

## **Minutes of Meeting**

### *of the second official meeting of the Monitoring Committee of Operational Programme “Environment 2007-2013”*

*28 February 2008 10:00 h, “Sredets” hall, „Sheraton” hotel*

The meeting was opened by the chairman of the Monitoring Committee of Operational Programme “Environment 2007-2013” Mr. Chavdar Georgiev. After registering the necessary quorum **Mr. Georgiev proceeded to the first item on the agenda – Discussion and adoption of Criteria for Selection of Projects under Operational Programme „Environment 2007–2013”**. He reminded the committee members that at the previous meeting the criteria were adopted in principle and the Managing Authority (MA) was authorised to revise them according to the comments of the European Commission. He gave the floor to **Ms. Tatyana Petkova – advisor to the Minister of Environment and Water and observer in the committee**, who informed the committee that the MA and the European Commission have agreed upon the draft criteria submitted. In substance they are criteria for project evaluation. The tables include the criteria on the basis of which the evaluation committee will take its decisions, and the final paragraphs of the text of each set of criteria indicate which of the criteria will be the basis for the work of the Project Selection and Coordination Committee. Also, compared to the previous version of the document, two new groups have been added – evaluation criteria for elaboration and updating of River Basin Management plans and evaluation criteria for preparation/ review and update of Regional/ Municipal Waste Management plans/ programmes.

**Mr. Richard Masa from DG “Regional Policy” of the European Commission (EC)** took the floor and confirmed that this version of criteria have been elaborated according to the EC comments and also expressed his hope that this version of the document will facilitate the process of project selection.

**Mr. Chavdar Georgiev** invited the committee members, in case they have comments on the document, to present them.

**Ms. Katerina Rakovska, “Bluelink” Foundation** took the floor and asked for more detailed clarification of the difference between the work of the evaluation committee and that of the Project Selection and Coordination Committee (PSCC).

In reply **Ms. Tatyana Petkova** reminded that the functions of the evaluation committee and of the PSCC are laid down in the operational programme “Environment 2007-2013” approved by the EC, as well as in Decree of the Council of Ministers Nr. 121 laying down the provisions for awarding of grants under the operational programmes co-financed by the Structural Funds and the Cohesion Fund of the European Union, and under the PHARE Programme of the European Union. While the evaluation committee reviews the project proposals individually according to the criteria, the PSCC task is at the next stage of the procedure to check whether there is overlapping with activities financed under the other operational programmes.

**Mr. Carsten Razmussen from DG “Regional Policy”, EC** noted that this topic has been discussed with the MA. In practice the project selection will be performed by the evaluation committee. **Mr. Renaldo Mandmets – Head of the Bulgarian Unit in DG “Regional Policy” of the EC** added that the PSCC will only assure that there is no double financing.

After finalizing the discussion the document “Criteria for Evaluation of Projects under Operational Programme „Environment 2007–2013” was adopted by consensus.

**Mr. Chavdar Georgiev proposed to proceed to the second item on the agenda: Discussion and adoption of revisions to the Internal Rules of Procedure of the Monitoring Committee of Operational Programme „Environment 2007–2013”** and gave the floor to **Mr. Vassil Margaritov – Head of the MA of Operational Programme “Environment 2007-2013”**. Mr. Margaritov underlined the necessity to define the written procedure for decision-taking under the operational programme in the maximum precise way, considering that in the future this procedure shall be also used. In view of this the MA proposes to revise the text of Art. 7 of the Internal Rules voted at the previous meeting of the Monitoring Committee, by correction of certain contradictions in the text. He clarified the proposal for revisions item by item of Art. 7, namely:

Art.7, Par.5 to be revised in the following way: *“In the event of a clearly stated objection received by a member within the timeframe specified in art. 7, par. 3, the Chairman discusses the issue with the member of the Committee who has raised the objection.”*.

Art.7, Par.6 providing *“Each member of the Monitoring Committee has the right to withdraw his or her objection at any time prior to the closing of the written procedure and in that event, the proposal is deemed adopted.”* to be removed.

Art.7, Par.7 to be renumbered to Par. 6 and to be revised in the following way: *“In the event that no decision is reached on account of art.7, par. 4, the issue in question shall be reviewed at the following meeting of the Monitoring Committee.”*.

**Mr. Chavdar Georgiev** invited the committee members to discuss the submitted proposals for revision of Art. 7 of the Internal Rules of Procedure of the Monitoring Committee.

