

TABLE OF COMMENTS AND MA/NA RESPONSES

Comments received by JWG members/observers on the approval of the first draft of the Interreg-IPA CBC Programme Republic of Bulgaria – Republic of North Macedonia 2021-2027 (sections related to programme strategy - territorial needs and potentials, objectives and priorities of the programme, indicative actions, communication measures)

Member/observer of JWG /Institution	Comments/remarks	Justification / Responses
<p>Ms. Bilyana Yordanova, MINISTRY OF ENVIRONMENT AND WATER (Republic of Bulgaria)</p>	<p>A specific demarcation and distinction between the programmes should be made in order to eliminate the risk of double funding.</p> <p>I would like to inform you that the Ministry of Environment and Water agrees with the revised first draft of the Programme supporting its previous comment that with regard to the advanced stage of development of Programm Environment 2021-2027 and the forthcoming final negotiations with the services of the European Commission, a specific demarcation and distinction between the programmes should be made in order to eliminate the risk of double funding.</p> <p><i>The comment refers to demarcation at measure level, not a demarcation at policy or objective level. It is necessary to ensure that a mechanism is to be established for demarcation between similar/same activities on the territory of one municipality, financed under PE 2021-2027 and INTERREG IPA CBC Republic of Bulgaria – Republic of North Macedonia Programme 2021-2027.</i></p> <p>For example, such are green measures in urban environment. The Municipality of Blagoevgrad is a potential direct beneficiary for green urban measures under Priority Air of PE 2021-2027. The Municipality of Blagoevgrad is also eligible beneficiary under INTERREG IPA CBC. Eligible investments under both programmes are: green walls, green roofs, tree alley and street tree/hedge, street green and green verge, neighborhood green space etc. The risks of overlapping and</p>	<p>There should be no concerns about the demarcation between Interreg and mainstream programmes. The European Court of Auditors¹ states (and that position is also supported by EC) that <i>projects in cooperation programmes are different to the mainstream projects due to their obligatory cooperation character and, thus, cooperation and mainstream programmes can in principle fall under the same specific objectives</i>. In other words, Interreg programmes address identical challenges as other funding programmes (incl. mainstream programmes), and therefore the support the various programmes provide could be thematically very close. What differs between the different types of programmes is the type and scale of participation, as well as the impact these programmes generate. In Interreg programmes cooperation between entities from both sides of the border is precondition for support, while in most other EU funding programmes this is not the case. Instead of demarcation, in case of Interreg, we seek complementarity and synergy with other EU funding programmes. In this respect, please refer to point 7 in the Special Report No 14/2021 by the European Court of Auditors - <i>Interreg cooperation: The potential of the European Union's cross-border regions has not yet been fully unlocked</i>². Nevertheless, the managing bodies perform double funding check of all selected project proposals prior to signing of subsidy contracts.</p>

¹ <https://www.eca.europa.eu/en/Pages/DocItem.aspx?did=58917>

² <https://data.consilium.europa.eu/doc/document/ST-13709-2021-INIT/en/pdf>

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	<p>double funding should be eliminated at the earliest stage. The need and burden of demarcation should be noted in the programming document and the specific requirements should be set at procedure level. It is advisable to look for the complementarity of the measures financed under the different programmes.</p>	
<p>Elena Stoyanova, Ministry of Regional Development and Public Works, (Republic of Bulgaria)</p>	<p>The implementation of Priority 3 Integrated development of the cross-border region shaped by a dedicated Integrated Territorial Strategy (ITS)</p> <p>We would like to bring to your attention one addition to section 2.3.5 Indication of the specific territories targeted, including the planned use of ITI, CLLD or other territorial tools of the Programme.</p> <p>The additional text concerns the implementation of Priority 3 Integrated development of the cross-border region shaped by a dedicated Integrated Territorial Strategy (ITS). The suggested addition (taken from the draft version of the ITS) goes as follows:</p> <p>The ITS territory is comprised of the following functional zones:</p> <p>(1) Zone of the European Green Belt, determined by an increased contribution of the natural heritage to a balanced and sustainable socioeconomic development. Interventions will be concentrated in preventative joint initiatives for the creation of green belts and measures for protection and conservation of the environment.</p> <p>(2) Zone of active transport communication, characterised by functional communication owing to the existing transport links.</p>	<p><i>Accepted</i></p>

