

Survey on Euroregions and EGTC: what future for the Adriatic area?

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METHODOLOGICAL PREFACE

In 2006, on a Marche Region's initiative, CeSPI started an analysis process on local cooperation in the Adriatic area. Such a process includes two separate surveys: the first, carried out within the framework of the Interreg IIIA project "SARA - SeA", analyzes the concept and evolution of Euroregions and provides useful indications for the development of the Adriatic Euroregion. The second survey, carried out within the framework of the Interreg project Adri.Eur.O.P., analyzes a new instrument of the European Union, the EGTC (European Grouping of Territorial Cooperation), and studies the possibility of using it in the Adriatic area in the medium-long term.

In general, the two surveys provide a detailed description of two instruments; they highlight their peculiarities at the regulatory and operational level and underline their differences and similarities. The general objective of this reflection is providing useful indications to strengthen territorial cooperation relations between the two Adriatic shores, through cooperation activities already in process (Adriatic Euroregion) and possible in the future (EGTC).

The first part of this document is divided into four chapters, the first of which supplies a theoretical framework and includes: i) definition, spreading and evolution of the Euroregion ii) legal and administrative structure ii) critical analysis. The second chapter describes four case studies. The third chapter describes the Italian situation, with reference to cases of Euroregions on our territory and with an analysis of the legal framework. The last chapter provides indications for the Adriatic Area.

The second part of this document describes and analyzes the community regulation which establishes the EGTC and monitors the implementation of the Regulation in EU Member States; the second chapter describes the process that, so far, has not led to the inclusion of the Regulation in Italy. The last chapter highlights the added value of the EGTC compared to Euroregions (and vice versa), identifying possible EGTC scenarios within the Adriatic Euroregion.

PART 1: SURVEY ON EUROREGIONS

1. CROSS-BORDER COOPERATION: THE CASE OF EUROREGIONS

Among the cooperation network initiatives for joint development and European integration, the term Euroregion identifies a form of cross-border cooperation which has been more and more often adopted, during the last few years, in Europe as well as in Italy, where recently a political process was started aiming at the creation of an Adriatic Euroregion. In concrete, there is no univocal definition, but several ones, that widen or narrow the meaning on a case-by-case basis. This short survey presents some of the main connotations and features related to the concept of Euroregion. The general purpose of this work is to provide critical elements for the evaluation of the creation of an Adriatic Euroregion.

1.1. Evolution

Euregio can be considered the first actual Euroregion: it was created in the Fifties and it included regions at the border between Germany and Holland. Since then, several initiatives have taken place, usually in mid-European areas and often based on informal agreements. From the legal standpoint, nevertheless, the creation of administrative bodies for managing cross-border cooperation activities presents some problems (they are analyzed more extensively in the next paragraph): during the first years, one of the most frequently used legal formulas to govern Euroregions was twinning, which implied a series of agreements at a varying degree of formality, essentially based on the parties' will. In 1980, upon initiative of the Council of Europe, a number of European countries signed an international treaty, called the Madrid Convention, that represented a first step towards cross-border public law cooperation. The Convention, signed by 20 countries¹, presents a legal framework regulating the stipulation of bi- and multilateral public law agreements on cooperation among national administrative bodies belonging to bordering countries. The contribution specifically asked from the Council was the definition of a reference framework, providing an international legal basis for the creation of cross-border cooperation bodies also where it was not governed by international bilateral treaties². Subsequently, such aim translated into the 'Additional Protocol to the European Framework Agreement on cross-border cooperation between territorial entities or authorities', signed in Strasbourg in 1995, which governs the creation of cross-border cooperation bodies that may or may not have legal personality and may be public or private law subjects. It provides a general reference framework that may be used by everyone (through its ratification) within the limits of the national law of each country. This makes the provisions applicable even where there is no specific agreement or bilateral treaty governing cross-border cooperation.

If, on one hand, the Madrid Convention and the Strasbourg Protocol represent the reference legal basis for Euroregions, on the other hand Interreg, the programme launched by the European Commission in 1990 (and confirmed in 1994 and 1999), strongly fosters their diffusion and actual

¹ Ratified by the Italian Parliament with Law No. 948 of November, 19th 1984.

² Among the main treaties, the following are worth mentioning) the Benelux treaty on cross-border cooperation, subscribed in Brussels in 1986; ii) the cross-border cooperation agreement between Germany and Holland, subscribed in Isselburg-Anholt in 1991; iii) the French-Spanish Treaty, subscribed in Bayonne in 1995; iv) the Treaty on the cooperation between territorial communities and local public administration, subscribed in Karlsruhe in 1996.

operational activities. The majority of cross-border cooperation initiatives, indeed, may access the funds made available by the Strand A of Interreg. From that moment on, therefore, the number of Euroregions has grown exponentially, going from 26 in 1988 to over 70 now: basically, there is no European local or regional border institution not currently involved in some form of cross-border cooperation.

