

EUROREGIONS AND OTHER EU'S CROSS-BORDER ORGANIZATIONS:
THE RISK OF CONFUSION, REDUNDANCY,
OVERSIZING AND ENTROPY.
A CRITICAL ASSESSMENT

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ABSTRACT

From the outset of the European cross-border cooperation of the 1960s and 1970s, the Council of Europe and the European Union generated parallel routes in this matter. However, when the Council of Europe developed structures, the European Union implemented programmes. For a long time, the Euroregions appeared as the keystone and the masterpiece of the cross-border cooperation. More recently, the European Union has established a territorial formula which is named EGTC (European Grouping of Territorial Cooperation). The intertwining of the cross-border realizations between the Council of Europe and the European Union gives raise to specific spatial disfunctionings, namely confusion, redundancy, oversizing and entropy. The Pyrenees are an interesting case study to illustrate these evolutions. The paper concludes with some statements devoted to the limits and the weaknesses of the territorial models of cross-border cooperation.

Key words: Cross-border cooperation, Working Community, Euroregion, Eurodistrict, Eurocity, EGTC, Council of Europe, European Union, INTERREG, IPA-CBC.

LE EUROREGIONI E GLI ALTRI ORGANISMI TRANSFRONTALIERI DELL'EU:
IL RISCHIO DI CONFUSIONE, RIDONDANZA, SOVRADIMENSIONAMENTO
ED ENTROPIA.
UNA VALUTAZIONE CRITICA

SINTESI

Fin dagli inizi della cooperazione transfrontaliera europea negli anni 1960 e 1970 il Consiglio d'Europa e l'Unione europea hanno disegnato percorsi paralleli in questo campo: il Consiglio d'Europa sviluppava strutture, l'Unione Europea attuava programmi. Per un lungo periodo le euroregioni sono sembrate la chiave di volta e il capolavoro della cooperazione transfrontaliera. Più recentemente, invece, l'Unione europea ha definito una formula territoriale chiamata GECT (Gruppo europeo di cooperazione territoriale). L'intrecciarsi dei progetti transfrontalieri e della loro attuazione tra il Consiglio d'Europa e l'Unione europea causa disfunzioni spaziali specifiche, ossia confusione, ridondanza, sovradimensionamento ed entropia. I Pirenei sono un interessante caso di studio per illustrare tali sviluppi. L'articolo chiude con alcune osservazioni sui limiti e le debolezze dei modelli territoriali di cooperazione transfrontaliera.

Parole chiave: cooperazione transfrontaliera, comunità di lavoro, euroregione, eurodistretto, eurocittà, GECT, Consiglio d'Europa, Unione europea, INTERREG, programma transfrontaliero CBC-IPA

The concept and the practice of the cross-border cooperation have their root in the historical core of the present European Union, namely the six founding States of the European Coal and Steel Community (1952). The idea of Jean Monnet (1888-1979) and Robert Schuman (1886-1963), two of the most famous founding fathers of the European integration, can be summarized according to the following assumption: by the multidimensional activities it involved, the cross-border cooperation promoted the potential conflicts between some countries formerly enemies (for instance, France and Germany). Very obviously, it is a matter of integrative policy. Such cross-border cooperation is an indirect step towards the European unification because it is fulfilling the vacuum which has been left by the collapse of former unions like the Comecon or the Warsaw Pact. We have to stress that the cross-border cooperation takes its place upon hierarchical horizons of which the Euroregions constitute the most important stage (Anderson, O'Dowd & Wilson, 2001, 2002, 2003; O'Dowd & Anderson, 2003).

The European Commission considers Euroregions as the keystone of its regional policy and as the best method for *unionization* regarding the candidate countries to the membership. This method is verifying itself through some practical aspects: 1/ conception and ability for international cooperation at the lowest level ; 2/ relationships between partners within small areas.

Consequently, Euroregions can be considered as expression of new developing strategies for territories which suffered because of their border location (namely lack of investments, absence of high-tech industries, planning dictated by military concerns). This character was reinforced by their position of dead angle, grey zone or no man's land at the margins of their respective belonging state (Kaplan & Häkli, 2002).

PRINCIPLES AND PRACTICES OF CROSS-BORDER COOPERATION IN EUROPE

One of the basic principles of cross-border cooperation is the creating of links and relations between border regions of two or several states in order to find solutions to common problems. Traumatized by the destructions following WW2, France and Germany applied the principle *European Peace by Open Borders* and started the first shapes of cross-border cooperation. In 1946, it was the foundation of the Basle-Mulhouse airport, built up on French territory (renamed *EuroAirport Basel-Freiburg-Mulhouse* in 1987). In 1958, it was the establishment of *Euregio*, the first Euroregion located on the Dutch-German border nearby the city of Gronau (North Rhine-Wurtemberg). In 1963, it was the foundation of a French-German-Swiss board named *Regio Basiliensis*. In 1971, it was the establishment of the AEBR (*Association of European Border Regions*). In 1987, without any outer patronage, the *Leman Council* was founded as a cross-border organization by grouping two French

departments (Upper Savoy, Ain) and three Swiss cantons (Vaud, Geneva, Valais). Its aim was to promote the emergence of a lemanic identity through the implementation of cross-border relations and initiations to joint cooperation projects.