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	<p>Interventions will be focused on upgrading the existing and construction of new sites and facilities of the transport infrastructure.</p> <p>(3) Cities as Centres of Knowledge – Blagoevgrad and Stip are the academic centres in the territory. The higher education institutions in both cities have the potential to make an extremely positive impact in raising the awareness, knowledge and educational status of the local population, which will thus receive support for higher-quality employment, greater opportunities for professional advancement and competitiveness on the labour market.</p>	
<p>Hajrie Ahmed, Ministry of Local Self - Government, Republic of North Macedonia</p>	<p>Our position regarding the use of the new constitutional name in all future program documents</p> <p>We would like to emphasize that as the Ministry of Local Self-Government in the role of National Authority for Programme Implementation,, our position regarding the use of the new constitutional name in all future program documents is as follows:</p> <p>Pursuant to Amendment XXXIII adopted in 2019, which is an integral part of the Constitution of the Republic of North Macedonia as the highest legal act in the country, the Ministry of Local Self-Government for domestic and international use is legally obliged to use the following terms:</p> <ol style="list-style-type: none"> 1. The title of all further program documents must contain the full name of the new constitutional name "Republic of North Macedonia". 2. The following names / abbreviations of the constitutional name of the state should be applied in the further text of the documents: 	<p>Managing Authority position:</p> <p>We ask for the exclusive use of the full constitutional name “Republic of North Macedonia” throughout the document. In view of ensuring balance in the text, we would not object to referring to Bulgaria in the Programme with its full constitutional name, as well, namely “Republic of Bulgaria”.</p> <p>The Bulgarian position on the matter will remain unchanged until the Republic of North Macedonia officially declares with a verbal note to the UN that the use of the short name of the country refers only to the political entity “Republic of North Macedonia” and not to the geographical region of North Macedonia.</p> <p>National Authority position as of 24.12.2021:</p> <p>We propose to use the long forms of the constitutional names of both our countries reciprocally wherever needed throughout all the referred documents.</p> <p>That mean that the programme document and all other documents from now on, for the new programming period, will be presented with the long names of our countries everywhere in the text, from the title, to the end.</p>

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	<ul style="list-style-type: none"> - the full name of the new constitutional name "Republic of North Macedonia"; - the abbreviated name "North Macedonia" or - code "MK" as determined by the International Organization for Standardization (ISO). 	
<p>Dimitar Mitrevski Unit for Accession and Negotiation Directorate for European Union Ministry of Foreign Affairs, Republic of North Macedonia</p>	<p>As representative of the MFA in this CBC JWG, in addition to the comment of our MLSG representative I would like to express a principled remark in reference to the naming of our countries in the document.</p> <p>In this context, I would like to note that the both countries should be named throughout the documents by their “long names” and “short names” adequately and applying the principle of reciprocity.</p> <p>Having in mind the EU/EC well established practice in this kind of documents, I would like to point out that the document should at the beginning, when the names of the countries are mentioned first, to use only once their long names (“the Republic of Bulgaria” and “the Republic of North Macedonia”), and thereafter in the document should use/refer to their short names (“Bulgaria” and “North Macedonia”).</p> <p>As aforementioned, I would like to kindly ask you to implement this practice of naming of our countries in the documents and also all upcoming documents. On the other hand, having in mind that we are programming the new programme period, the name changes have to be integrated/implemented also into all related programme documents adequately.</p>	<p>Managing Authority position: We ask for the exclusive use of the full constitutional name “Republic of North Macedonia” throughout the document. In view of ensuring balance in the text, we would not object to referring to Bulgaria in the Programme with its full constitutional name, as well, namely “Republic of Bulgaria”. The Bulgarian position on the matter will remain unchanged until the Republic of North Macedonia officially declares with a verbal note to the UN that the use of the short name of the country refers only to the political entity “Republic of North Macedonia” and not to the geographical region of North Macedonia.</p> <p>National Authority position as of 24.12.2021: We propose to use the long forms of the constitutional names of both our countries reciprocally wherever needed throughout all the referred documents. That mean that the programme document and all other documents from now on, for the new programming period, will be presented with the long names of our countries everywhere in the text, from the title, to the end.</p>
<p>Yordan Dimitrov</p>	<p>As a representative of the Ministry of Foreign Affairs of Bulgaria in the Joint Working Group, please allow me to share with you that the</p>	<p>Managing Authority position:</p>