The growing importance of Euroregions was formalized through a Resolution of December, 1st 2005 by the European Parliament, providing indications on the definition and function of Euroregions within the framework of the EU cross-border cooperation policy. The main points of the resolution are the following: the Parliament enhances cross-border cooperation (considered fundamental for European cohesion and integration); it invites the Member States to promote Euroregions as one of the cross-border cooperation instruments; it underlines the need for Euroregions to have a well defined legal status; it underlines that cross-border cooperation is an appropriate approach to solve everyday problems on both sides of the border, above all in the economic, social, cultural and environmental sectors; it underlines how cross-border cooperation provides a relevant contribution to the implementation of the Lisbon strategy; it observes how Euroregions strengthen neighbourhood relations, thanks to local projects based on the exchange of best practices; therefore, it considers particularly important that the promotion modes of micro-projects remain within the framework of Structural Funds; it underlines the need to attach priority to the elimination of the inequalities between the regions of old and new Member States; it underlines the need to allow an integration of projects planned in neighbouring countries; it asks that Euroregions and similar institutions are also given the possibility to elaborate, implement and manage cross-border programmes in the EU, in line with the European proximity policy and with the Instrument for Pre Accession Assistance (IPA) from 2007 on, in partnership with national institutions; it underlines the need to support cross-border cooperation and the creation of Euroregions, including regions in sensitive areas such as the Middle East, with an initiative aimed at promoting friendly relations, stability, safety and economic interests, based on respect and mutual advantage. Within such resolution, the Euroregions are defined as ‘the outcome of initiatives of border regions or of other local territorial bodies of more than one state (not necessarily EU members)’. Such initiatives usually originate around shared interests and objectives, related to tourist promotion, infrastructure development, cultural aspects and economic development. The Resolution refers more than once to the European Grouping of Territorial Cooperation (EGTC), whose regulatory basis should provide a ‘platform for the development of Euroregions’ (see second part of the text).

Since 2006, the Council of Europe has worked on the drafting of the ‘**European Convention on Euroregions**’, a third additional protocol to the Madrid Convention. Such a protocol would allow the countries ratifying it to have a **uniform regulation** as regards Euroregions and cross-border cooperation: its roughly 70 articles would complement the civil law of each single country. The approval process, nevertheless, was slowed down by the lack of full agreement by all the Members of the Council. Some countries, indeed, prefer to wait for the full implementation of the EGTC before pursuing further international regulations on the issue. Furthermore, in federal countries, in order for the convention to be applied, the ratification is needed not just by the central government, but by each single territorial authority (cantons, länder, etc.), which would make the process more complex and dependent on many different wills. Other countries, nevertheless, believe that the two instruments may be considered complementary, since the EGTC regulation refers to the internal laws of individual countries, which may be made more consistent and complete through the Convention the Council is working on. It may be concluded that, for the Convention to be approved and presented for ratification, a widespread support by the strongest Member States in the Council of Europe must be shown.

1.2. Definition

The Association of European border regions, supplying a definition commonly adopted also at the European Commission level, specifies that Euroregion, despite not having a univocal legal or organizational form, have a host of common features: ‘they are permanent, they have a separate identity from their respective Member States, they have their own administrative, technical and financial resources and they have internal decision-making mechanisms.’³ In particular, they may take the following legal forms:

Associations of local and regional bodies, set up on both sides of the national borders, in some occasions with a *representative assembly*.

- Cross-border association with a **permanent secretariat** and a technical and administrative staff with own resources.
- Private law bodies, headed by non-profit associations or funds set up on both sides of the national borders, in compliance with the respective national regulations.
- Private law bodies based on international agreements, also operating with the involvement of territorial bodies.

Euroregions do not represent a new local or regional institutional-administrative level, but rather an exchange and governance point for already existing public and private institutions: as such, their competences should not overlap with those of local and regional bodies. According to Perkmann⁴, cross-border cooperation relations must be intended as ‘the product of a social construction process’, thanks to which the territory represents ‘not a mere functional space, but rather a social/territorial unit with a strategic capacity, arising from a given organizational structure.’ Another definition is supplied by Alberto Gasparini⁵, who considers Euroregions ‘the drive of cross-border areas towards institutional autonomy, to foster cooperation and development in those areas, otherwise doomed to be marginal.’ This kind of drive, started after World War II in the marginal areas (the most underdeveloped from the socio-economic standpoint) of central European countries such as Germany, the Low countries, Italy, Belgium and Switzerland, later shifted towards eastern Europe and is now involving the Balkan and Danubian countries, where cross-border cooperation is also related to democratic consolidation and political stabilization processes as necessary requisites for the accession to the European Union.

1.3. Structure

From the experience of Euroregions it is clear that spontaneous cooperation agreements between regions are usually followed by the creation of administrative and legal structures. From the historical standpoint, cooperation relationships were set up as a consequence of factors such as:

- **A shared border and historical background.** Two bordering regions sharing particular events, usually related to recent history. This, for example, is the case of the territories composing the Euro-Balkan Euroregion (see 2.2), having in common the fact that they were not directly involved in the Yugoslav conflict of the last decade.
- **A shared socio-economic situation.** It is the case of the Saar-Lor-Lux-Trier/ Palatinate-Wallonia Euroregion, created during a critical moment for a specific production sector (coal at the beginning of the Seventies), with the shared phasing out objective.

³ J. Gabbe “The euroregion as a place for transfrontier cooperation” Cooperation and Euroregions, ISIG, p.97, 2004.

⁴ M. Perkmann, *The rise of the Euroregion. A bird's eye perspective on European cross-border co-operation*, p. 5, 2002.