Most certainly, cross-border cooperation is not the prerogative of Europe but it strongly distinguishes itself by other types of cross-border cooperation in the world: it is supported by public action and not by market dynamics. Its brand is the cooperation between local powers on both sides of state borders, which is not absolutely the case elsewhere in the world (Perrin, 2011). So, it is the product of multi-level community governance action. *Transcending the borders* is the leitmotiv and the guideline of all processes and mechanisms of cross-border cooperation which were led since WW2 (Scott, 2000, 2012). If the border local powers were the first proselytes of cross-border cooperation of the 1960s and 1970s, it was also because they considered it as the main opportunity to create joint structures which became their organ at the European scale: AEBR (Association of European Border Regions), Assembly of European Regions. These euroregionalist forums did much for allowing the advancement of cross-border cooperation. It is not by chance that we count more than 200 regional embassies in Brussels and that we observe several local authorities which decide to share their representation facilities beside the EU's authorities (Alliès, 2007).

Cross-border cooperation appeared very quickly as the most concrete and visible formula on the field regarding European integration and construction. We understand better why Eastern Europe countries, after the collapse of Soviet Union, hurried to join cross-border mechanisms with their EU neighbours in order to speed up their integration within this political construction. In the heart of this system, the Programme PHARE-CBC was introduced in 1994 in order to help the cross-border regions of the candidate countries to overcome their specific problems and to join more closely the European Union. It was also a mean for preparing the candidate countries to a future participation within the Programmes INTERREG. The Programme PHARE-CBC aimed at one of the key assistance instruments to pre-membership for those countries. It has been replaced by the Programme IPA (*Instrument for Pre-Accession Assistance*) to the benefit of the present candidate countries (Iceland, Bosnia, Montenegro, Macedonia, Albania, Serbia) with a budget of 11,5 billion € during the period 2007-2013. The Programme IPA comprises a cross-border cooperation component. Consequently, it is not surprising to notice that the most recent EU member States threw themselves into cross-border cooperation on the point to appear as the *most enthusiastic pupils of the classroom* (Boman & Berg, 2007; Lepik, 2009, 2010; Dolzblasz & Raczyk, 2010).

Some practical and methodological tools at cross-border cooperation's service have been elaborated

since the 2000s in the form of guides and textbooks either by the Council of Europe, either by the European Commission (Ricq, 2006; European Neighbourhood & Partnership Instrument, 2006; Mot, 2012). These textbooks and guides aim at bringing concrete answers to the following key questions:

- 1 – How to define a cross-border region ?
- 2 – How to emerge cross-border institutions through international law ?
- 3 – What are the scopes and stages to develop cross-border cooperation ?
- 4 – What is stimulating or braking the cross-border cooperation ?
- 5 – What are the new prospects and scenarios to be considered regarding the cross-border cooperation ?

The launching of a policy of programmes in order to stimulate the cross-border cooperation within the EU produced a considerable mass of scientific studies and reports about cross-border cooperation between involved regions. Cross-border cooperation has been endowed with moral and economic virtues: the peripheral locations of border regions within their belonging state can be overtaken by a more central and dynamic position in the European context due to the disappearance of borders. From now on, the border regions are perceived as living laboratories of European integration. Rather than passive spaces, they are seen as active spaces and key areas for cross-border policy development. Thus, it exists a rhetoric and a doctrine of cross-border cooperation which give a miss on linguistic and cultural distance which affects the border population (symbols, values, norms, traditions) (Van Houtum, 2002).

THE COUNCIL OF EUROPE AND ITS CROSS-BORDER ORGANIZATIONS

Contrary to a generally accepted idea, Euroregions are not a EU creation but are much more the Council of Europe's children (Kepka & Murphy, 2002). Actually, in 1949, on the ruins of WW2, the Council of Europe became the first organization working for European construction and integration. Its two masterpieces are the European Court for Human Rights and the Parliamentary Assembly. The Council of Europe goes even further afield the EU limits because it gathers all European countries which are represented by 318 deputies. It is the *Europe of 47* without Vatican, Belarus and Kosovo. So to speak, cross-border cooperation is consubstantial to the Council of Europe. Actually, since the 1950s and 1960s, the first realizations and organizations born in the European subcontinent were under the aegis of the Council of Europe. This cross-border cooperation, launched by local initiatives from the outset, was formalized by the *Madrid Framework-Agreement* (1980) which defined the first legal instruments for cross-border cooperation. In 1994, the Council of Europe was equipped with an *ad hoc* instrument, namely the *Congress of Local and Re-*

gional Authorities within which the Governance Commission is, among other fields, in charge of cross-border cooperation. In terms of cross-border cooperation, the key creations of the Council of Europe have been the Working Communities and the Euroregions.

