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**“INTERREGIONAL AND TRANSFRONTIER CO-OPERATION:
PROMOTING DEMOCRATIC STABILITY AND DEVELOPMENT”**

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REPORT

**“BLACK SEA EUROREGION:
ESTABLISHMENT PROCESS, AREAS OF CO-OPERATION”**

by

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Introduction

- I would like to present to you now a “success story” that is progressively advancing towards a large potential of cooperation in the Pontic area, namely ‘the Black Sea Euroregion’, or shortly ‘BSER’.
- The establishment of the BSER was the result of the promotion, by the Congress of Local and Regional Authorities of the CoE, of the necessity for strengthening the inter-regional cooperation in Europe by associating regions from EU member states with regions from third countries, especially from the Adriatic Sea and Black Sea regions, but also with regard to Baltic and Mediterranean Seas.
- So, on 6 February 2006 the Adriatic Euroregion was officially launched.

Chronology

- As far as the BSER, it took the following steps to be created:
- On 30 March 2006, during its Chairmanship of the Committee of Ministers of the CoE (November 2005-May 2006), Romania launched the process of creating the Black Sea Euroregion by organizing, in Constantza, in cooperation with the Council of Europe’s Congress, the first international conference, having as a general theme the “inter-regional cooperation in the Black Sea area”. The Constantza Declaration provided for the establishment, by the end of 2007, of the BSER, in line with the guiding principles that led to the creation of the Adriatic Euroregion. It was signed by Bulgaria, Georgia, Republic of Moldova, Romania, Russian Federation (as observer), Turkey, Ukraine, Armenia, Azerbaijan and Greece.
- In Samsun, 2006, and Odessa, 2007 the participants in two important conferences (2nd Conference on Black Sea Cooperation, 3 November 2006, Samsun and the Conference on the Inter-regional Co-operation in the Black Sea Basin, 25-26 June 2007, Odessa) reiterated the commitment for establishing a platform for inter-regional cooperation in the Black Sea basin.
- These meetings demonstrated the willingness of the countries from the Black Sea region to cooperate, in concrete terms, for developing projects.
- Moreover, they proved that the Congress was and remained a strong supporter for launching and backing this initiative, as it successfully did in the Adriatic Euroregion case.
- In implementing the March 2006 Constantza Declaration, a technical unit was set up, on 1 April 2007, within the County Council of this Romanian municipality, becoming operational as of 16 April 2007. The website of BSER was also launched (www.bser.eu).
- Furthermore, following a Congress invitation, a representative of the County Council has been seconded to the Congress Secretariat in April – mid June 2007.
- The negotiations on the Constitutive Act of BSER were held in March 2008 in Strasbourg on the basis of contributions from interested countries such as Romania and Ukraine.
- The results of the negotiations led, in September 2008, to the launching of the BSER Association, during an international Conference in Varna. On this occasion, Constantza was confirmed as *legal seat* of the new regional cooperation structure.
- The first meeting of the General Assembly of the BSER took place in Constantza (25-28 November 2008) and a second one in Varna (25-26 March 2009).

Participants

- The statutory documents have been signed by 14 local or regional authorities from 5 Council of Europe member states, namely **Bulgaria, Republic of Moldova, Georgia, Armenia and Romania.**
- In accordance with its Statute, the BSER is open also to the other 3 riparian states – **Russian Federation, Turkey and Ukraine**, as well as to **Albania, Greece, Serbia and Azerbaijan**, from the Black Sea extended area.
- According to Article 2 of the Statute, the name of the Association is BLACK SEA EUROREGION.

- Article 3 provides that “The BSER is a forum for co-operation among local and regional authorities of the Black Sea area. The BSER is a non-profit making association and has a legal personality.” According to Article 4, the official languages of the BSER are the national languages of the members of the BSER, but the working language of the BSER is English.
- Article 6 sets forth that the Association is established for an indefinite period from the date of its registration.
- Article 12 provides that BSER is composed of members, honorary members, advisory bodies and observers. Any unit of local or regional authority in the Black Sea area may become a member of the BSER. The BSER members are administrative - territorial units which have adhered to the Constituent Act in accordance with the requirements of their national legislation and international agreements.
- According to Article 13, the Congress of Local and Regional Authorities of the Council of Europe has the special status of honorary member of the BSER. The Committee of Ministers of the Council of Europe, the Parliamentary Assembly of the Council of Europe, the European Parliament, the European Commission, the Committee of the Regions of the European Union, the Black Sea Economic Co-operation Organization (BSEC), the Parliamentary Assembly of the Black Sea Economic Co-operation Organization (PABSEC) may become advisory bodies of the BSER, at their own request.
- National and international organizations and institutions may apply to become observers of the BSER if they share the same objectives and work actively to attain them.
- Article 14 provides that the accession procedure for candidate members shall be initiated by submitting a declaration of intent to join the BSER, addressed by the administrative body responsible within the administrative - territorial unit of the applicant. The BSER General Assembly shall consider and decide on the accession of new members or exclusions. The status of observer may be granted, suspended or terminated by the General Assembly in accordance with the provisions of this statute.