⁵ A. Gasparini “The institutionalization of cooperation. Vademecum for a good euroregion” Cooperation and Euroregions, ISIG, p. 100, 2004.

The two cases mentioned above present common starting points, based on which it was possible to build solid structures that have formalized the shared history and objectives. This allowed to create or strengthen specific cross-border identities that facilitated a cultural, economic and political identification process between peoples historically separated by clear-cut borders. In Catalonia, too, there is a good level of cooperation along the border with France: such a case is relevant, because the integration of the two territories stems from 'everyday experiences'. The new contribution of such phenomenon focuses more on what actors' networks do, rather than on theoretical debates on a new phenomenology of political-spatial organization. According to Jouni Hakli⁶, basing a structure of cross-border cooperation on everyday practices may foster the overcoming of one of the current limitations of regionalization, i.e. the fact that it is closer to the elite than to the population.

The creation of a Euroregion structure is, generally, the last step of a process including three separate stages⁷. The first stage concerns the beginning of cross-border cooperation relations between private and municipal bodies, with the aim of creating the basic conditions for the activities. The second stage sees the intervention of local institutions in the network creation process. The third stage is the one in which the Euroregion, through its bodies, leads and manages cross-border cooperation. The three stages, nevertheless, do not always occur in this sequence: sometimes, the creation of the Euroregional structure is the first step. In this light, two different processes, determined by contingencies and historical events, may be identified: i) Euroregions created on already existing connection networks, after pooling the relations based on shared social and economic elements; ii) Euroregions trying to (re)create a fabric of territorial relations across different sectors (as occurred along the borders of eastern Europe after the end of the iron curtain). The Adriatic Euroregion can be linked to the second process.

1.3.1 Legal form

Euroregions have variable nature, generally ascribable to one of the following categories: i) a community of interests without legal personality; ii) a European Economic Interest Grouping (EEIG); iii) a non-profit association; iv) a Working community without legal personality or v) a public body. Within the limits of the geographical context of the cooperation, the Euroregions are cooperation agreements between local or regional border administration units, aiming at promoting shared interests and at enhancing the living standards of the population of their areas of competence.

The various typologies of legal structures usually indicate **different competence degrees** in the management of activities: therefore, there are Euroregions with legal personality, executive powers partly autonomous from those of the central and local institutions of their respective countries (it is the case of Euregio) and Euroregions which are simply complementary to the cross-border policy decisions made by local governments (regions, municipalities). The choice among different legal structures is usually affected by factors related to the territorial administrative organization of Member States. In states with **a federal territorial organization** (Germany and Switzerland, for example), there are local and regional structures with a high level of autonomy in the management of the executive power: this, in fact, reduces the importance of having a cross-border cooperation structure with executive powers. On the other hand, in countries such as France, where powers are largely managed at the central level, border regions have greater interest in having a structure such as the Euroregion with executive powers. At any rate, it is certainly true that in those very States in which administrative decentralization is stronger, there are generally less obstacles to the creation of cross-border bodies with greater autonomy, while governments such as the French one tend to set

⁶ J. Hakli, "Cross border identities in the new Europe: ghost of the past or sign-post to the next millennium?"

⁷ A. Gasparini, "The institutionalization of cooperation. Vademecum for a good euroregion" Cooperation and Euroregions, ISIG, p. 102, 2004.

more limitations to the creation of such structures which, on some occasions, even run the risk of being unconstitutional (as happened to the Upper Rhine Region halfway through the Nineties)⁸.

In general, according to the definition of the additional Strasbourg Protocol of 1995, there is the possibility of creating bodies with or without legal personality (articles 3 and 4). This specifically marks the difference between Euroregion and Working Community: the first has legal personality, the second does not. This is crucial, above all with regards to the management of programmes and projects with EU funding: a Euroregion, having legal personality, may ask to be funded as an autonomous and distinct body from its member bodies. This cannot happen for Working Communities. Furthermore, a structure with legal personality may hire personnel to manage the activities, while a Working Community, cannot hire personnel autonomously: the local bodies, its members, must do it (and they generally have their own internal functionaries carry out also the tasks related to the management of Working Community activities). According to article 8, Member States, when ratifying such additional Protocol, may choose whether to apply or not the provisions of article 5, according to which cross-border cooperation structures may be public law subjects. Such a provision adds a strong decentralization element, since it allows to create transnational sub-regional structures with extremely similar (if not identical) powers to local bodies'. Their actions, indeed, 'have, in the legal system of each of the Parties, the same legal value and the same effects of actions by the communities or territorial authorities that subscribed the agreement.' Nevertheless, paragraph 2 of article 5 softens such provisions, specifying that, at any rate, the competency for the execution of such actions is the local authorities' and the mandate of the cooperation structure may be limited in scope and purposes. In other words, the cooperation structure 'may not have a general mandate nor be enabled to adopt general measures.' The majority of states⁹ that have ratified the Protocol to this moment opted for the non application of article 5, thus expressing a preference for structures that are private law subjects.