The *Working Communities* are groupings of local authorities which try to establish a multilateral trans-European cooperation. The purpose of a Working Community is to gather cross-border local authorities who share several common issues to be solved. Its aims take shape with the drawing up of a *Cross-Border Management Master Plan*. The main Working Communities are the following, according to their dates of foundation :

- 1972: ARGE ALP (118.000 km², 16 million inh.) including Bayern, Graubunden, Lombardia, Salzburg, Saint Gallen, Ticino, Tyrol, Trentino, Vorarlberg.
- 1978: ALPE ADRIA (110.000 km², 8,8 million inh.) including Burgenland, Carinthia, Croatia, Slovenia, Styria, Vas (Hungary).
- 1982: COTRAO (118.000 km², 16 million inh.) including Vallée d'Aoste, Liguria, Piemonte, Provence, Rhône-Alpes, Valais, Vaud, Genève.
- 1983: PYRENEES (220.000 km², 17 million inh.) including Andorra, Aquitaine, Midi-Pyrénées, Languedoc-Roussillon, Catalunya, Aragon, Navarra, Euzkadi. This Working Community has been transformed into a *Consortio* (legal board of Spanish law) in order to manage the European Funds like INTERREG.
- 1985: JURA including Berne, Vaud, Neuchâtel, Jura, Franche-Comté. This Working Community has been renamed in 2002 *Conférence Transjurassienne*.
- 1990: ARGE DONAULÄNDER (650.000 km², 80 million inh.) including Baden-Wurtemberg, Bayern, Upper Austria, Lower Austria, Wien, Burgenland, Slovakia, eight Hungarian *megyek*, two Croatian *zupanije*, Serbia, seven Bulgarian *oblasti*, twelve Romanian *judete*, Moldova , Odessa *oblast*.
- 1991: GALICIA-NORTE PORTUGAL which was turned into a Euroregion in 1992 with the same name, then into a EGTC in 2010 with the same name.

The Council of Europe has produced a second type of cross-border organization, namely the *Euroregion*. The expression of Euroregion is not an EU official term. However, thanks to the Brussels financial aid, Euroregions have got a certain visibility and even a certain legitimacy. The AEBR (*Association of European Border Regions*) defines accurately the concept of Euroregion. From a functional and managerial viewpoint, Euroregions can be either associations of local and regional authorities, either cross-border associations with full-time secretariat and technical-administrative staff benefiting proper resources. The general purpose of Euroregions is to create an integrated space through specific policies of town and country planning in various areas: local economy, social networks, cultural activities, school institutions,

transport networks, environmental protection and preservation (Perkmann, 2002). Some Euroregions can associate EU member-regions and non-EU regions which are members of the Council of Europe. The Council of Europe has established a list of at least 90 Euroregions. From 1958 to 1991, a first wave of Euroregions dealt essentially with the EU's core area: Euregio (1958), Regio Basiliensis renamed TriRhena (1963), Euregio Rhein-Waal (1973), Euregio Maas-Rhein (1976), Pamina (1991), Cross-Channel (1991). Since 1991, the second wave of Euroregions deals with the countries of Central and Eastern Europe which have become EU members after the collapse of the Soviet Empire : Pro Europa Viadrina (1992), Egreensis (1993), Pomerania (1994), DKMT (1996), EuroBalkans (2002), Adriatic (2006) (Virtanen, 2002; Weith, 2012).

THE EUROPEAN UNION AND ITS CROSS-BORDER ORGANIZATIONS

Until recently, the European Union took a radically different step from the Council of Europe regarding the cross-border cooperation: instead of the foundation of *structures*, EU has implemented *programmes*. On the operational level, this cross-border cooperation has been encouraged by the European regional policy, notably through the ERDF (*European Regional Development Fund*) established in 1975. With this fund, European states accepted that 5% of the ERDF budget be devoted to their cross-border areas. Then in 1990, a qualitative and quantitative jump has been realized with the Programme INTERREG which has gone through five scheduled phases (1990-1993, 1994-1999, 2000-2006, 2007-2013, 2014-2020). INTERREG has become the key engine of the cross-border institutionalization. Thus, INTERREG moved from the status of an innovating tool to an inevitable instrument for cross-border town and country planning. Its *Strand A* is devoted more specifically to cooperation between *adjacent border zones*. These eligible zones are NUTS 3-ranked. The Programme INTERREG IV-A (2007-2013) is made of 53 cross-border programmes with a total amount of 5,6 billion €. Among the most important, we can mention FLUXPYR (Andorra-France-Spain), ISLES PROJECT (Northern Ireland-Scotland), WINSSENT (Ireland-Wales), SHAPING 24 (*Strategy for Heritage Access Pathways in Norwich and Ghent*). Some consultations and identifications are already in progress for the implementation of INTERREG V-A (2014-2020) with a total amount of 8,5 billion € which will focus on the EGTC (*European Grouping of Territorial Cooperation*).

