

DECLARATION OF PARTICIPANTS

CONCLUSIONS

OF

THE LEADERSHIP ACADEMY PROGRAMME FOR CROSS-BORDER COOPERATION 2019- 2022

Organised by

CESCI Balkans

With the support of

The Centre of Expertise for Good Governance of the Council of Europe

And a contribution from

ISIG – Institute of International Sociology of Gorizia

Sofia (Bulgaria), 24th of NOVEMBER 2022

- *Acknowledging that the aim of the Council of Europe is to achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and facilitating their economic and social progress.*
- *Considering that the Council of Europe has developed legal frameworks intended to encourage and to facilitate the conclusion of cross-border agreements between local and regional authorities within the scope of their respective powers, notably the Madrid Outline Convention and its additional protocols¹.*
- *Noting the persistence of the obstacles to cross-border and interterritorial cooperation and the consequent need to share good practices aiming at their reduction in line with CM/Rec(2005)2².*
- *Recognising the need to facilitate engagement of local and regional authorities, in the areas of mutual assistance in case of natural or man-made disasters, inspired by Appendix 1 of Recommendation CM/Rec(2007)5³ presenting a model agreement on mutual assistance between states of South-Eastern Europe on the event of disasters occurring in border areas.*
- *Considering the need to promote implementation of the provisions contained in the Regulation on European Grouping of Territorial Cooperation Regulation (EC) N° 1082/2006, amended by Regulation (EU) No 1302/2013, in all territories of the Nisava border region.*
- *Recognising the need to strengthen cross-border cooperation in the Nisava border region, through stable and sustainable processes targeting the integrated development of the region*
- *In light of exchanges held through a participatory consultation process which revealed the needs and ambitions of the communities in the Nisava border region and which have culminated in the preparation of a draft “Strategic Plan for the integrated development of the Nisava border region” and the “Legal roadmap for the institutionalization of cross-border cooperation in the Nisava border region”.*

¹ [European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities \(ETS No. 106\)](#)

² [Recommendation CM/Rec\(2005\)2 of the Committee of Ministers to member states on good practices in and reducing obstacles to transfrontier and interterritorial cooperation between territorial communities or authorities](#)

³ [Recommendation CM/Rec\(2007\)5 of the Committee of Ministers to member states on the conclusion of transfrontier co-operation agreements in South-Eastern Europe](#)

The participants of the Leadership Academy Programme for Cross-border Cooperation held in the Nisava border region between 2019 and 2022, organised by CESCO Balkans, with the support of the Centre of Expertise for Good Governance of the Council of Europe and a contribution from ISIG – Institute of International Sociology of Gorizia:

- Acknowledged that the recent pandemic, the war in Ukraine, and the triple planetary crisis of climate change, loss of biodiversity and pollution demonstrate the extent to which European states are interconnected and interdependent and underlined the need for further coordination among them to overcome obstacles to cross-border cooperation, in areas including but not limited to mobility, infrastructure, knowledge and capacity building, environmental sustainability, and economic development.
- Reaffirmed that the benefits of cross-border and interterritorial cooperation are not limited to the integrated development of border areas but are essential to achieving peace, prosperity, and stability in Europe, counteracting trends of disillusionment of citizens towards public institutions and their active engagement in public life.
- Emphasised that the relevance of cross-border cooperation and interterritorial cooperation is expanded to current issues regarding social and economic inequalities, environmental degradation, resilience and crisis management, the backsliding of democracy as well as with regards to both the opportunities and challenges linked with the rapid technological developments in such fields.
- Acknowledged that the effectiveness of cross-border cooperation in promoting effective local good democratic governance requires both a legal framework and practical tools aimed at making cooperation between neighbouring or non-adjacent territorial communities/authorities legally feasible and practically sustainable.

Furthermore, the participants call on the Council of Europe to:

- Continue to support Member States in the ratification of the Outline Madrid Convention and its additional protocols.
- Continue to support local and regional authorities engaged in cross-border and interterritorial cooperation by providing technical support within the framework of Good Democratic Governance and tailoring specific capacity-building tools to cross-border cooperation needs and peculiarities.

The participants, call on the Member States to:

- Ensure the wider ratification of Protocol no. 3 to the Outline Madrid Convention, thus widening the range of tools available to local and regional authorities.
- Pursue all necessary means to facilitate the implementation of the provisions foreseen by the European Grouping of Territorial Cooperation Regulation (EC) N° 1082/2006, amended by Regulation (EU) No 1302/2013, in all territories of the Nisava border region.
- Foster the role of regional and local authorities in developing and maintaining cross-border cooperation as means to provide solutions to challenges faced by border areas.