The official EU literature and documents provide, therefore, quite a specific picture of the characterizing elements of a Euroregion, based on which it is possible to identify the differences with other typologies of cross-border cooperation, such as, for example, Working Communities. The latter (largely set up between 1975 and 1985), generally concern a wider territory than Euroregions, including several countries and setting up 'multilateral cross-border cooperation agreements'¹⁰. As already mentioned, they are generally without legal personality and enjoy the status of association. Unlike Euroregions, they have no bodies with separate powers from those of the regional institutions represented by their own members, which participate as representatives of their own territories. Generally, they have no human or financial resources of their own. In general, Working Communities are specialized in planning activities (studies) but have no important role within Interreg: often, their activities are limited to joint declarations and information exchange. Among the Working Communities it is worth mentioning Northern Portugal/Galicia, Alpe-Adria, the Pyrenees, Western Alps and the Atlantic Arc. Apparently, even though the Euroregion as an institution seems to be fitter for an active role in the execution of EU programmes, in some cases, (e.g., Atlantic Arc) also Working Communities have been able to access community funds.

The Association of transfrontier regions identifies two principles on which cross-border cooperation in general and Euroregions in particular are based: subsidiarity and partnership. The first principle translates into a formal acknowledgement of the role of the bodies of the cross-border cooperation structure in comparison with the regional and local ones: there must be an acknowledgement of the authority of the Euroregion on cross-border cooperation (which is not the case with Working

⁸Nevertheless, as we will see in the second part, France authorized the institution of an EGTC before including the Regulation: therefore, if there are formal agreements at governmental level, even strongly centralized countries such as France recognize the need and usefulness of favouring the institution of territorial cooperation organs.

⁹ France, Germany and Sweden do not apply article 5; Albania, Luxembourg and Low Countries do.

¹⁰ M Perkmann, *The rise of the Euroregion. A bird's eye perspective on European cross-border co-operation*, p. 7, 2002.

Communities). The second principle concerns the dynamics governing the relations between members (horizontal partnership) and between the Euroregion and the regional, national and community levels (vertical partnership). For the horizontal level there should be a condition of equality among members, regardless of the extension and wealth of territories. In the management of vertical relations (with the EU, the state, the region), the Euroregion ought to have a function of complementarity, not competition, with the other levels.

1.3.2 Administrative structure

In almost every case, the Euroregions subscribe a Statute which, on one hand, represents a formal commitment from the point of view of shared objectives and, on the other, provides specific indications on the bodies constituting the Euroregion and their competence. Generally, the typical structure is composed by:

- the **Assembly** or **Council** of representatives, whose members are elected among the institutional and private members of the Euroregion. It is the official representative body, in charge of the strategic and political choices and of approving the budget and long-term activity programmes. With regards to external relations, its decisions may have executive value (Euregio) or be non-binding opinions (in the majority of cases). It is in charge of the election of the executive committee members.
- The **Executive committee**, whose main function is the implementation of the resolutions approved by the Council. It may promote resolution proposals which are then submitted to the Council.
- The **Work groups**, which carry out research and analysis activities, feasibility studies, needs identification, project design and drafting. They typically depend directly from the Executive committee.
- The **Secretariat** is in charge of controlling and managing the activities and it acts as a contact point with the territories. Some cross-border Secretariats coordinate local secretariats, acting as a link between the territories and the decision-making and operational structure of the Euroregion. This body, therefore, has the specific purpose of ensuring consistency and continuity between the needs of territories, the implementation of activities and the policy orientations adopted by the Euroregion.

In general, it is possible to identify the fundamental stages for the institution of a Euroregion as the following:

- creation of an association of regional/local authorities on both sides of the border, in compliance with the national laws, with specific transfrontier finalities.
- Stipulation of a cross-border cooperation agreement (usually a private law agreement) among the members of the association, with the following features: i) same representation within executive bodies; ii) financial contributions by the members to a joint budget; iii) institution of a joint secretariat.

If a public law agreement is subscribed, the participating local authorities may delegate tasks and transfer responsibilities to the cross-border body, which may also cover the management of projects within Interreg. **If a private law agreement is subscribed, a separate agreement is required for Interreg, with the participation of the relevant national authorities.**

1.4. Remarks

This short analysis of cross-border cooperation and Euroregions presents some elements deserving of further consideration. First of all, it is a phenomenon that has had **growing relevance starting**

from the Nineties, i.e. the period when the European Union formalized its commitment to supporting cross-border cooperation through the **Interreg Programme**. This was undoubtedly an important incentive to the institution of new Euroregions: in several cases, the access to Interreg funds becomes the (often unstated) purpose around which such structures are created. For Euroregions, therefore, a difference can be identified between the pre- and post-Interreg eras. Indeed, if on one hand the activation of this financial instrument has boosted cross-border cooperation relations, on the other hand it has, in a way, biased them, linking them too much to the aforementioned program. The Euroregions created between the Fifties and the Eighties arose almost naturally, as a consequence of strong relation and an actual acknowledgement of shared issues and interests and, as such, they started from solid grounds. The same cannot be said for the Euroregions created to access Interreg funds, which cannot count on a similarly solid historical and cultural background. Nevertheless Interreg, besides being a financial incentive, is also an inspiration for concrete actions to Euroregions otherwise doomed to be just alternative institutional meeting points (to the traditional premises of local and regional bodies) or empty structures.

Secondly, cross-border cooperation and, in particular, Euroregions, will represent **an important instrument in the context of neighbourhood and pre-adhesion policies of the European Union**. Such policies have had an important role in the last decades in fostering the adhesion process of central and eastern Europe countries (e.g. PHARE countries): likewise, today they may play a key function for south-eastern Europe, former USSR and northern Mediterranean countries.