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<p>Third Secretary South-Eastern Europe Directorate Ministry of Foreign Affairs of Bulgaria</p>	<p>Bulgarian party would be more than satisfied to be able to support the aforementioned approach, as suggested by our colleagues from the Republic of North Macedonia.</p> <p>Unfortunately, we are still obliged to ask for the exclusive use of the full Constitutional name of the Republic of North Macedonia in the draft of the Interreg-IPA CBC Programme Republic of Bulgaria - Republic of North Macedonia 2021-2027.</p> <p>The reason for this Bulgarian position lies largely in the fact that unfortunately, for the last more than 2 years, the relevant authorities of the Republic of North Macedonia do not send, as promised many times, a verbal note to the United Nations stating that the short name “North Macedonia” refers only to the political entity and not to the eponymous geographical area of North Macedonia, which includes part of the sovereign territory of Bulgaria. The sensitivity of this matter is even stronger bearing in mind the geographical scope of the Programme.</p> <p>On numerous occasions we have declared, that the issuance of this Verbal Note would mean that Bulgaria would no longer insist on the exclusive use of the full name of the Republic of North Macedonia in international fora.</p> <p>To conclude, we call for a reasonable and pragmatic approach to the adoption of the Interreg-IPA CBC Programme, so that we manage to refrain from politicizing this issue in the name of the successful launch of the next stage of our joint Cross-border Cooperation.</p>	<p>We ask for the exclusive use of the full constitutional name “Republic of North Macedonia” throughout the document. In view of ensuring balance in the text, we would not object to referring to Bulgaria in the Programme with its full constitutional name, as well, namely “Republic of Bulgaria”.</p> <p>The Bulgarian position on the matter will remain unchanged until the Republic of North Macedonia officially declares with a verbal note to the UN that the use of the short name of the country refers only to the political entity “Republic of North Macedonia” and not to the geographical region of North Macedonia.</p> <p>National Authority position as of 24.12.2021: We propose to use the long forms of the constitutional names of both our countries reciprocally wherever needed throughout all the referred documents. That mean that the programme document and all other documents from now on, for the new programming period, will be presented with the long names of our countries everywhere in the text, from the title, to the end.</p>
<p>General recommendation by Directorate-General for Regional and Urban Policy European Commission</p>		
<p>Overall OP</p>	<p>Please apply the Commission’s practice by using the long name ‘Republic of North Macedonia’ the first time the country name</p>	<p>Managing Authority position:</p>

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	<p>appears in any programme document and the short name ‘North Macedonia’ thereafter. To ensure consistency and equal treatment, the same approach should apply to Bulgaria (first time long name, then short name). The only exception is when referring to the exact title of the programme, which will use both short names: ‘IPA CBC Bulgaria-North Macedonia’.</p> <p>Please find attached your draft programme, with track-changes showing how both country names should be indicated in the programme document.</p>	<p>We ask for the exclusive use of the full constitutional name “Republic of North Macedonia” throughout the document. In view of ensuring balance in the text, we would not object to referring to Bulgaria in the Programme with its full constitutional name, as well, namely “Republic of Bulgaria”.</p> <p>The Bulgarian position on the matter will remain unchanged until the Republic of North Macedonia officially declares with a verbal note to the UN that the use of the short name of the country refers only to the political entity “Republic of North Macedonia” and not to the geographical region of North Macedonia.</p> <p>National Authority position as of 24.12.2021: We propose to use the long forms of the constitutional names of both our countries reciprocally wherever needed throughout all the referred documents. That mean that the programme document and all other documents from now on, for the new programming period, will be presented with the long names of our countries everywhere in the text, from the title, to the end.</p>
<p>Programming</p>	<p>Kind reminder – together with the programme submission, we would wish to see:</p> <ul style="list-style-type: none"> - Socio-Economic Territorial Analysis - Methodological document for Performance Framework outlining principles for the selection of indicators and setting milestones and targets for the performance framework (detailed methodology for setting-up indicators). Although it is not a legal requirement – will be necessary to assess fully the intervention logic. We recommend you to send us this document also already informally together with a mature draft of the programme (before the official submission) - Strategic Environmental Assessment: Please note that the SEA procedure has to be completed before the Commission formally adopts the programme subject to the SEA. You can submit, together with the 	<p>All the requested documents will be sent along with the programme documents.</p>