The European Union suffers at its geographical ends (Northwest and Southeast) the partition of two historical islands (Ireland, Cyprus) and their subsequent inter-ethnic conflicts. We understand why EU has implemented a cross-border program of *peacekeeping* between Northern Ireland and Eire, named PEACE. Like INTERREG, PEACE

has already known three waves: PEACE I (1995-1999), PEACE II (2000-2006), PEACE III (2007-2013).

Some European states located at the EU's outer border are applicants for membership (Bosnia, Montenegro, Albania, Macedonia, Serbia). In the same way the INTERREG which is an intra-EU cross-border programme, another programme between EU states and applicant countries has been implemented in 2006 with the name of IPA-CBC (*Instrument for Pre-Accession Assistance / Cross-Border Cooperation*). It concerns five EU member-states (Bulgaria, Greece, Hungary, Romania, Slovakia) which are more or less neighbouring countries with six applicant states (Croatia, Serbia, Turkey, Macedonia, Albania, Kosovo). In the same framework, the Programme ADRIATIC IPA-CBC (2007-2013), with a budget of € 298 million, deals with three member-states (Greece, Italy, Slovenia) and four applicant countries (Croatia, Bosnia, Montenegro, Albania). The future Programme IPA-CBC 2014-2020 is foreseen with a budget of 14,1 billion €. It would include the Turkish Republic of Northern Cyprus, a puppet state which is not recognized by the international community.

The empowering of cross-border cooperation underlain by this integrated device of the Programme INTERREG has seen its development complemented by the creation of another devoted political instrument: the EGTC (*European Grouping for Territorial Cooperation*). It is due to an instrument of cooperation implemented by the European Council in 2006. Equipped with the legal status, it aims to make easier and promote the cross-border cooperation. In 2013, the EGTC counts 26 members, of which three Euroregions. Through the foundation of this new legal instrument for cross-border cooperation, the European Union makes the cross-border relationships easier within its own space and even beyond with its policy of neighbourhood. The EU grants more responsibility to all border authorities with the enforcement of principles of subsidiarity, partnership and proximity. The EGTC invests a cross-sectional dimension of *Multi-Action Governance / Multi-Level Governance*. In other words, the EGTC shows the necessary balance between two Europes, a vertical one and an horizontal one.

CONFUSION, REDUNDANCY, OVERSIZING AND ENTROPY IN CROSS-BORDER ORGANIZATIONS OF THE EUROPE OF 28

1 - Confusion

Three current examples perfectly illustrate the degree of confusion which have spread throughout the European cross-border organizations: Working Communities, Euroregions, EGTC. Both first are structures of the Council of Europe whereas the EGTC are structures of the European Union. Now, some small Euroregions are merged into bigger Euroregions. The best examples are provided by two cases at the borders between Poland,

Russia (Kaliningrad) and Belarus. The small Euroregion Lyna-Lawa is located within the biggest boundaries of the Euroregion Baltyk. As its elder sister Baltyk, Lyna-Lawa extends on both sides of the Polish-Russian border. A second and more intricated example is located in the Euroregion Bialowieska Forest. Not only this Euroregion straddles both Euroregion Niemen (Poland-Lituania-Belarus) and Euroregion Bug (Poland-Ukraine) but also, as in the case of Lyna-Lawa, its limits are much smaller than both Niemen and Bug. Some Euroregions stem partly or totally from Working Communities when other Euroregions have kept their original denomination in spite of the change of their status into EGTC. This confusion encounters also at the *Eurodistrict* level. Today, they are six Eurodistricts in the European Union. Now, some of them are located inside a Euroregion and can share some links with it whereas other Euroregions have a EGTC status. At the beginning of the 1990s, we counted 35 cross-border structures more or less connected with Euroregions. Today, they are hundred. Now, such a development brings up contradictions because the proliferation of initiatives has been concomitant with institutional statuses which are generally precarious and few adapted (Perkmann, 2003).

2 - Redundancy

The phenomenon of redundancy comes to add to confusion. The fact that both Council of Europe and European Union launched parallel cross-border organizations whose purposes are identical or very close is at the origin of an illogic increase leading to redundancy. The best example is provided by the coexistence between the *Assembly of European Regions* (a subsidiary of the Council of Europe) and the *Committee of the Regions* (a subsidiary of the European Union). This redundancy of organizations is easily visible in some European cross-border areas. It sometimes takes the aspect of a *stacking of Russian dolls*: a Working Community heads a smaller Euroregion. In its turn, the Euroregion heads a EGTC. Finally, the EGTC heads a Eurodistrict or a Eurocity. More, when a level is the matter of the Council of Europe, the other is the matter of the European Union. It is very easy to understand such a redundancy through a *full or partial territorial overload* badly disturbing the cross-border cooperation insofar as the nomenclatures are not common, insofar as the cross-border cooperation programmes are not articulated and, the worst, insofar as they are not complementary either at the vertical level or at the cross-sectional level. The absence of harmonization rules involves a confusion among the border partnerships with regard to *Structural Funds* or to *Framework Funds*.