Euroregions have started to spread also in former Soviet countries in the beginning of the Nineties (the first was the Carpathians Euroregion). The room for movement of local authorities, in those countries, is more limited, due to a still scarce level of decentralization. In more recent years, several countries (among which Russia and Ukraine) have addressed the Council of Europe to receive technical assistance in defining framework regulations to foster cross-border cooperation: considering the limited competences of local bodies in such field, it was necessary to define, at the central level, a legal corpus to specify what local bodies can and cannot do. Furthermore, it has to be considered that, before 1989, the relations among those countries were almost nonexistent and that, therefore, cross-border cooperation agreements are something new, that started to develop only in the last 15 years.

The Euroregions created in the Balkans are, in the majority of cases, weak from the legal point of view, with unclear fund and expense distribution procedures: often they are not given the possibility to manage directly the funds (in particular EU funds), which are transferred to the various projects by the central government. In the Balkans, the Euroregions generally manage small projects, funded with limited grants issued by institutions such as the Balkan Trust Fund and the German Marshall Fund. The importance of Euroregions in this area must also be identified beyond the merely operational level and the implementation of specific actions: rather, some of these bodies have an essentially symbolic value of reconciliation, as in the cases of Prespa-Ohrid (Albania, Macedonia and Greece) and Gjilan/Gnjlane-Kumanovo-Presevo (Kosovo, Serbia, Macedonia and Bulgaria).

In general, it can be said that Euroregions are **a phenomenon of German inspiration**: the first Euroregion was created in Germany and around two thirds of the existing Euroregions involve some area of the German territory. In Germany, the Euroregions enjoy a national level legitimization that is unparalleled in any other European territory. This is due first and foremost to the federal administrative structure, that grants to local authorities a high degree of freedom in managing and implementing their own local development strategies. Furthermore, the culture of countries such as Germany, as well as the Low Countries, has traditionally promoted cross-border cooperation initiatives, unlike Italy and France, where historically central authorities have been more reluctant to allow local and regional authorities to participate in transnational initiatives. Nevertheless, it must be noticed that in Italy, in the last few years, this trend has been partly reversed, giving way to a growing role for cross-border cooperation.

2. CASE STUDIES

In this second chapter, four relevant case studies are analyzed: i) Euregio; ii) Euro Baltic Region – ERB; iii) Northern Portugal – Galicia Working Community; iv) Eurobalkan. The case choice stems from some considerations, taking into account the following elements:

- Geographical coverage: we have tried to include diverse Euroregions, in terms of both the socioeconomic and cultural background and their position in northern (EuroBaltic), central (Euregio), western (Northern Portugal – Galicia) and south-eastern (Eurobalkan) Europe.
- Status of EU inclusion: the different geographical areas correspond to a different historical rooting in the European Union: from the territories of the first EEC (Germany and Low Countries) to the 2004 accession countries, to the 2007 accession countries (Bulgaria) to the candidates to future accession (Western Balkans).
- Type of structure: taking Euregio as a Euroregion benchmark, we have also strived to analyze partly different structures. Along these lines, ERB mirrors a Euroregion typology typical of northern Europe, created within the framework of the Nordic Agreement, with a much wider reference area compared to analogous mid-European structures. The Northern Portugal – Galicia Euroregion, on the other hand, is a Working Community.
- *Best practice*: all the cases are generally acknowledged in the literature as examples of best practice.

Each case study is divided into two specific sections: the first describes the main traits of the Euroregion, underlining its structure, activities and operation. The second part consists in a critical analysis, in particular through three dimensions elaborated by Perkmann¹¹ based on some authors' contributions (Jessop, Gualini, Keating, Balme and Jouve, Colomy). According to Perkmann, a Euroregion (or a network of similar nature) may be considered effective when it reaches a sufficient level of institutional thickness. Such thickness level can be analyzed by taking into account three dimensions:

- **political mobilization**: the creation of a social/institutional bases that supports (or contrasts) the new super-regional body, thus legitimizing its role and functions.
- **Governance creation**: the Euroregion has a well-defined structure, that governs the relations between members (horizontal governance) and externally (vertical governance).
- **Strategic unification**: the members of the Euroregion identify common strategic guidelines and follow them, implementing concrete project actions.

2.1. Euregio

2.1.1 Organization and activities

The first and most studied case of Euroregion, Euregio, was launched in 1958 at the border between Germany and Holland. It involves 130 local authorities, among which municipalities, and administrative districts of the area, for a total of 3.2 million inhabitants. It was created with the aim of developing relationships and cross-border cooperation between the territories that are part of it, involving the greatest possible number of public life sectors, from economic development to cultural exchanges. The cooperation was originated by a situation of shared difficulty appeared during the Fifties, when production sectors were being reconverted and the energy sector went through a crisis. Euregio has legal personality and it is a public law subject: therefore, it may

¹¹ M. Perkmann, *The construction of the new scales: a framework and case study of the Euregio Cross-border region*, p. 9. 2005.

manage directly projects and programmes such as Interreg. It has the following organizational structure:

- The **Assembly**, composed of the representatives of all the local authorities. It elects the 41 Dutch and 41 German representatives sitting in the Council.
- The **Council** may decide on the implementation of programmes and projects as, for example, Interreg. It has decision power on the issues related to the management and use of the joint financial resources of the Euroregion. The members of this transfrontier body are grouped by political affiliation (party) and non as members of national or regional delegations. This leaves room for different and complementary visions of development. An internal committee manages the executive functions.
- The **Secretariat**, with an active staff of around 30 people. It covers and coordinates the activities of the various thematic fields and it carries out daily activities. Work groups depend on it.
- The **Work groups**, which bring together the various stakeholders, from private companies to trade associations to local authorities.
- The **Mozer Commission**, created ad hoc to support projects in the fields of culture, sports and arts.