**Ms. Tatyana Petkova** expressed her opinion that removing item 6 of Art. 7 will interrupt the logic sequence of the entire provision. She also proposed a technical correction – the word *“paragraph”* to be corrected to *“item”*.

**Mr. Vassil Margaritov** noted that during the preliminary discussion the EC also raised the issue how during the written procedure the committee members are informed of the statements submitted. The statements will be included in a table, which will be sent by e-mail to the committee members. In view of this he expressed his consent item 6 of Art. 7 not to be removed.

**Mr. Razmussen** noted that item 7 allows each committee member to block this procedure if he/ she does not withdraw his/ her objection. High degree of responsibility of the members is required and still there is a risk to block decisions due to minor issues. He added that if the provision remains as it is, during the practical implementation of the written procedure it will become clear whether the scheme will be a working one.

**Mr. Dimitar Brankov from the Bulgarian Industrial Chamber** proposed the end of the sentence: *“in that event, the proposal is deemed adopted”* to be removed from item 6, and the new wording of the item to be: *“Each member of the Monitoring Committee has the right to withdraw his or her objection at any time prior to the closing of the written procedure.”*

**Ms. Galya Mihaylova from OP “Technical Assistance”, MF** expressed her support for Mr. Razmussen’s opinion that according to the present wording of the provision one committee member with his/ her objection may block the procedure. She proposed the following revision of item 4: *“Provided more than half of the committee members have voted positive, i. e. support the proposal, the decision shall be deemed adopted.”*

**Ms. Petkova** proposed to revise item 4 according to the statements expressed by the EC and by Ms Galya Mihaylova, in the following way: *“The decision shall be adopted provided more than half of the statements of the committee have been submitted and they are positive.”*

**Mr. Razmussen** proposed the following wording of item 7: *“Any substantial objection shall be subject to discussion between the committee member expressed the objection and the Managing Authority. As a result of this discussion the Managing Authority may decide to withdraw its proposal or to maintain it provided the requirements of Art 4 are fulfilled. In this manner each expressed objection will be commented and at the same time it may not block the decision.*

**Mr. Chavdar Georgiev** proposed to change the agenda and to announce the break earlier, which will allow time to summarise all statements expressed and to reformulate the proposal for revision of Art. 7 of the Internal Rules of Procedure of the committee.

After the break **Mr. Chavdar Georgiev and Ms. Tatyana Petkova** presented and clarified the new wording of Art. 7, as a result of the expressed statements, namely:

- 4. The decision shall be deemed adopted provided more than half of the committee members have submitted positive statement.*
- 5. Each objection raised by a member of the Monitoring Committee shall be discussed between the chairman of the committee and a representative of the Managing Authority on the one part, and the objecting member of committee, on the other part.*
- 6. The discussion shall take place within twenty days from submission of the objection.*
- 7. As a result of this discussion the member of the Monitoring Committee or of the Managing Authority may decide to withdraw the objection/ the proposal.*
- 8. The decision shall be deemed approved regardless whether the objection of a committee member has been withdrawn, provided the requirements of p. 4 are fulfilled.*
- 9. The decision shall be deemed not adopted provided more than half of the statements have not been submitted or the Managing Authority has withdrawn its proposal according to item 7.*
- 10. Provided the Managing Authority has withdrawn its proposal according to p. 7, the latter may be submitted for discussion at the following Monitoring Committee meeting.*

Following a question of **Ms. Asya Dobrudjalieva from the Bulgarian Association of Municipal Environmental Experts** regarding withdrawal of the proposal on the part of the MA, Mr. Chavdar Georgiev clarified the procedure in detail.

After finalizing the discussion the newly formulated revisions of the Internal Rules of Procedure of the Monitoring Committee of Operational Programme „Environment 2007-2013” were adopted by consensus.

**Mr. Chavdar Georgiev** proposed to proceed to item three of the agenda: **Discussion and adoption of the Strategic Plan „Technical Assistance 2007-2013” under Operatoinal Programme „Environment 2007–2013”**. Ms. Petkova clarified that the most recent proposals for revision of the text of the document disseminated at the meeting, are valid. These revisions are a result of the preliminary discussions between the MA and the EC representatives.

The floor was given to **Ms. Elena Tomova from the MA**, who presented the draft Strategic Plan for Technical Assistance. Ms. Petkova clarified that the disseminated proposals for revision concern inclusion in the strategic plan of the activities under item 9 or such related to research and evaluation of the management needs of the beneficiary, training of the beneficiaries etc. This requires several revisions of the table, namely of the eligible activities,

costs and beneficiaries. The table shall also be corrected by including the amounts in EURO in addition to BGN.