Article 15. The members of the Association have the following rights:

- a) to participate in making the decisions related to the activity of the Association;
- b) to elect the Board of Directors of the Association and be elected to it;
- c) to make proposals with regard to the activity and programmes of the Association;
- d) to receive explanations from the Board of Directors of the Association on issues of common interest;
- e) to review the balance sheet and the minutes of the meetings of the leading and controlling bodies of the Association;
- f) to benefit from the work, publications and documents of the Association;
- g) to recommend new membership and to take part in the actions carried out by the Association;
- h) to contribute to the publications of the Association;
- i) to receive available information on the BSER on request.

Article 16. The members of the Association have the following duties:

- a) to comply with the provisions of this Statute;
- b) to agree to the common objectives and co-operate to achieve them;
- c) to help define BSER policies and programmes;
- d) to take part in activities of common interest;
- e) to contribute to the funding of the BSER;
- f) to contribute to the promotion of the BSER;
- g) to decide on BSER resources and assets;
- h) not to bring prejudice to the image, actions and activities of the Association;
- i) to promote and defend the activities and interests of the Association.

Goals of BSER

- According to Article 7 of the Statute, “The Association’s goals are to develop co-operation among its members, to represent and support their common interests and to co-operate with the existing Black Sea international organizations.”

- Article 8 also provides that, in compliance with the national legislation and foreign policies of the countries its members represent, the BSER will endeavour to:
 - a) establish relations between the inhabitants of the Black Sea area with a view to developing cross-border co-operation initiatives;
 - b) protect the members' common interests and define a common development strategy;
 - c) disseminate information on members' relevant experiences and know-how to all BSER members;
 - d) elaborate joint programmes and development strategies and set up actions aimed at implementing them;
 - e) create the necessary conditions for developing social and economic activities while protecting the environment and taking into consideration the need to improve the territorial cohesion among its members;
 - f) identify intervention needs, joint projects and funding sources applicable to BSER members;
 - g) organize, set up and implement joint transnational co-operation projects eligible for financial support from national, European and other international institutions;
 - h) support public-private partnership initiatives;
 - i) support the civil society.

- In pursuit of its objectives, the BSER gives priority to the following areas of activity within the limits of the competences of local and regional authorities:
 - a) improving good governance practices;
 - b) consolidating democratic stability;
 - c) contributing to the sustainable development of the area with a view to safeguarding the sea and the main rivers of the Basin by protecting the environment, fishing and biodiversity and preventing oil-spills and waste water disposal;
 - d) developing infrastructures, including energy systems, transport and communication networks;
 - e) promoting investments in renewable energies;
 - f) contributing to the monitoring of maritime transport risks and the needs of coastal areas;
 - g) management of migration flows and integration of immigrants;
 - h) supporting initiatives to promote sustainable tourism;
 - i) launching multilateral programmes in the fields of culture, science, education, health, sport and youth;
 - j) supporting economic initiatives.

- The Association may establish co-operation and partnerships with individuals or institutions from the states of its members or from other states in the fields covered by its competences; it may participate in setting up other associations or organizations or may affiliate to those.

Advantages

- The BSER project has a great potential to stimulate the democratic transformations, promote good governance and strengthen stability in the region, Romania being fully committed to support these processes in the Black Sea area.
- It could lead to stronger mutual confidence among the citizens in the region. The former secretary general of the CoE Mr. *Terry Davis* stated, in this regard, on the occasion of the official launching of BSER, that it has the perspective to contribute further to the elimination of the division lines in Europe. At his turn, the president of the Congress, Mr. *Yavuz Mildon*, indicated its potential to create Synergies among the local and regional communities of the Black Sea Basin, from both EU and non-EU states.
- Given the impact of the existing challenges and the role of the actors involved, a concerted and integrated approach to the Basin's problems is more than ever necessary today.
- The creation of a Black Sea Euroregion structure gives therefore local and regional self-government authorities a cooperation framework to work closely together.