The organization manages a relevant annual budget (around 5.7 million euros in 2005), which is largely made of the voluntary amounts paid by members and, in part, of external funds, usually from Interreg. Thanks to the large amount of resources available, Euregio is capable of carrying out consistently several activities in the following fields: i) consulting services for companies and consumers; ii) socio-cultural cooperation, through the organization of events related to schools, sports, music, culture, art and involving around 100,000 people every year; iii) socio-economic development, above all through the management of the Interreg funds allocated to the area (Euregio manages all the stages, from the presentation to the implementation of the projects); iv) inter-municipal cooperation, through the organization of workshops and debates on specific topics of interest, such as, for example, education or healthcare.

Particularly relevant are the consulting and technical support activities carried out by the Secretariat, which acts as a permanent desk for the members of the Euroregion and is composed of professionals employed full-time. The following services are supplied:

- Project support, from partner research, to project drafting to assistance during the implementation. Euregio is part of the Interreg Steering Committee for the area, which also allows it to play a political role and to lobby for the allocation of funds within the programme. The Secretariat also drafts and presents projects to various Directorates General of the European Commission, not just within Interreg.
- Information desk for companies, through an information service that facilitates the research for partners, suppliers, distributors and prospective employees.
- Information service on available industrial area, when manufacturing and/or commercial activities may be started. Business promotion service for companies willing to start relations with companies working in the area or willing to move there.
- Information on the municipalities: statistics, contacts, connections.

Furthermore, the Secretariat carries out cultural and tourist promotion activities, i) fostering connection and cooperation among the travel agents of the area, ii) supplying information on historical sites and museums, and iii) supplying information on special events, such as festivals, and giving suggestions for short stays. Finally, it carries out information initiatives on education and school curricula and activities.

2.1.2 Analysis

Euregio may be considered the current most advanced form of cross-border cooperation in Europe¹². It developed from the end of the Fifties in an area with strong shared ethnic-linguistic roots. It has dealt and is dealing mainly with the issue of economic development, since, when it was created, the area was going through a crisis in the energy sector, involving in particular the industries. It may count on a solid organization, with well-defined roles. The legal personality allows the Council to decide autonomously on the annual budget: this shows the members' full trust in the discernment of such body, whenever it must decide to allocate the funds to an area or another. Another relevant element is the fact of having a relevant budget for the activities, coming not only from Interreg but also from members' payments. It must be considered that it would be difficult to obtain the payment of such amounts if there were not a certain amount of mutuality, i.e. if the members of Euregio did not obtain concrete benefits in the form of services supplied. In that sense, the Euroregion 'repays' its members through the work of its two main bodies, the Council and the Secretariat. The first plays a political function of connection and lobbying towards the European Union (vertical partnership) since it is part of the Interreg Steering Committee for the border area between Germany and Holland: Euregio, in fact, can be considered a partner of the European Union as regards the political decision-making process of the area¹³. On the other hand, the Secretariat plays an effective and concrete role in fostering contacts and collaboration between members (horizontal partnership), through specific assistance activities, including services similar to those of chambers of commerce and tourist promotion agencies.

Among the factors contributing the most to the success of Euregio there is without a doubt the federal territorial organization of Germany and Holland, which allows a strong degree of administrative decentralization and, with that, the full decision-making autonomy by local authorities in choosing which superstructures to adopt for the management of cross-border relations. This allowed the Euroregion to enjoy a high degree of management and decision-making autonomy, unrelated to that of individual members. The situation described above is proved by the fact that the representatives sitting in the Council are not grouped by geographical origin, but by political party, thus forming an actual parliamentary body, with specific functions. Once again, the propensity to decentralization of Germany and Holland allows an institution of this type not to be in contrast with the central powers and not to have unconstitutionality issues. Euregio, therefore, has deliberative and executive competences in the field of cross-border cooperation: this is one of the main features of Euroregions involving German and Dutch territories (e.g., Rhein-Waal and Enschede-Gronau). The same is not true for other Euroregions, which only have a complementary competence: in other words, they may only supply non-binding opinions.

What follows is an analysis of its main features according to the three dimensions identified by Perkmann:

- **Political mobilization.** The institution stems from a need of the different regions to grow and develop economically: two peripheral areas, extremely poor at the time (the beginning of the Fifties) and similar in terms of features and needs. First, the cross-border cooperation originated from the need to renew and/or create infrastructures for transport, obtaining, through lobbying activities, relevant results. Later, a wider involvement of the population began, through themes related to culture in a wide sense. Therefore, the first stage saw a more relevant role of political elites, while, in the second, there was an increase in social involvement.
- **Governance creation.** Three governance levels can be identified: the first is represented by the Secretariat, the main body, which enjoys an indefinite mandate. It has no predefined

¹² Martin Nagelschmidt, in *The development of a transnational representative assembly in the border region of the upper Rhine*, p. 6, 1999.