3 –Oversizing / Entropy

A third danger watches all Euroregions and other cross-border organizations, namely the entropy by an

effect of *oversizing*. This kind of entropy constitutes a not inconsiderable element regarding Euroregion inefficiency. A first good example of entropy/oversizing is provided by the Euroregion DKMT (Danube-Kres-Mures-Tisza), between Hungary, Romania and Serbia, with 71.867 km² and 5,3 million inhabitants. A second example is constituted by the Euroregions located at the borders of Eastern Poland (Baltyk, Niemen, Bug, Carpathians). The obvious oversizing of these four Euroregions represents a huge cartographic contrast with the nine Euroregions located in Western and Southern Poland (Pomerania, Pro Europa Viadrina, Spree-Neisse-Bober, Nisa-Nysa, Glaciensis, Praded-Pradzlud, Silesia, Cieszyn Silesia, Beskidy-Beskydy). The Euroregion DKMT and the four Euroregions of Eastern Poland are beyond the threshold of 40.000 km² and 3 million inhabitants. Therefore, a key question is essential: being so big and not aware of themselves themselves, how could their population develop a strong and true *euroregional identity*, i.e. a self-identity within a new cross-border area ?

THE PYRENEES : AN ILLUSTRATION OF CONFUSION, REDUNDANCY, OVERSIZING AND ENTROPY WITHIN CROSS-BORDER ORGANIZATIONS

The Pyrenean cordillera surrounded by its three bordering states (Andorra, France, Spain) represents the most expressive and condensed case study of confusion, redundancy, oversizing and entropy issues affecting the cross-border organizations in Europe. We cannot be surprised by the territorial and chronological stacking of various cross-border organizations in the Pyrenees. It deals with an obvious example of a *political-administrative millefeuille* (Harguindeguy, 2004; Harguindeguy & Bray, 2009). In order to clear up the political-territorial imbroglio of the cross-border organizations at work in the Pyrenees, it is proper to distinguish three levels, from the general to the specific, according to a chronological order: Pyrenean level, regional level, local or sectional level.

1 – Pyrenean level

a – The Working Community of the Pyrenees (1983). It covers 211.941 km² and counts 17,7 million inhabitants (Aquitaine, Midi-Pyrénées, Languedoc-Roussillon, Andorra, Euskadi, Navarra, Aragon, Catalunya). This Working Community is a direct consequence of the *Madrid Framework-Agreement* (1980) regarding the cross-border cooperation established by the Council of Europe and made operational with the *Bayonne French-Spanish Treaty* (1995). The WCP manages the Programme INTERREG IV-A 2007-2013 Andorra-France-Spain named POCTEFA (*Programa Operativo de Cooperacion Territorial Espana-Francia-Andorra / Programme Opérationnel de Coopération Transfrontalière Espagne-France-Andorre*). With a budget of 168 million € for 133 projects,

POCTEFA works under the legal form of a *Consortio*, i.e. a legal entity of Spanish public law, established in 2005. From a geographical viewpoint, it is interesting to emphasize two observations. First, paradoxically, it is a Council of Europe's creation, in this case the WCP, which manages the EU's INTERREG POCTEFA Funds. Second, simultaneously, both EU's creations, which are the Pyrenees-Mediterranean EGTC and the Aquitaine-Euskadi EGTC, are not the administrators of the INTERREG-POCTEFA Funds.

b – The Euroregion Pyrenees-Mediterranean (2004). At first, this Euroregion amalgamated three Spanish autonomous communities (Aragon, Catalunya, Balearics) and two French regions (Languedoc-Roussillon, Midi-Pyrénées). Aragon resigned from this cross-border organization in 2006. It is quite amazing to notice the presence of the Balearics autonomous community within this Euroregion due to the total absence of links with the Pyrenees, with the Mediterranean in between !

c – EGTC Pyrenees-Mediterranean (2009). This legal authority of European law follows on from the eponymous Euroregion (157.000 km², 15,2 million inhab.). This EGTC comes under the EU, excluding Aragon.

d – EGTC Aquitaine-Euskadi (2011). Both historical provinces are not equal in terms of surface and population. They are linked by a relatively narrow corridor. Navarra and Aragon are not part of it.

2 – Regional level

a – Eurodistrict of the Catalan Cross-Border Area (2007). It is a cross-border authority which amalgamates the Department of Eastern Pyrenees (France) and the Province of Girona (Spain) with 10.000 km² and 1 million inhabitants, distributed among 450 municipalities.

b – EGTC Pyrenees-Catalunya (2011). It is a cross-border organization which amalgamates two regional subsets : the Communauté de Communes Pyrénées-Cerdagne (France) and the Consell Comarcal de la Cerdanya (Spain).