- We are confident that this cooperation can produce a genuinely positive impact.
- In addition, such a Euroregional entity could also pioneer multilateral programmes and provide support for advanced forms of trans-frontier cooperation based on EU financial instruments.

BSER Structure

- The **organizational structure of the BSER** comprises:

- a)The General Assembly;
- b)The Board of Directors;
- c)The President of the Board of Directors;
- d)The Standing Committees;
- e)The Board of Auditors.

- The **General Assembly is the supreme organ of the Association**, includes all the members and has the following attributions:

- a) Elects or revokes:

1. the President of the Board of Directors;
2. the members of the Board of Directors;
3. the members of the Standing Committees;
4. the Board of Auditors;

- b) Approves:

1. the Constituent Act and the Statutory Provisions and the amendments thereto;
2. the annual activity programme of the BSER;
3. the budget and annual financial report;
4. the Board of Directors' annual activity report;
5. the Board of Auditors' annual activity report;
6. the dissolution and liquidation of the Association in accordance with legal procedures;

- c) Decides, on the basis of proposals submitted by the Board of Directors:

1. on the admission and exclusion of members and on granting and revoking the status of observer;
2. on the establishment of local offices of the BSER;
3. on the amount of the membership fee and the payment terms;
4. on the internal rules of procedure;
5. on the organizational chart and the number of employees;
6. on the association, affiliation or withdrawal to/from other organizations;
7. on any other attributions provided by the law and the statutes of the Association;

- d) Defines:

1. the basic elements of the BSER action policy as contained in its programmes;
2. how to ensure, allocate and make use of the resources available to the BSER in order to attain its goals;

- e) Evaluates:

1. the implementation of co-operation programmes;
2. the BSER bodies' reports;
3. any other activity of the BSER.

- According to Article 24 of the Statute, the General Assembly meets in ordinary session at least once a year and, whenever necessary, in extraordinary session. As a rule, each meeting takes place in a different state. The General Assembly is chaired by the President of the Board of Directors or, when s/he is unavailable, by the Vice President.

- According to Article 28, the **Board of Directors** is the **executive body** that conducts the Association's affairs between the sessions of the General Assembly. The Board of Directors is composed of 7 members, including the President, elected by the General Assembly for two

years. The members of the Board of Directors elect the vice president and the secretary from among them. Every member of the Board of Directors has the right to one vote only.

- According to Article 29, the Board of Directors:
 - a) ensures compliance with the decisions of the General Assembly;
 - b) implements the approved budget and initiates the proposal for the following year's budget;
 - c) reports to the General Assembly on the activities carried out and puts forward proposals for new ones;
 - d) receives and examines new requests for membership and submits them for decision by the General Assembly;
 - e) considers the possible exclusion of members and submits proposals to the General Assembly for decision;
 - f) concludes legal acts on behalf and on the account of the Association;
 - g) decides on the acceptance and use of donations, legacies and other incomes and pursues the expenses in accordance with the income and expenditure budget, in compliance with the legal provisions;
 - h) organizes and co-ordinates co-operation with other organizations
 - i) monitors the work of the Standing Committees and examines their proposals;
 - k) determines the organization of the BSER's technical work
 - l) takes executive decisions regarding the implementation of the Association's objectives;
 - m) supervises and organizes the BSER publishing and information policy;
 - n) carries out other tasks assigned to it by the General Assembly and necessary to the proper functioning of the BSER, provided these are not, in pursuance of this Statute, under the responsibility of other BSER bodies;

- Article 31. The **President of the Board of Directors** is elected by the General Assembly for a period of two years, renewable once. The Vice-President of the Board of Directors is elected by the members of the Board of Directors, including the President, for a period of two years, renewable once. The President and Vice-President shall be from different States. The President and Vice President may not be elected for more than two consecutive terms of office as either President or Vice President. The President of the Board of Directors:
 - a) represents the Association in relations with other natural and legal national or foreign persons;
 - b) conducts the meetings of the General Assembly of the Association and of the Board of Directors;
 - c) ensures the management of the Association between the sessions of the Board of Directors;
 - d) pursues the application of the decisions of the General Assembly and the Board of Directors;
 - e) may delegate some of her/his attributions to another member of the Board of Directors;The Vice President represents the President when s/he is absent or unavailable.

- The **Secretary of the Board of Directors** is elected by the members of the Board of Directors, for a period of two years, renewable once. The Secretary of the Board of Directors:
 - a) plans the activity of the Board of Directors;
 - b) prepares the materials for meetings and ensures the attendance of the members of the Board;
 - c) keeps the record of documents and the documents related to the activity of the Board and the General Assembly;
 - d) draws up the minutes of the meeting of the Board or the General Assembly.