¹³ M. Perkmann, *The construction of the new scales: a framework and case study of the Euregio Cross-border Region*, p. 11, 2005.

competences, it acts with an entrepreneurial approach, also because it has no consistent source of income: the intensity of project activity also depends on the access the Euroregion has to funds. It is characterized by a great ability in generating financial flows that are subsequently devoted to the activities through a voluntary taxation of the members (equal to around 30 cents per inhabitant), Interreg funds and funds collected through the participation to tenders for the execution of projects. The second governance level is the horizontal one, binding participants through rules and obligations (formalized within agreements subscribed by the parties) which, for example, govern any controversies related to the distribution of resources over the territory. The third level is represented by the vertical multi-level network, in which Euregio works as an interface between the lowest level (local and regional authorities), the national and the EU levels.

- **Strategic unification.** A disjointed network has become a regional policy agency, with an action programme and long-term development objectives, resulting in concrete project ideas. At the theoretical level, Euregio justified its own existence as an attempt at testing the EU on a smaller scale.

2.2. Euro Baltic Region

2.2.1 Organization and activities

The Euro Baltic Region (ERB) was founded in February 1998 through the joint stipulation of an agreement by some regions of Denmark, Latvia, Lithuania, Poland, Russia and Sweden. The ERB embraces a wide area with around six million inhabitants. Within the region, clear inequalities can be noticed, in terms of socio-economic development, urbanization and infrastructures. Such inequalities are particularly clear between areas in EU 15 countries, such as Sweden, areas in new accession countries and areas in Russia. Polish, Latvian and Lithuanian regions are characterized by extremely high unemployment rates and by rural areas with few alternative income sources. On the other hand, Swedish and Danish rural areas are scarcely populated and the economic activities linked to the countryside and to farming are considerably declining in comparison with past decades: the population tends to move towards the cities, but unemployment rates in rural areas remain low, even if slightly higher than those of urban areas. In general, it can be said that the future of rural areas is functionally linked to that of the cities: this is clear in the most densely populated areas but it also holds true for the less populated ones.

Considering such initial inequalities at the socio-economic and infrastructural levels, the ERB set for itself, since the beginning, the target of fostering the cooperation between its members and of supporting a joint sustainable development for the area. The general framework that defines the cooperation relations can be summed up in a series of specific objectives: i) improving local inhabitants' living conditions; ii) promoting exchanges and contacts; iii) strengthening the links between local communities; iv) eliminating all residues of historical or cultural prejudices; v) supporting activities related to environmental safeguard and sustainable development in the area; vi) promoting cooperation between local and regional authorities.

The Statute of the Euro Baltic Region, subscribed in 1998, defines, besides the objectives specified above, the administrative and management structure and its operation:

- The **Council** is the main decision-making and coordination body of the Euroregion. Its main tasks include the approval of i) action plans and other long-term strategic programmes; ii) financial and budget plans concerning common projects; iii) annual reports by the President of the Euroregion; iv) annual reports by the work groups.
- The **Executive committee** is elected by the members of the Council and it is constituted by a representative for each of the 9 regions involved. Its main duties are the elaboration and submission of resolutions to the Council, which is in charge of approving them and then

pass on their management back to the Executive committee. It is also in charge of the creation of work groups.

- The **Work groups** report directly to the Steering committee. They are in charge of carrying out research on specific issues, feasibility studies, analyses of needs, identification and elaboration of project activities.
- The **Permanent international secretariat** is the body in charge of coordinating the network of national secretariats. Each member region, indeed, has its own national secretariat, which plays a role of contact point and connection with the territory. The network of secretariats has mainly administrative duties.

The decision-making and management bodies of the Euroregion (the Executive committee and the Council) are mainly composed of elected representatives from executive bodies (the councils) of the ERB regions. The cooperation within the Euroregion is exclusively based on the will of the parties and it has no legal effect on the members: its competences are entirely linked to the acceptance or lack thereof, by local or regional governments, of the proposals presented by the ERB.

The Euro Baltic Region may count on two funding sources: the fees paid by members and EU contributions through Interreg IIB, Phare and Tacis programmes. In particular, the most relevant project completed by the ERB so far is Seagull (2002-2005), which received 3.2 million euros overall, 1.3 of which from Interreg IIB and the remainder from Phare and Tacis. In 2005, the second part of the project was funded (for a 683,900 euro amount), which lasted until the end of 2007. The main objective of this project is the coordinated implementation of a joint development programme for the region, in order to define a reference framework to carry out pre-feasibility studies and activities related to investments for the economic, social and cohesion development.

