



CG/CONF/VARNA(2008)5

International Conference

Launch of the “Black Sea Euroregion”

CONSTITUENT ACT OF THE BLACK SEA EUROREGION ASSOCIATION

**Varna (Bulgaria)
26 September 2008**

Conference organised by

Congress of Local and Regional Authorities of the Council of Europe,
the Municipality of Varna
and the Union of Bulgarian Black Sea Local Authorities

**CONSTITUENT ACT OF THE
BLACK SEA EUROREGION ASSOCIATION**

PREAMBLE

- 1. Recalling** the various phases leading to the creation of the Black Sea Euroregion namely:
 - the Final Declaration of the Conference on “Inter-regional Co-operation in the Black Sea Area” held in Constanța (Romania) on 30 March 2006;
 - Recommendation 199 (2006) of the Congress of Local and Regional Authorities of the Council of Europe on “Inter-regional Co-operation in the Black Sea Basin”, adopted on 1 June 2006;
 - the Final Declaration of the Conference on “A Black Sea Euroregion” held in Samsun (Turkey) on 3 November 2006;
 - the Final Declaration of the Conference on “Inter-regional Co-operation in the Black Sea Basin” held in Odessa (Ukraine) on 25 and 26 June 2007;
 - the Final Declaration of the Conference on “Launch of the Black Sea Euroregion” held in Varna (Bulgaria) on 26 September 2008;
- 2. Having regard** to the European legal instruments on cross-border and inter-regional co-operation, namely:
 - The Council of Europe European Outline Convention on Transfrontier Co-operation among Territorial Communities or Authorities [Madrid Convention]
 - The European Union Regulation 1082/2006 of 5 July 2006 on a European Grouping of Territorial Co-operation;
- 3. Considering** that local and regional authorities wish to contribute to maintaining stability, security and prosperity in the Black Sea area countries;
- 4. Aware of** the importance that cross-border and inter-regional co-operation projects will acquire in the coming years for both EU and non EU countries and in particular of the European Neighbourhood Policy “Black Sea Synergy” initiative of the European Union;
- 5. Wishing to** act in compliance with the provisions of the national laws of the Black Sea area States and with the international law;
- 6. Having regard** to the Romanian legislation in force (i.e. Government Ordinance No.26/2000 regarding associations and foundations);

CHAPTER I. GENERAL PROVISIONS

Article 1.

WE, the undersigned:

1. CITY OF IDJEVAN, REPUBLIC OF ARMENIA
2. MUNICIPALITY OF BOURGAS, REPUBLIC OF BULGARIA
3. MUNICIPALITY OF NESSEBAR, REPUBLIC OF BULGARIA
4. MUNICIPALITY OF SHABLA, REPUBLIC OF BULGARIA
5. MUNICIPALITY OF VARNNA, REPUBLIC OF BULGARIA
6. AUTONOMOUS REPUBLIC OF ADJARA, GEORGIA
7. REGION OF CAHUL, REPUBLIC OF MOLDOVA
8. COUNTY OF BRĂILA, ROMANIA
9. COUNTY OF CONSTANȚA, ROMANIA
10. COUNTY OF GALAȚI, ROMANIA
11. COUNTY OF TULCEA, ROMANIA
12. MUNICIPALITY OF BRĂILA, ROMANIA
13. MUNICIPALITY OF CONSTANȚA, ROMANIA
14. MUNICIPALITY OF MANGALIA, ROMANIA

agree to establish the **BLACK SEA EUROREGION** association.

Article 2. The name of the association is **BLACK SEA EUROREGION**, hereinafter referred to as "BSER", the name to be mentioned in any document issued by the association.

Article 3. 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 juridical personality.

According to the present Constituent Act, the Black Sea Euroregion, includes members from the following states: **Republic of Albania, Republic of Armenia, Republic of Azerbaijan, Republic of Bulgaria, Georgia, Hellenic Republic, Republic of Moldova, Romania, The Russian Federation, Republic of Serbia, Republic of Turkey, Ukraine.**

Article 4. The official languages of the BSER are the national languages of the members of the BSER. The working language of the BSER is English.

Article 5. The registered office of the BSER is established in Romania, Constanta, B-dul Tomis nr.51.

Article 6. The Association is established for an indefinite period from the date of its registration.

CHAPTER II. THE GOALS OF THE BSER

Article 7. 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. 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 trans-national 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.

Article 9. 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.

Article 10. The Association may carry out economic activities if they are related to the association's goals and are in compliance with the provisions of article 3.

CHAPTER III. ORGANIZATIONAL STRUCTURE OF THE BSER

Article 11. The organizational structure of the BSER comprises:

- a) General Assembly – the leading body that includes all the members;
- b) Board of Directors – executive body that leads the association between the sessions of the General Assembly of its members;
- c) The Standing Committees;
- d) The Board of Auditors.