- The **Board of Auditors of the BSER** verifies the correctness of the documents issued by the BSER bodies and the accuracy of material and financial practices. The Board of Auditors is composed of 3 members of the Association who are not at the same time members of the Board of Directors. The Board of Auditors:
 - a) checks in which way the patrimony of the Association is administered;
 - b) checks the attending and voting requirements for the General Assembly;

c)examines the Association's financial practices, registering the reports in a special registry;
d)draws up reports and presents them to the General Assembly;
e)may attend the meetings of the Board of Directors without the right to vote;
f)fulfils any other attributions stipulated in the Statutes or established by the General Assembly.
Once a year, the Board of Auditors presents a report to the General Assembly on its activities and findings.

- The **Standing Committees of the BSER** are entitled to put forward proposals, and to prepare and implement the adopted programmes. The fields of action, responsibilities and the procedure for appointing the members of the Standing Committees are defined by the General Assembly of the BSER.
- The **network of contact points** (created in 2008)

Relation with other international structures

- It goes without saying that the Black Sea Euroregion will not duplicate the existing structures in the region, such as the Black Sea Economic Cooperation Organisation (BSEC) - since the BSER is envisaging to strengthening cooperation between and among the local authorities in the partner countries, while other structures are intended to promote cooperation at an inter-governmental level.
- Actually, this means that the BSER is filling a gap, as until recently we have missed a structure specially designed to deal with local and regional problems in the Black Sea area.
- In this context, it may be envisaged that an agreement between BSER and BSEC might be concluded, so that better synergies could be forged between the two structures. We should also envisage for the option for the BSER to become an observer to BSEC, and for BSEC to become an advisory body to BSER, according to art. 13 of its Statute.
- All these developments prove how important regional cooperation is and, in that sense, we encourage all member states from the Black Sea basin to actively participate in the Euroregion, including by proposing relevant projects and concrete initiatives for future action.
- Moreover, we feel that, besides Turkey and Ukraine, the future engagement of the Russian Federation in the BSER work is of a particular importance, because it's not possible to tackle all problems in the area without having involved the key partners and all neighbouring states.
- Nevertheless, the potential that the Euroregion has, to be transformed in a European Grouping of Territorial Co-operation – and we were just talking today about the EGTC –, might amplify the reluctance that Moscow has to join this initiative.
- Equally important is that the European Union is closely connected with this Council of Europe initiative in the Black Sea area.
- The Memorandum of Understanding between the EU and the Council of Europe is a good sign in that respect, as well as the intention of the European Commission to finance some of the BSER projects.
- From this perspective, it can't be excluded the possibility to develop, through the Euroregion, projects under the EU Synergy or Eastern Partnership.

Focus on concrete projects

- Coming into a pragmatic sphere, we believe that the time has come to focus on concrete projects and to quickly initiate their implementation.
- The potential is great and the fields to be taken into account are diversified, such as environment protection, migration, transport, energy, tourism, but also inter-cultural exchanges.
- In some of them the Euroregion is already active, as proved by projects like **Black Sea Regional Expertise Centres Network, Black Sea Menu, Black Sea Traditions and Culture, Black Sea Cruise, Black Sea Docs.**

Conclusions

- The successful story of the Adriatic Euroregion could inspire the BSER future efforts. In this respect, a sharing experience process is most useful, and we encourage such an approach.
- This is both suitable and possible, since there are a lot of common fields of interest at the level of the Adriatic and Black Sea Euroregion.
- The seminar “Adriatic and Black Sea Euroregions: the reasons for a Cooperation”, organized in Rome, on 12 May 2009 has already proved this potential and we are grateful to the Italian authorities for preparing the meeting.
- In the future, the mutual cooperation between the Adriatic and Black Sea initiatives could be strengthened by participation in each others’ events as well as by exchanges of information between the two Secretariats of the two Euroregions.
- Let me finally say that the Adriatic and Black Sea Euroregions are new types of cooperation from at least two perspectives.
- On the one hand, they bring together and promote cross-border cooperation between communities both from EU and non-EU member countries.
- On the other hand, their modern character derives also from the fact that the dialogue in this framework is *sine qua non* a multilateral one, which implies or not common borders and cooperation that is not exclusively territorial but also maritime.

So, I would encourage you to take a closer look to the activities of the BSER and to promote it in your countries, at local but also at regional level.