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	<p>draft programme, informally already the draft environmental assessment report.</p> <p>Please be informed that for the formal submission DG Environment will need the following documents:</p> <ul style="list-style-type: none"> • The non-technical summary of the information provided in the environmental report, as foreseen by Annex I(j) of the Directive; • Information on the consultations with the public and the environmental authorities concerned (Article 6 of the Directive); • The description of the measures decided concerning monitoring foreseen in Articles 9(1)(c) and 10 (monitoring); • The final statement summarizing how environmental considerations and the opinions expressed were taken into account in the final decision. <p>- Agreement with North Macedonia on the content of the Programme is necessary at the stage of programme adoption the latest (as set out in Article 16(5) of Regulation (EU) 2021/1059 (ETC).</p> <p>- Territorial strategy for PO5 (if possible but not required for submission)</p>	
1.1 Programme area	The programme area should be in line with the programme area defined in the implementing act, adopted pursuant to Article 8 ETC.	Accepted. The programme area will be in line with the programme area defined in the implementing act, adopted pursuant to Article 8 ETC.
1.2.1 Summary of main joint challenges, taking into account economic, social and territorial disparities, joint investment needs	<p>We recognize that an important effort has been made to analyse in details the challenges faced by the cross-border region.</p> <p>It is important that the summary of the socio-economic analysis supports the intervention logic (choice of policy objectives, specific objectives, indicators). There should be a clear link.</p> <p>We would recommend for example, where possible, to refer to the results of the public consultations in this part in order to support the intervention logic.</p> <p>Overall, this part looks good. However, we would need to know also the indicators and financial allocation to comment on it.</p>	The second draft of the programme document in this part is under detailed development and the comment will be taken into account.

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<p>1.2.4 Complementarities and synergies with other forms of support:</p> <p>1.2.5 Complementarities and synergies with other forms of support</p> <p>1.2.6 complementarity with MRS</p>	<p>We would expect more details on the concrete arrangements foreseen in in terms of cooperation with other programmes (detailed procedures for implementation).</p> <p>It is very positive that reference is made to other to other national programmes as well as to the IPA CBC Greece-North Macedonia programme, to EUSAIR and EUSDR. Overall, it would be important that cooperation links are always made as concrete as possible.</p> <p>What is still missing are potential links to the Prespa Lake Agreement, to the EU for Prespa programme or ADRION. With regard to the ‘EU for Prespa programme’ it would be important to check if any actions around the Prespa area are planned in the programme are complementary (and not duplicating) to what is planned for the ‘EU for Prespa programme’. We are still seeing with the EU Delegation in Skopje if we can share the latest draft version of the programme with you and come back to you on this issue.</p> <p>Furthermore, complementarities and synergies with IPA III funding for North Macedonia is still missing.</p>	<p>The second draft of the programme document is under detailed development and the comment will be taken into account.</p>
<p>2.3 Priority 3 Integrated development of the cross-border region</p> <p>2.3.5. Indication of the specific territories targeted, including the planned use of ITI, CLLD or other territorial tools</p>	<p>Please note that the ‘other territorial tool’ (as mentioned in Article 28 (c) of CPR) is not the integrated territorial strategy. The ‘other tool’ as well as ITI or CLLD are territorial instruments (territorial delivery mechanisms).</p> <p>It is important to distinguish between programming tools and implementation methods. ITI and other territorial tools designed by Member States are alternative ways to programme multi-thematic support for integrated territorial development, and both need to respect the minimum requirements (integrated territorial strategy and empowerment in selection of operation).</p> <p>CLLD can be implemented only by using the specific method defined in Art. 25-28 of the new CPR.</p> <p>Under the “other tool” (i.e when not an ITI or CLLD is used), there is quite some flexibility on the group of people selecting the operations but they should represent the territorial authorities and stakeholders from both sides of the border.</p>	<p>The second draft of the programme document is under detailed development and the comment will be taken into account.</p>