3 – Local or sectional level

a – Consortio Bidasoa-Txingudi (1988). This legal authority of Spanish law gathers the towns of Fuentarabia and Irun (Spain) with Hendaye (France). The Consortio has powers regarding tourism, culture, social activities, planning. In 2001, Bidasoa-Txingudi joined the Basque Eurocity Bayonne-San Sebastian. This Consortio includes 90.000 inhabitants.

b – Basque Eurocity Bayonne-San Sebastian (1997). It spreads out on 50 coastal kilometers on both sides of the Bidasoa, the border river between Spain and France. It gathers 632.000 inhabitants (430.000 in Spain and 202.000 in France) and 42 municipalities (25 in France and 17 in Spain). This border organization has a EEIC status (*European Economic Interest Grouping*) and is lo-

cally named Cross-Border Agency for the Development of the Basque Eurocity Bayonne-San Sebastian. The EEIC is a legal authority of European law. Clearly, the Eurocity appears as a fashionable cross-border organization as it aims to become a *city of cities*.

c – Consortio Bourg Madame-Puigcerda (2005). This cross-border Consortio brings together the municipality of Bourg-Madame (France) and the municipality of Puigcerda (Spain). This binational territory covers a population of 9.500 inhabitants. The Consortio is supposed to back up the cooperative projects of both towns (tourism, culture, health, environment, development).

d – EGTC Hospital of Cerdagna (2010). This EGTC aims to provide health services to the 30.000 inhabitants of the historical Cerdagna (Spain and France) and Capcir (France). The territory upon which the EGTC exercises its jurisdiction covers 1.340 km² and 53 municipalities (17 in Spain, 33 in France) for a total population of 30.259 people. It is the first cross-border hospital in the European Union and it allows the concerned population to avoid an endless road trip to reach the Perpignan health services.

e – EGTC Pourtalet Area (2011). Articulated on both sides of the border Pourtalet Pass (1.765m), this EGTC gathers the Department of Atlantic Pyrenees (France) and the Aragon Autonomous Community (Spain). Actually, its key purpose is to promote the necessary commitments for the management of the cross-border Pourtalet crossing (accessibility, tourism, heritage, culture). The Article 4 of the Status identifies the territorial implementation of this EGTC: from the Pourtalet Pass, the 27 km of the Road A136 (Spain) to Biescas and the 29 km of the Road D934 (France) to Laruns. In a sense, the EGTC fills the *cartographic gap* which is visible between the EGTC Aquitaine-Euskadi and the EGTC Pyrenees-Mediterranean.

LIMITS AND WEAKNESSES OF TERRITORIAL MODELS OF CROSS-BORDER COOPERATION

In a sense, cross-border cooperation is damaged by the *omnipresence of the states*. From the beginning, the Madrid Framework-Agreement (1980), one of the founding actions of cross-border cooperation, has been instrumentalized by some states. Clearly, the action of the Council of Europe has been bounded to suffer torments from the inter-state diplomacy insofar as cross-border cooperation is the matter of the state's international relations. Regarding the programming INTERREG IV-A 2007-2013, only Germany, Austria, Belgium, Italy and Ireland flaunt an integral decentralization of their cross-border cooperation. Generally speaking, the governments keep the control of cross-border governance. In the context of the post-2004-2007 enlargement, we are facing *intergovernmentalism* strengthening (Perrin, 2011). More, after the implementation of the Madrid Framework-Agreement (1980), many Euroregions didn't use

this legal opportunity and preferred to collaborate on the basis of alternative agreements. Contrasting with this context since 1990, the first INTERREG programming has had a direct impact because it applies to all kinds of cross-border organizations (Perkmann, 2007).

The euroregional model shows its limits and weaknesses. In some cases, the partners of cross-border agreements pursue too ambitious projects or take aim at local authorities increasing the political power rather than solving concrete problems of cross-border cooperation. In other respects, the initiatives and forms of cross-border cooperation are lacking in appropriate institutional conditions because of unclear and vague abilities rules. It happens that the expectations concerning cross-border cooperation are not fulfilled. Consequently, the motivation for later projects loses its strength and leads to discouragement and renouncement of local political leaders. Sometimes, local partners of cross-border cooperation are very active to get European funds but they ignore the possibility of a shared cooperation or the collective needs on both sides of the border. Finally, the organization and ability of cross-border cooperation formulas do not have enough formal criteria to obtain European funds (Bufon & Markelj, 2010).