**Ms. Asya Dobrudjalieva** supported the proposed revisions in the text and at the same time noted that in the operational programme beneficiaries under priority axe 4 “Technical Assistance” may be the beneficiaries under the remaining priority axes. She asked for clarification of the motifs to include as beneficiary under item 9 the Directorate “Cohesion Policy for Environment” at the Ministry of Environment and Water, and not to include the beneficiaries under priority axes 1, 2 и 3.

**Ms. Elena Tomova** clarified that initially this activity has not been included in the Strategic Plan for Technical Assistance because the elaboration of the plan is a commitment resulting from the Internal Rules for Direct Granting, which concern only the MA and the IB of the operational programme, namely directorates “Cohesion Policy for Environment” (CPE) and “EU Funds for Environment” (EUFE) at the Ministry of Environment and Water. The EC’s proposal is to elaborate an overall plan under priority axis “Technical Assistance”. This is the reason for including this activity in the plan. The Directorate CPE has been included as a beneficiary in order to ensure a more centralised management of this type of activities, and the beneficiaries under priority axes 1, 2 and 3 will be a target group of these trainings.

**Ms. Petkova** added that after research of the capacity of the beneficiaries and carrying out of demarcation with OP “Technical Assistance 2007-2013”, the financial resources will be requested by Directorate CPE, which will organize the trainings of the beneficiaries.

**Ms. Dobrudjalieva** expressed her apprehension that this will cause contradiction between the strategic plan and the operational programme.

**Mr. Richard Masa** noted that priority axis 4 includes specialized training for the beneficiaries under the remaining priority axes of the operational programme, while under OP “Technical Assistance” general trainings are planned. As to the technical assistance for project preparation, it is included within the framework of priority axes 1, 2 and 3 under OP “Environment 2007-2013 г.”

**Ms. Elena Tomova** noted that under the OP “Environment 2007-2013” there are no target groups, there are only beneficiaries. The inclusion of the Directorate CPE is in full compliance with the definition of “beneficiary” according to Regulation 1083/2006. On the other hand, with the evaluation of the project proposal a capacity assessment and respectively a risk assessment are also performed. Therefore the MA may best assess what type of training the individual beneficiaries need.

**Ms. Petkova** added that the activities under item 9 shall be performed by the MA due to their specific nature. According to the operational programme the MA is responsible to train the beneficiaries. The beneficiaries under priority axes 1, 2 and 3 are not excluded from this activity, but are not direct beneficiaries.

With this the discussion on this issue was exhausted.

**Mr. Valentin Yovev from the Union of Economic Initiative** requested clarification whether the ratio (96% to 4%) remains between the procedures for direct granting and the activities related to strengthening the capacity of the beneficiaries under priority axes 1, 2 and 3. In case this ratio is maintained, the percentage shall be considered.

**Ms. Petkova** clarified that with the proposed revisions of the text this ratio has been removed and in the most recent text there is no strict allocation.

**Ms. Galya Mihaylova** proposed the table in the strategic plan to reflect the actual plan of the MA regarding the allocation of the financial resources by years, including the costs incurred (or not incurred) during 2007.

**Mr. Margaritov** clarified that the table includes the indicative allocation of costs by years. **Mr. Georgiev** supported him stating that the indicative allocation by years shall be maintained the plan.

**Mr. Razmussen** added that this plan is good as a list of the activities that should and are planned to be carried out under priority axis 4 “Technical Assistance”. At one of the following meetings of the Monitoring Committee the MA is expected to present a budgetary plan by categories of activities of the strategic plan.

After finalizing the discussion the Strategic Plan for „Technical Assistance 2007-2013” under Operational Programme „Environment 2007–2013” was adopted by consensus.

Mr. Chavdar Georgiev announced the end of the meeting of the Monitoring Committee.

