



ROMANIA - BULGARIA

Interreg 

DECISION no. 6
of 24th of April 2018

Regarding the complaints lodged against the Monitoring Committee Decision no. 72 of 22nd of March 2018, approving the List of approved and rejected projects submitted under the third call for proposals for the Interreg V-A Romania-Bulgaria Programme - deadline 23rd of October 2017

Having regard to the following:

- Monitoring Committee Decision no. 51 of 2nd of August 2017 approving the Complaint Panel for the Eols and full applications submitted under the 3rd call for proposals, priority axes 1-3, Interreg V-A Romania-Bulgaria Programme, step 1 and 2,
- The Complaint Procedure of Interreg V-A Romania-Bulgaria,

the Complaint Panel of Interreg V-A Romania-Bulgaria Programme has adopted this:

DECISION

Article 1. The present document rejects the complaint lodged by Constanta Art Museum, lead beneficiary of the application no. ROBG 335 - *"Develop and promotion of cross-border art tourism based on cultural heritage in Constanta - Ruse area - awareness upon the existing potential"* and registered by CBC ROC with the number 6366/02.04.2018 appealing the rejection of the project proposal on the Admissibility and Eligibility verification.

Article 2. The reasons for rejection of the complaint are:

- The complaint is based on the fact that during the Eol step 1, clarifications were requested by the AWG regarding the proposed investment objective and following the provided explanation, the AWG accepted the eligibility of Eol, meanwhile during the step 2 the application form was rejected on Eligibility criterion E1 - *"No partner has benefited of financing support from public funds in the past 5 years before deadline for submitting the applications under this call for proposals (23.10.2017) for the same project in terms of objectives, activities, results (for infrastructure projects, this provision refers to the same infrastructure/section of infrastructure)"*. Even if the abovementioned criterion was not an eligibility criterion during the Eol step 1, having in mind that an investment objective from the previous programme is included in a new project idea, the AWG requested to the applicant to confirm that the existing center in the village of Pisanets has been the subject of rehabilitation / modernization activities financed through the project 2(2i)-3.1-12, MIS ETC Code: 791 *"Eco-tourism: A perspective for development of two small cross-border communities"*, within the CBC Ro-Bg Programme 2007-2013 or any other European financing Programme, the need to change its original utilization scope and detail on the needs to have other design and reconstruction activities and whether or not the building is free of any encumbrances or any other obligations belonging to the building's owner related to the destination of the building. The beneficiary replied that an information tourist centre was established in Pisanets under the project MIS-ETC 791, but the project ended on 27.02.2013 and the sustainability period (5 years after the end of the project implementation) ceases on 27.02.2018, resulting that the period will coincide with the beginning of the project implementation in case the project will be approved. Also, the applicant stated that the Municipality of Vetovo in any way did not confer the right of ownership or other property rights of other physical or legal persons and

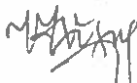
has no financial burdens on this object. The building is free of any encumbrances or any other obligation belonging to the building including within European legislation also has not mortgaged or imposed any other bank guarantee on site "Visitor Cultural and Information Center" - Pisanets village. Part of this Information Center was functionally designed for a specialized shop for the sale of local eco-friendly products. Moreover, the applicant admitted that *This part of the fully reconstructed building has exhausted its functionality and therefore the owner of the building / municipality Vetovo/ is looking for new features to realize the main idea of the project - attracting visitors to ecological tourism*, thus, the part of the building designed for a shop (through the project MIS ETC 791) was going to be functionally redefined into a permanent exhibition of works of contemporary art created during local cultural events. Taking into consideration the abovementioned, the project was rejected during step 2 for non-compliance with Eligibility criterion E1.

Article 3. The decision of the Complaint Panel is final, binding to all parties and not subject of any further complaint proceedings within the Programme.

Signed by

Members of the Complaint Panel

Signature



Member 1 - Managing Authority representative, Ministry of Regional Development and Public Administration, Romania

Signature

Member 2 - National Authority representative, Ministry of Regional Administration and Public Works, Bulgaria



Signature

Member 3 - External expert (from the Evaluation Unit), Ministry of Regional Development, Public Administration and European Funds, Romania