Article 12. The Board of Directors includes 7 members, elected by the General Assembly:

The Board of Directors comprises:

- a) President – Nicușor-Daniel Constantinescu, President of Constanța County Council, Romania;
- b) Vice President – Kiril Petrov Yordanov, Mayor of Varna Municipality, Republic of Bulgaria;
- c) Vice President – Mikheil Makharadze, Chairman of the Supreme Council of the Autonomous Republic of Adjara, Georgia
- d) Secretary – Mihai-Claudiu Tusac, Mayor of Mangalia Municipality, Romania;
- e) Member – Dimitar Nikolov, Mayor of Bourgas Municipality, Republic of Bulgaria
- f) Member - Gheorghe Vasilachi, President of Cahul Regional Council, Republic of Moldova;
- g) Member – Varuzhan Nersisyan, Mayor of Idjevan City, Republic of Armenia

Article 13. The Board of Auditors of the BSER, which is composed of 3 members of the Association who are not at the same time members of the Board of Directors, verifies the correctness of the documents issued by the bodies of the Association and the accuracy of material and financial practices.

The Board of Auditors includes:

- a) Gheorghe Bunea Stancu, President of Brăila County Council, Romania
- b) Eugen Chebac, President of Galați County Council, Romania
- c) Krasimir Krastev, Mayor of Shabla Municipality, Republic of Bulgaria

CHAPTER IV. PATRIMONY OF THE ASSOCIATION

Article 14. In order to attain the objectives laid down in this Constituent Act, the BSER will use the following sources of funding:

- a) Membership fee;
- b) Endowments, donations and other optional or voluntary contributions;
- c) Sponsorships;
- d) Participation fees for Association's events;
- e) Interests or dividends legally obtained;
- f) Other legal sources.

When the association is established, its patrimony is EUR 18,200, consisting of the contribution of the founding members of the Association.

CHAPTER V. DISSOLUTION AND LIQUIDATION OF THE ASSOCIATION

Article 15. The association is dissolved:

- a) Ex officio;
- b) By the decision of the court;
- c) By the decision of the General Assembly.

Article 16. The liquidation of the association will be carried out in accordance with the procedure stipulated in Romanian Government Ordinance no.26/2000 regarding associations and foundations.

Article 17. If the association is dissolved, its assets remaining after liquidation will be transmitted to the legal persons appointed for this very goal by the General Assembly.

CHAPTER VI. FINAL DISPOSITIONS

Article 18. The BSER shall be constituted by at least three members from at least three different States in the Black Sea area. The BSER shall cease to exist if this condition is not fulfilled or if so decided by the members of the General Assembly of the BSER.

Article 19. The General Assembly of the Association authorizes Mr. Nicușor-Daniel Constantinescu, President of Constanța County Council, Romania, to represent it for the authentication of the Constituent Act and to submit the petition for its registration in order to obtain legal personality.

Article 20. The Association has the right to have its own acronym, stamp and any other identification elements.

Article 21. The provisions of the present Constituent Act will be completed with the provisions of the Romanian Government Ordinance no.26/2000 regarding associations and foundations.

Article 22. The Statutory provisions attested under the number..... by the notary public are incorporated in the present constituent act.

The present constituent act was drafted in 10 original copies, in Romanian and English, all texts being equally authentic.

In case of different interpretations, the English version will prevail.

MEMBERS' SIGNATURES

CITY OF IDJEVAN, REPUBLIC OF ARMENIA MAYOR, <i>Varuzhan NERSISYAN</i>	
MUNICIPALITY OF BOURGAS, REPUBLIC OF BULGARIA MAYOR, <i>Dimitar NIKOLOV</i>	
MUNICIPALITY OF NESSEBAR, REPUBLIC OF BULGARIA On behalf of Mr. NIKOLAY DIMITROV, MAYOR <i>Georgi MANOLOV</i>	
MUNICIPALITY OF SHABLA, REPUBLIC OF BULGARIA MAYOR, <i>Krasimir KRASTEV</i>	
MUNICIPALITY OF VARNA, REPUBLIC OF BULGARIA MAYOR, <i>Kiril YORDANOV</i>	
AUTONOMOUS REPUBLIC OF ADJARA, GEORGIA CHAIRMAN OF THE SUPREME COUNCIL <i>Mikheil MAKHARADZE</i>	
REGION OF CAHUL, REPUBLIC OF MOLDOVA PRESIDENT OF THE REGIONAL COUNCIL, <i>Gheorghe VASILACHI</i>	
COUNTY OF BRĂILA, ROMANIA On behalf of Mr. Bunea STANCU, PRESIDENT OF THE COUNTY COUNCIL <i>Florin MIJA</i>	
COUNTY OF CONSTANȚA, ROMANIA PRESIDENT OF THE COUNTY COUNCIL <i>Nicușor-Daniel CONSTANTINESCU</i>	
COUNTY OF GALAȚI, ROMANIA PRESIDENT OF THE COUNTY COUNCIL <i>Eugen CHEBAC</i>	
COUNTY OF TULCEA, ROMANIA PRESIDENT OF THE COUNTY COUNCIL <i>Victor TARHON</i>	
MUNICIPALITY OF BRĂILA, ROMANIA On behalf of Mr. Aurel Gabriel SIMIONESCU, MAYOR <i>Florin MIJA</i>	
MUNICIPALITY OF CONSTANȚA, ROMANIA VICEMAYOR, <i>Nicolae NEMIRSCHI</i>	

MUNICIPALITY OF MANGALIA, ROMANIA MAYOR, <i>Mihai Claudiu TUSAC</i>	
---	--

HONORARY MEMBERS' SIGNATURES

CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF THE COUNCIL OF EUROPE PRESIDENT, <i>Yavuz MILDON</i>	
--	--