### **List of Participants**

#### Chairman:

1. Mr. Chavdar Georgiev – Deputy Minister of Environment and Water

#### Member and substitute:

2. Mr. Vasil Mragaritov – Director of the „Cohesion Policy for Environment” Directorate, Ministry of Environment and Water (MoEW)
3. Mr. Dimitar Pehlivanov – a.h. of the „Monitoring and Reporting” Directorate, MoEW
4. Ms. Boyana Chavdarova, "Programming of the Regional Development", Ministry of the Regional Development and Public Works
5. Mr. Plamen Girginov, "Pre-accession Programmes and Projects" Directorate, Ministry of Economy and Energy
6. Ms. Galina Mihaylova, Head of the „Technical Support” Directorate, Ministry of Finance
7. Ms. Dobrinka Krasteva, “Management of EU funds” Directorate, Ministry of Finance
8. Ms. Lilyana Pavlova – “National Fund” Directorate, Ministry of Finance
9. Ms. Shinka Marinova - Director of the „EU Funds for Environment” Directorate, MoEW
10. Ms. Albena Boneva - „EU Funds for Environment” Directorate, MoEW
11. Ms. Ivet Baeva - “Economical and Social Policy” Directorate, Council of Ministers
12. Mr. Hristo Yovkov - “Strategic Management and Planning”, Council of Ministers
13. Mrs. Denica Nedeva - “Coordination of EU Affairs and International Financial Institutions”, Council of Ministers
14. Mr. Georgi Ivanov – “Water” Directorate, MoEW
15. Mr. Georgi Terzov – “Water” Directorate, MoEW
16. Ms. Rumyana Ilieva – “Waste Management” Directorate, MoEW
17. Ms. Jaclin Metodieva - „Preventive Activities” Directorate, MoEW
18. Mr. Stoyan Vergiev - „National Nature Protection Service” Directorate, MoEW
19. Ms. Ganya Hristova - „SCEUAIC” Directorate, MoEW
20. Mr. Petar Petrov – National service “Police”, Ministry of Interior
21. Mr. Ivo Savov – National Service “Police”, Ministry of Interior
22. Ms. Kalina Dimitrova - State Agency for Information Technologies and Communications
23. Mr. Rumén Ruménov – National Statistical Institute
24. Ms. Desislava Mihalkova – “Tourist policy” Department, State Agency for Tourism
25. Ms. Iva Yakimova - “Tourist Policy” Department, State Agency for Tourism

26. G-n Mincho Kazandjiev – Mayer of Municipality Lovech, National Association of Municipalities in the Republic of Bulgaria
27. Mr. Dimitar Sirakov – Bulgarian Academy of Sciences
28. Mr. Krum Krumov - Deputy Regional Governor of Region Montana, Regional Council for Development of NWR Planning Region
29. Ms. Maria Dimova - Regional Governor of Region Ruse, Regional Council for Development of NCR Planning Region
30. Mr. Petar Fidanov - Regional Governor of Region Smolyan, Regional Council for Development of SCR Planning Region
31. Mrs. Keti Koinakova – Confederation of Labour “Podkrepa”
32. Mr. Kiril Binev - Confederation of Labour “Podkrepa”
33. Mr. Todor Velinov – “Promyana” Union
34. Mr. Dimitar Brankov – Bulgarian Industrial Chamber
35. Mrs. Iliana Pavlova - Bulgarian Industrial Association
36. Mr. Krasimir Dachev – Bulgarian Chamber of Commerce and Industry
37. Mr. Valentin Yovev – Union of Economic initiative
38. Mr. Iliya Keleshev – Bulgarian Industry Capital Association (BICA)
39. Mrs. Asya Dobrudjalieva – Bulgarian Association of Municipal Environmental Experts
40. Mr. Botyo Tabakov – President of the Standing Committee “Environment, Health and Safety”, Bulgarian Chamber of Mining and Geology
41. Mrs. Rozalina Kozleva - President of the Standing Committee “Rights, Financies and European Funds”, Bulgarian Chamber of Mining and Geology
42. Mr. Alyosha Dakov - “Forestry and Environmental Protection”, Council of Ministers, State Agency of Forestry

Observers:

43. Mr. Jean-Marc Arnoux – European Investment Bank
44. Mr. Renaldo Mandmets – DG “Regional Policy”, European Commission
45. Mr. Richard Masa - DG “Regional Policy”, European Commission
46. Mr. Carsten Rasmussen – DG “Regional Policy”, European Commission
47. Ms. Stavroula Pelekasi – DG “Regional Policy”, European Commission
48. Ms. Katerina Rakovska – “World fund for Wild Nature”, Foundation “BlueLink”
49. Mr. Konstantin Georgiev – Alliance of the United NGO “Vitosha - 2002”
50. Mrs. Yuliya Dobрева – Public Procurement Agency
51. Ms. Tatyana Petkova – Advisor to the Minister of Environment and Water

Approved by:.....

*/Mr. Chavdar Georgiev – Deputy Minister and Chairman of the Monitoring Committee of OP “Environment”  
2007-2013” /*

21. March 2008