The participants, therefore, undertake to:

- Fully share the considerations laid out in the annexed Memorandum of Understanding, resulting from the capacity-building activities and participatory consultations held within the Leadership Academy Programme, and especially the need for strengthening cross-border cooperation as an essential tool to achieve social, economic and territorial cohesion.
- Fully endorse the objectives and principles of co-operation laid out in the annexed Memorandum, representing the results of the capacity-building activities and participatory consultations held within the Leadership Academy Programme.
- Ensure that the annexed Memorandum is communicated, shared, reviewed and adopted by their competent bodies within a deliberative democracy perspective that has at its centre the wide participation of the citizens.
- Ensure that, once adopted by their competent bodies, the annexed Memorandum is signed and put immediately into force.
- Pursue all necessary means to engage widely with relevant stakeholders from the both sides of the border in the activities foreseen by the Memorandum and notably for the finalisation of the “Strategic Plan for the Nisava border region integrated development” and the “Legal roadmap for the institutionalisation of cross-border cooperation in the Nisava border region”.

ANNEX

MEMORANDUM OF UNDERSTANDING ON CROSS BORDER COOPERATION BETWEEN SERBIAN AND BULGARIAN MUNICIPALITIES AND ENTITIES IN THE NIŠAVA BORDER REGION:

Bulgaria

Kostinbrod,
Božurište,
Slivnica,
Dragoman,
Sofia University
"St. Kliment Ohridski",
Department for Regional and
Political Geography

Serbia

Pirot,
Dimitrovgrad,
Babušnica,
Bela Palanka,
Privredna Komora Pirot

Preamble

1. Recalling the spirit, the opportunities and the provisions of the European Outline Convention on Transfrontier Co-operation between Territorial Communities of Authorities by the Council of Europe, that both Bulgaria and Serbia have signed and ratified;
2. Convinced that the signature and ratification of the Additional Protocol to the European Outline Convention on Transfrontier Co-operation, of its Second Protocol and, especially, of the Third Protocol by both Bulgaria and Serbia would represent an unprecedented opportunity for the Parties to reinforce and stabilise cross-border cooperation in the area;
3. Aware of the provisions and of the opportunities and limitation of the European Grouping of Territorial Cooperation Regulation (EC) № 1082/2006, amended by Regulation (EU) No 1302/2013;
4. Aware of the provisions set out by Law on Local Self-Government and Local Administration (Закон За Местното Самоуправление И Местната Администрация), Decree № 199 on adoption of national rules on European Groupings of territorial Cooperation (ПОСТАНОВЛЕНИЕ № 24 на МС от 10.02.2015 г. за приемане на Национални правила относно учредяване, регистрация и членство в Европейски групи за териториално сътрудничество) of Bulgaria on the powers and competencies of local authorities on issues of cross-border cooperation and regional development;
5. Aware of the provisions set out by Law on Local Self-Government (Zakon o Lokalnoj Samoupravi) of Serbia on the powers and competencies of local authorities on issues of cross-border cooperation and regional development;
6. Aspiring to contribute to the social, economic, and environmental prosperity of the communities of the Nisava border region;
7. Convinced that cross-border cooperation is essential to achieve the necessary coordination for the integrated and sustainable development of the Nisava border region, in a manner which is both centred on effective institutional cooperation and on a spirit of tolerance, good neighbourly relations and friendship between the communities in the region;
8. Considering that the comparative advantages and specific characteristics of the region represent an immense potential, which could be achieved through more effective and stable cross-border cooperation;
9. Considering the work already carried out on these issues withing the Euroregion Nisava cooperation framework;
10. Recognising the need to strengthen the institutional cooperation processes in the region by overcoming issues of political instability and politicisation of cross-border cooperation;
11. Recognising the need to eliminate the obstacles to cross-border cooperation so to address, in an effective manner, the consolidated and emerging infrastructural, economic, social and environmental issues hindering the harmonious development of the region and of its communities;
12. Inspired by the work of the Centre of Expertise for Good Governance of the Council of Europe on cross-border cooperation, and especially by the vision of an effective cross-border cooperation

epitomised in the Centre's Leadership Academy Programme for Cross-border cooperation, which was implemented in the region for the benefit of elected representative and administrative staff of the Parties;

13. Convinced that the 12 Principles of Good Democratic Governance at local level as enshrined in the Strategy on Innovation and Good Governance at local level, endorsed by a decision of the Committee of Ministers of the Council of Europe in 2008, should guide the Parties' efforts towards the establishment of more stable cross-border cooperation governance frameworks and relevant operational structures;
14. Deciding to establish a new framework for enhanced cooperation and dialogue between the parties which is based on the principles of inclusiveness and of deliberative democracy, thus, setting at its centre the participation of civil society in the region;

The Parties have reached the following understanding:

Purposes and principles of co-operation

15. The Parties will develop their relationship in all areas of common interest, in particular the promotion of the social, economic, and environmental well-being and prosperity of the communities, to be achieved by the integrated regional development of the region;
16. On the basis of enhanced partnership and complementarity, the Parties will take all the necessary measures to promote their co-operation by engaging in a continuous dialogue at cross-border level, by actively engaging citizens in the cross-border cooperation processes and by harmonising common or complementary strategies, policies and programmes for the priorities and areas of shared interest set out below;
17. The Parties will actively commit to raise awareness about and advocate for the signing and ratification of the Third Protocol to the European Outline Convention on Transfrontier Co-operation by both Bulgaria and Serbia, in the view of exploiting the potentialities offered by the establishment of a Euroregional Cooperation Grouping (ECG) as a mean to institutionalise and, thus, reinvigorate a sustainable cross-border cooperation in the region;
18. The Parties will explore the feasibility for the establishment of a European Grouping of Territorial Cooperation (EGTC), as per the abovementioned Regulation by the European Commission, by actively pursuing the opportunities provided by the relevant legal frameworks at national and European levels, not excluding the possibility to expand the scope of cooperation to a larger border region connecting the Nisava region with the border area between Bulgaria and Romania;
19. The present Memorandum of Understanding is a declaration of intent on cross-border co-operation between the Parties.
20. The Memorandum outlines the mechanisms and other conditions according to which the Parties intend to cooperate to achieve the Memorandum objectives;
21. The provisions of this Memorandum are intended to support cooperation on a 'best efforts' basis between the partners. Therefore, these provisions are not legally binding on the Parties and the Memorandum does not create or grant any legal rights or obligations to the Parties or any third party;

Shared priorities and focal areas for cooperation

22. The Parties reaffirm their commitment to establish close cooperation, based on their prerogatives and powers, on their shared priorities and, where possible, to strengthen their relations, through the establishment of a dedicated cross-border cooperation governance structure, in areas of common interest related to economic, social, and territorial cohesion.

With a view to enhancing economic cohesion

the parties will cooperate for

1. joint economic development, via coordinated activities creating a shared economical landscape and framework.
2. the encouragement of the entrepreneur's spirit, the cooperation of small and medium sized enterprises in particular, and the development of cross-border commercial and entrepreneurial networks.
3. the promotion of common investment stimulation in order to develop a strong and vibrant economic environment in the border area.
4. for the creation of favourable conditions of cross-border integrated, sustainable tourism.

In the field of social cohesion

the partners are committed to

5. improve the frames for cooperation, capacity building in the sectors of culture, education and health, as well as the joint protection of cultural assets.
6. realize and apply good governance methods and solutions in decision-making processes related to cross-border cooperation initiatives.

In order to strengthen territorial cohesion

the parties will endeavour to

7. improving the transport infrastructure, public transport, information, telecommunication networks and services, cross-border water supply and management, waste management and energy supply.
8. jointly protecting and managing natural resources, exploiting renewable energy sources and preventing natural and technological risks, aligned with the EU Strategic Agenda 2019-2024 adopted by the European Council.

Arrangements for cooperation

9. The Parties, within their respective competencies, legal and policy frameworks, will consult regularly and closely, both at political and technical levels with the well-designed and active involvement of civil society actors, on matters within the shared priority areas described above.
10. The Parties should further continue to develop joint activities in order to promote
 - the finalisation of the “Strategic Plan for the Nisava border region integrated development”
 - the finalisation of “Legal roadmap for the institutionalisation of cross-border cooperation in the Nisava border region”.
 - the adoption of legal frameworks facilitating integrated cross-border cooperation in both countries;
 - joint research and education activities related to the creation of favourable conditions for cooperation;
 - the active engagement of citizens in cross-border cooperation.
11. In order to enable the realisation of the Memorandum, the parties will
 - set up a coordinating body being in charge of coordination of the partners’ joint efforts within the framework of the principles laid down in the Memorandum; the body should involve representatives of the local authorities taking part in the partnership and to hold its meetings twice a year at least;
 - create a consultative platform via which the coordinating body can communicate with the experts of the Council of Europe and the national authorities responsible for the adoption of legal acts facilitating cross-border and interterritorial cooperation; the consultative body should provide assistance to the adoption of the relevant legal provisions;
 - establish a Civil Parliament addressing the civil society actors from both sides of the border; the CP should be convened every year with a view to validating the development steps to be taken and to enhancing the embeddedness level of the two civil societies in cross-border integrated developments; the CP may set up joint committees taking part in the development of the concrete project proposals;
 - create and ensure the permanent information exchange between the parties of the two countries;
 - elaborate joint integrated strategies enabling the achievement of the objectives stipulated in the Memorandum in terms of economic, social and territorial cohesion;
 - prepare, submit and implement joint project proposals facilitating the realisation of the joint strategies;
 - monitor the achieved results and make suggestions on the necessary future alignments.

Visibility of the partnership

12. The parties commit themselves to improving cooperation in the area of communication, focusing on the active communication and dialogues with citizens, with the aim of increasing awareness and understanding of their shared values and on their objective of establishing sustainable cross-border cooperation processes;
13. The parties will take all necessary measures to maximise the visibility of this cooperation with a special emphasis on the active participation of civil society organisations, and citizens by large;

Follow-up

14. The parties will regularly evaluate the implementation of the present Memorandum. In the light of this evaluation, it will be decided by common agreement, to revise it with a view to including new priorities for cooperation, as well as to expanding it to new public and non-public stakeholders.

This Memorandum is conducted and signed in English, and it has been distributed as an authentic copy to each signing Party.

In witness whereof, the Parties here to have signed this Memorandum,

On the 24th of November in Sofia,

Kostinbrod

Pirot

Božurište

Dimitrovgrad

Slivnica

Babušnica

Dragoman

Bela Palanka

Sofia University "St. Kliment Ohridski",
Department for Regional and Political
Geography

Privredna Komora Pirot