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	<p>Where the list of operations is not included in the territorial strategy, the relevant territorial authorities or bodies shall select or shall be involved in the selection of operations. Selected operations shall comply with the territorial strategy.</p> <p>Elements to be included in the joint ‘Integrated Territorial Strategy’ (which does not need to be ready for programme submission but can be selected by the JMC at a later stage) are:</p> <ul style="list-style-type: none"> - The geographical area covered by the strategy - An analysis of the development needs and the potential of the area including economic, social and environmental interlinkages - A description of an integrated approach to address the identified development needs and the potential i.e solutions proposed - A description of the involvement of partners in the preparation and implementation of the strategy <p>We take note of the on-going work carried out by a consultant and the planned consultations on the territorial strategy. We understand the constraints in which you operate (CBC programme on the external border, no EGTC etc). Nevertheless, it is important to stress the need for a bottom up approach and to involve local authorities in the drafting of the strategy itself. – some concerns here that the strategy is consulted after the draft – should be involved in the development of the strategy as well.</p>	
<p>Priorities/Specific Objectives:</p>	<p>Please pay attention to the cross-border dimension of the investments envisaged, which is not always indicated clearly (especially for priority 1 of PO2 and for priority 3 of PO5).</p> <p>It would be recommendable to emphasize more the opportunities for joint initiatives, joint projects and joint actions of all kinds.</p>	<p>The cross-border dimension of the investments has been further highlighted and strengthened, particularly from an indicator perspective. More information will be provided in the Performance Framework’s Methodology Paper</p>
<p>4. Actions taken to involve the relevant programme partners:</p>	<p>Please note that the programme should set out all the actions taken to involve the relevant programme partners referred to in Article 8 of Regulation (EU) 2021/1060 CPR in the preparation of the Interreg programme, and the role of those programme partners in the implementation, monitoring and evaluation of the programme (Article</p>	<p>The second draft of the programme document is under detailed development and the comment will be taken into account.</p>

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	<p>17(3) (g) ETC regulation. An adequate mechanism is required, which allows to involve the programme partners during programming, implementation and monitoring/evaluation.</p> <p>In this respect, a specific emphasis should be given to transparency (so the programme partners can have access to all the relevant information in a timely way). It would for example be important to make all relevant information accessible to the partners on the programme website.</p> <p>The partners involved should be the following:</p> <ul style="list-style-type: none"> (a) regional, local, urban and other public authorities; (b) economic and social partners; (c) relevant bodies representing civil society, such as environmental partners, non-governmental organisations, and bodies responsible for promoting social inclusion, fundamental rights, rights of persons with disabilities, gender equality and non-discrimination; (d) research organisations and universities, where appropriate. <p>Please also note that the European code of conduct on partnership (Delegated Regulation (EU) No 240/2014) will continue to apply for the 2021-27 period.</p>	
<p>6. Indication of support to small-scale projects, including small projects within small project funds</p>	<p>Please be reminded that in line with Article 24 (1) ETC Regulation, Interreg A, B and D programmes shall support projects of limited financial volume, either: (a) directly within each programme; or (b) within one or more small project funds.</p> <p>Please indicate under section 6 of the programme template still if you implement projects of limited financial volume outside or within SPF, or both. You should indicate the size, the purpose and the target groups of such projects in your programme, as well as under which specific objective(s) they will be financed. Further information may be provided under the relevant specific objective(s).</p>	<p>The programme document in these parts is under detailed development and will be presented through the forthcoming procedure.</p>
<p>6 Communication</p>	<p>Presented in “track-changes” in draft Programme.</p>	<p>The programme document in these parts is under detailed development and will be presented through the forthcoming procedure.</p>

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Indicators Financing Plan/Financial allocation 7. Implementing provisions	Are still missing	The programme document in these parts is under detailed development and will be presented through the forthcoming procedure.
8. Use of unit cost, lump sums, flat rates and financing not linked to costs Map of the programme area Annexes		The programme document in these parts is under detailed development and will be presented through the forthcoming procedure.