facilitate inclusion of all age groups, including through improved access to support structures with a view to enhancing job opportunities especially for young people.  Nevertheless, indicative actions that were selected to support labour mobility and social inclusion also support the cross border SMEs as the following actions of PA 4 AND PA 5 illustrate it:   1. Collaborating in offering services to employers and establishing partnerships with education institutes and other employment services to organise flexible, preventive and efficient service delivery 2. To provide comprehensive and official information on social security, employment legislation and tax issues both in Romanian and Bulgarian border regions through regular training sessions and courses in relevant legal regulations to decrease the doubts of proper administrative units and employers concerning the manner of interpretation and application of specific regulations 3. Developing and providing joint special programs in vocational training in sectors which lack specific skills 4. To develop information and advice for cross-border commuters and potential employers by creating and developing joint databases in service of labour mobility.   Finally, SMEs support will be one the main issue of the Romanian and Bulgarian national OPs and large amount will be directed for these measure. Therefore, it seems more adequate for the cross-border programme to promote the creation of Cross Border SMES network, sustainable employment mechanisms and labor mobility, at least at this stage of cross-border socio-economic development, while letting SMEs direct financial support and stimulation first through national and regional programmes. Indeed, the aim here is to make the first steps in order to be able in the next programming period to have a real focus on SMEs support when business stakeholders and employees will better apprehend the cross border region as an opportunity and not only as a another space of competition. |

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| **Institution** | **Environment and Climate Change Ministry, Romania** |
| **Proposition/proposed modification** | La obiectivele specifice 3.1 si 3.2 de la cap 2.2.3, sugeram modificarea primilor indicatori de rezultat, dupa cum urmeaza: pt. 3.1 in loc de cresterea nr. de vizite: **Elaborarea planurilor de management din zonele vizate**/ pt. 3.2: in loc de suprafata ocupata de habitate…: **Numar de masuri de conservare stabilite.**  Concerning the Specific objectives 3.1 and 3.2 in Chapter 2.2.3, we suggest a change of the first result indicators as follows: point 3.1 instead of increasing No. visits: **Elaboration of management plans in targeted areas**/ point 3.2: instead of Surface area of habitats...: Number of conservation measures established |
| **Point of view** | In the new version OP draft, the 3rd PA has become the 2nd PA. For the RI of the former SO 3.1, the proposed result indicator does not fit with all the indicative activities (heritage and nature conservation and promotion through tourism development). The proposed RI would measure just a part of the foreseen result, as many beneficiaries are not necessary administrators/managers of natural protected areas. Moreover, there are no obligation to make management plan of historical heritage areas which will be one of the main beneficiaries of this SO.  The RI proposed for the former SO 3.2 is very closed to an output indicator, as the RI cannot have a baseline 0. The proposed RI is indeed closed to the output indicator chosen for this SO, which is a common output indicator given by the EU regulation and which measure the surface of land where conservation measures have been implemented. |

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| **Institution** | **Regional Development Council North-Central Region, Bulgaria** |
| **Proposition/proposed modification** | In a letter sent the 17.06.2014, the Regional Development Council of the North-Central Region of Bulgaria suggests to the Managing Authority of the Romania-Bulgaria Cross-border Cooperation Programme (Ministry of Regional Development and Public Administration of Romania) and to the National Authority (Ministry of Regional Development of the Republic of Bulgaria) to include the Razgrad District in the eligible area of the Romania-Bulgaria Cross-border Cooperation Programme 2014-2020. |
| **Point of view** | The decision of the Joint Working Group regarding the eligible area of Romania Bulgaria Cross Border Cooperation Programme 2014-2020 was taken 9 months before the letter was sent, during the 4th meeting of the Joint Working Group that took place in Albena, on 17th of September 2013. It is therefore, at this stage of the programming process while we are finishing the drafting of the OP, impossible to answer positively to the suggestion to include Razgrad District in the eligible area of Romania Bulgaria Cross Border Cooperation Programme 2014-2020.  Moreover, the written procedure for adoption of the draft COMMISSION IMPLEMENTING DECISION setting up the list of regions and areas eligible for funding from ERDF under the cross-border and transnational components of the European territorial cooperation goal for the period 2014-2020 was currently finalised. According to the provisions of this decision, the established eligible area of Romania Bulgaria Cross Border Cooperation Programme 2014-2020 includes Constanţa, Călăraşi, Giurgiu, Teleorman, Dolj, Mehedinţi, Olt counties from Romania and Ruse, Silistra, Dobrich, Vidin, Montana, Vratsa, Pleven, Veliko Tarnovo districts from Bulgaria.  We would like to mention that the Regional Administration from Razgrad has recently sent us a letter with the proposal to allocate 20% of the financial allocation of the Programme for projects in regions that are not part of the eligible area for cross border cooperation between Romania and Bulgaria, namely to potential beneficiaries from Razgrad District.  The Joint Working Group for programing discussed, in principle, the possibility to use the 20% flexibility rule allowed by the regulation, but the final decision will belong to the future Joint Monitoring Committee of the Programme that will be informed of your request. |

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| **Institution** | **Bulgarian Chamber of Commerce and Industry** |
| **Proposition/proposed modification** | During the fifth meeting of the joint working group for strategic planning and programing of the cross-border cooperation programme held in Ruse the §th March 2014, the representative of the Bulgarian Chamber of Commerce and Industry proposed the inclusion of the TOs 1-4 because according to him TOs 8 and 10, which were proposed with TOs 5, 6, 7 and 11, do not cover the Economic Development issue in the region. He highlighted the European Regulations nr 1303 and nr 1301 from December 2013, where it is very clearly stated that the TOs 1-4 should be at least 50% from the budget of the European resources. He emphasized that the partial granting of these goals within the TO 8 does not clarify the situation. He insisted on the fact that the main priority, for one the poorest EU regions should be the economic development and especially reducing of the unemployment. Therefore, the official recommendation of the Bulgarian Chamber of Commerce and Industry, which was supported by the Constanta Chamber of Commerce, Industry, Shipping and Agriculture, was to include TOs 1-4 in the program. |
| **Point of view** | The representative of the Bulgarian Ministry on Regional Development explained that based on the territorial analysis results, it will be hard to include all the first 4 TOs as the challenges and needs of the CBC region in fields such as social inclusion, environment, transport, climate change are also key issues. This statement was confirmed by the majority of the stakeholders during the surveys organized during the programming process. The results of these surveys were reminded during the discussion. Furthermore, the requirement made by the European Union is to concentrate 80% of the resources on 4 TOs. Therefore, it won’t be relevant to choose 8 or 9 TOs. Finally, through the TO 8, the aim is to support the economic development of the area and its social inclusion. The economic development remains a priority but cannot be the only one of the CBC Programme.  At the end of this debate, all the members of the Joint Working Group voted to choose the TOs to be included in the programme 2014-2020, and the final choice was made, after two rounds of vote, on TOs 5, 6, 7, 8 and 11. |