At the beginning of the 1990s, there were 35 Euroregion-stamped structures in the European Union. Today, there are up to 100. Therefore, such a development brings up obvious contradictions. Actually, these multiple initiatives have been concomitant with institutional statuses, generally precarious and unadapted. This process jeopardized the durability and the legitimacy of cross-border organizations. The foundation of the EGTC could modify the landscape of the European cross-border cooperation. Actually, the EGTC has a legal capability, recognized by moral persons by national laws. An EGTC can act on behalf of its members. However, it would be too early for considering the EGTC as a *miracle-status*. Within five to seven years, a state of the art will be required to evaluate the results of this new tool versus the previous situation (Perrin, 2011). The expression of Euroregion has often referred to a *self-proclaimed territory* of cross-border cooperation which covers very different realities. Usually, even if they have no legal personality, Euroregions and their dynamism have appealed Central and Eastern Europe countries. From 1991 and the collapse of the Soviet empire, they sprung like mushrooms after the rain in Eastern Europe (Bufon, 2008; Brie & Horga, 2009; Bufon & Ilies, 2011).

The euroregional model spread by mimesis from the West to the East through successive waves, until covering all Ukraine borders. Notably, it is the case of Euroregions Baltyk, Niemen and Bug (Tanaka, 2006). Worst, some Euroregions are considered as *irredentist projects*. The rivalry of leadership between Romania, Ukraine and Moldova within the Euroregion Lower Danube and the Euroregion Upper Prut is supplied by the accusation of an irredentist Romania because both Euroregions

partially cover the territories of Bucovina and Bessarabia which were part of Greater Romania (1920-1940), subsequently transferred in 1940 to USSR. More, Ukraine and Moldova blame Romania for forcing to respect the EU regulations without being members. Belarus and Ukraine fear Poland's irredentist designs in the Euroregions Bug and Carpathians which were part of Greater Poland (1919-1939) before the Molotov-Ribbentrop Accords (Popescu, 2008).

The Euroregions suffer material and institutional *deficit of action capability*. Usually, they are rural or economically underdeveloped regions which have not the budgetary capabilities and the sufficient human resources for supporting cross-border cooperation. The Euroregions have, in terms of national law, at their disposal limited prerogatives. The things may change with the emergence of the EGTC since 2006. Euroregions suffer the absence of a *single legal framework of international law*. These weaknesses partly explain the existence *only theoretical* of Ukrainian Euroregions with Belarus and Russia (Dniepr, Yaroslavna, Slobozhanshina). The *euroregiomania* of Ukraine, Belarus and Russia cannot delude and should be treated with caution. Actually, EU euroregional model is imported into Slavic countries with totally different administrative traditions than elsewhere in the European Union. Concerning cross-border cooperation, the purposes of these countries move away from the principles of decentralization, subsidiarity and partnership in force in EU Euroregions. Consequently, these *Slavic Euroregions* are the matter of an instrumentalization by their central governments (Marin, 2009, 2012).

A long and deep work is to be done to reach a stage of a *true cross-border governance* which will be able to go beyond the national frameworks. That, and nothing else, is the next challenge for Euroregions within or outside the European Union. We must scrutinize how, and to what extent, cross-border regionalism is contributing to changes in European governance. Put differently, we ask whether Euroregions are in fact helping to rescale and reconfigure regional and planning policy within an expanding European Union. The euroregional building can only be judged in connection with the long-term perspectives of European integration as a whole (Perkmann, 2002; Sanguin, 2004).

As the examples taken in the Pyrenees perfectly illustrate it, the pressure of the European Commission sometimes pushes for the integration of *screen-actors* within cross-border cooperation networks. This kind of situation badly hinders a more traditional management focusing on a single state public authorities. In this context, the transition towards the *multi-level partnership* is much more limited than the European Commission considers it.

Cross-border cooperation through the European Structural Funds has generated deep differences because it easily doesn't fit into general categories of the territorial governance analysis. It appears as a *patchwork of*

local agreements which is difficult to characterize with regard to a single model. We also note that the incentives produced by EU in terms of cross-border cooperation are decisive for shaping political behaviour of local decision-makers whose the financing of projects constitutes a key motivation (Perkmann, 2007). Likewise, due to the transfer of a part of INTERREG Funds towards the new member-states located at EU eastern limits, we ask a key question: will the shortage of financial resources in the old member-states slow down the mobilization of cross-border actors? (Harguindeguy & Bray, 2009).

The efficiency of cross-border cooperation within the EU greatly varies according to federal states or unitary states. Actually, in some federal states like Germany or Austria, the local authorities have more room for manoeuvre than their homologues in unitary states. Their local decision-makers are able to constitute strategic coalitions through the border. Cross-border cooperation is more efficient there due to its long tradition of communal autonomy. A significant example of this situation is provided by the Euroregion Tyrol (Land Tyrol in Austria, provinces of South Tyrol and Trentino in Italy). The formation of this Euroregion has long been hindered by Italian central state authorities fearing that intensified cooperation would provide unwelcome political capital to German-speaking political elite in South Tyrol, thereby possibly reinforcing separatist or autonomist tendencies.

CONCLUSION

It appears premature to perceive cross-border organizations and Euroregions as something akin to cross-border urban regimes or new emerging scale of production and/or consumption. The present analysis drew a distinction between various types of cross-border regions. From a longitudinal perspective, the rise of micro-cross-border organizations could be observed during the 1980s and 1990s. It appears that these organizations were better suited to assume an active role in implementing EU policy measures than the larger *Working Communities* that suffer from coordination drawbacks due to the higher number of participating authorities as well as their diversity in terms of legal-administrative competences. In other words, the proliferation of cross-border

regions across Europe can be read as a process of institutional innovation through which these small-scale cross-border regions became a *legitimate partner* of the European Commission in implementing regional policy measures targeted at border areas (Kramtsch & Hooper, 2004). As the research has shown, this process was actively shaped by a transnational network around the AEBR (*Association of European Border Regions*), acting as an *institutional entrepreneur* (Perkmann, 2002). The lesson from this is that the growing *cross-borderization* in EU does not necessarily point to an increasing territorial fragmentation of nation-state sovereignty. Cross-border organizations are part of the *multi-level governance structure* of EU policy making authority but are far from posing an imminent threat to the authority of the member-states over these policies (Houtum, 2002; Perkmann, 2003). More prosaically, the state level considers the border regions as a simple *regional issue*. We must say that the interest for cross-border cooperation and organizations comes from two motivations, needing explanations:

a/ they attract *business* because there is money to make ;

b/ they attract a lot of consultancy agencies and professional lobbyists finding there a source of incomes.

Nevertheless, over the past few years, *doubts* have begun to emerge (Van Houtum & Van de Velde, 2002). After more than two decades of efforts to create an internal market, an increasing number of *counternarratives* are produced, questioning whether the pursuance of policy for cross-border regional integration is indeed on the right track (Knippschild & Wiechmann, 2012). Some scholars have put forward that the European integration process should not be seen as a *mythical high-speed train*, unifying and harmonizing the differences within EU and bringing to it new faith and progress (Kramtsch, 2002a, 2002b, 2003; Scott, 2012). Even if the skepticism is not the right issue, the effects of the Euro Zone and Schengen Area in the cross-border regions will need a serious state of the art after 2015-2018, according to the date of entry of each cross-border region (Terlouw, 2012).

If the local-level support for European integration does not collapse, the experience of Euroregions and of cross-border organizations will continue to develop its complexity (Sanguin, 2004).

EVROREGIJE IN DRUGE ČEZMEJNE ORGANIZACIJE EVROPSKE UNIJE: NEVARNOST ZMEDE, ODVEČNOSTI, PREDIMEZIONIRANJA IN ENTROPIJE. KRITIČNA OCENA

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POVZETEK

Prispevek obravnava zgodovinske osnove čezmejnega sodelovanja v Evropi. Čezmejno sodelovanje se dojema kot posreden korak k združevanju Evrope. Odvija se na hierarhičnih obzorjih, kjer najpomembnejšo fazo predstavlja evroregije. Evropska komisija ima evroregije za temeljni kamen svoje regionalne politike in najboljšo metodo povezovanja, kar zadeva države kandidatke za članstvo v Uniji. V nasprotju s splošno veljavnim prepričanjem delovne skupnosti in evroregije niso stvaritve Evropske unije, pač pa precej bolj zamisli Sveta Evrope. Še do nedavna je Evropska unija ubirala radikalno drugačen pristop k čezmejnemu sodelovanju v primerjavi s Svetom Evrope: namesto da bi oblikovala strukture, je Evropska unija izvajala programe (med katerimi je najbolj znan INTERREG). Sedanje stanje odlično ponazarja stopnjo zmede, odvečnosti, predimenzioniranja in entropije, ki so zajele vse evropske čezmejne organizacije. Pireneji, ki jih obkrožajo tri sosednje države (Andora, Francija, Španija), predstavljajo najizrazitejšo in zgoščeno študijo primera take situacije. Na nek način čezmejnemu sodelovanju škodi več elementov: vseprisotnost držav, dojemanje EZTS-ja (Evropska zveza za teritorialno sodelovanje / EGTC, European Grouping of Territorial Cooperation) kot čudežnega statusa, iredentistični projekti, pomanjkljiva sposobnost ukrepanja, pomanjkanje pravega čezmejnega upravljanja in razdrobljenost lokalnih sporazumov. Narašča število nasprotnih mnenj, ki izražajo dvome o tem, da je izvajanje politike čezmejne regionalne integracije res na pravi poti. Čeprav skepticizem ni prava tema, bodo učinki evrskega in Schengenskega območja v čezmejnih regijah po obdobju 2015–2018 zahtevali resno raziskavo glede na datum pristopa posamezne čezmejne regije. Če se bo lokalna podpora evropski integraciji obdržala, se bo izkušnja evroregij še naprej razvijala v svoji kompleksnosti.

Ključne besede: čezmejno sodelovanje, delovna skupnost, evroregija, evroobmočje, evromesto, EZTS, Svet Evrope, Evropska unija, INTERREG, IPA-CBC

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