2.2.2 Analysis

This recently-created Euroregion is noticeable for some of its features, which allow to consider it a best practice example at the European level. From the standpoint of funding sources, it must be highlighted that the ERB has been able, until today, to access three different EU programmes, for countries at different admission stages: i) Interreg, financed through structural funds, whose funds can only be used within EU borders; ii) Phare, the accompanying programme for central-eastern Europe pre-admission states (which became members on May, 1st 2004); iii) Tacis, for former USSR republics. Analyzing the ERB through Perkmann's three dimensions, the following aspects can be underlined:

- **Political mobilization.** The ERB brings together some regions presenting common historical and cultural roots and, at the same time, an unhomogeneous socio-economic situation: the first aspect compensated for the second, making the development of a joint collaboration possible.
- **Governance creation.** There is a structure with well-defined competences and hierarchies and a statute formalizing its activity. In particular, the horizontal governance, which articulates through the interaction between the Permanent international secretariat and national secretariats, appears to be well developed. This kind of structure allows a direct contact with all the territories and facilitates the administrative management. Furthermore, the presence of secretariats in the territories increases the visibility of the Euroregion and allows it to be closer to the citizens: one of the most frequent weaknesses of cross-border cooperation institutions is, indeed, the detachment from the civil society to the advantage of a proximity to elites of functionaries of local and regional administrations. In this case, national secretariats may, at least partly, compensate for this limitation: however, it is necessary for them to act not just territorial administration centres, rather, to represent contact points for the population at large.

- **Strategic unification.** The ERB has been able to identify a range of specific and formalized shared objectives through a Statute and to include them in projects which benefited from several EU funds.

2.3. Northern Portugal – Galicia Working Community

2.3.1 Organization and activities

The Northern Portugal/Galicia Euroregion (NP/G) spans over a 50,700 square kilometre surface, with a population of 6.35 million. Those are peripheral territories, characterized by a lower level of socio-economic development than the EU average: the two regions, indeed, are among the Objective 1 areas in the 2000-2006 planning. The two regions present some relevant differences in terms of demographic and development dynamics, in particular:

- In Galicia the population is ageing, due in part to a progressive depopulation. In Northern Portugal, on the contrary, the population is relatively young, compared to the rest of the EU, and growing in number.
- In Galicia, the leading economic sectors are fishery and technology, while in NP the traditional industrial sector is still the driving force of economy.
- The dynamics of economic development are also different: Galicia is going through a period of strong convergence, in terms of per capita GDP, towards the European average; NP, on its part, is going through a divergence period, after living a convergence period during the Nineties.

The NP/G Working Community was instituted in 1991, following a historical process of cross-border relations between the communities of the two banks of the Minho river. This integration process was also strengthened by the joint process that led to the inclusion of Spain and Portugal in the EEC in 1985. These factors, together with the creation of the single currency, strengthened the political relations, the economic integration and the intensity of commercial exchanges and investments, together with an intensification of cross-border cooperation. In particular, the main factors leading to such a cooperation are the following:

- Socio-cultural aspects, such as language (Galician and Portuguese belong to the same language stock), religious aspect and a shared history.
- Marginality, both within the respective countries and in Europe. This gave origin to accessibility problems, both nationally and to other countries, that required common solutions.
- Common resources to enhance, such as tourism, the environment, the relation with the sea, the cooperation of the private sector.
- Similar and common environmental and ecosystem aspects, such as the Gerês-Xurês natural park, at the border between the two regions.

Starting from those elements and a shared political will, it was decided to formalize the mutual collaboration intention by instituting the Working Community with a Constitutive Agreement, signed by the President of the Council of Galicia and by the Northern Region Coordination Commission (CCRN)¹⁴. The agreement has no legal nature (Working Communities are without legal personality): i.e., it is a political agreement reinforcing the will to collaborate and drawing from the Framework convention of the Council of Europe and the bilateral cooperation treaty between Portugal and Spain. Such an agreement implies that the two regions work together to deal

¹⁴ In Portugal there are no administrative regions: there are Regional Coordination Commissions (CCR), controlled by the Ministry for the Environment, with competences in the field of territorial planning.

with issues of common interest, to exchange information, for the coordination of initiatives aimed at the development of cross-border partnership activities. The agreement identifies the joint bodies for the implementation of activities:

- **The Council.** It is in charge of approving the work plan, the budget and the rules regulating the internal activities of the Working Community. It is composed by a president and an equal number of representatives from the two regions. It meets twice a year.
- **The President.** The representative of the Working Community. The role is held by two-year turns by the presidents of the two regions.
- **The Coordination committee.** It sets the general working orientation to be developed by Sectoral commissions. It is composed by a general coordinator and a Secretariat, which ensures the permanent coordination of the activities.
- **The Sectoral commissions.** They are the basis for the activities of NP/G and integrate the socio-economic actors of the two regions. There are 10 sectoral orientation commissions, covering the main issues of interest, among which agriculture, environment, territorial management, employment and training, culture, university, fishery, etc. There are also four territorial cooperation commissions (Lima Valley, Cavado, Tamega, Minho) and a specific commission bringing together the cities of the Eixo Atlantico regions.

In general, the NP/G and Sectoral commissions work in accordance with the guidelines identified in an Action plan. The Working Community carries out an action of lobbying and strategic planning that, in the past, has favoured the creation of infrastructures (bridges, roads) and, recently, has promoted a feasibility study on the TGV stretch between Porto and Vigo. Among the activities carried out by NP/G, the following are worth mentioning: i) enhancement of the natural spaces of the Gerês-Xurés cross-border national park; ii) creation of a risk capital fund to support the investments of Galician and Northern Portuguese entrepreneurs; iii) tourist promotion activities.

2.3.2 Analysis

As mentioned in the beginning of this study, Working Communities differ from Euroregions because of some peculiar features (extension, legal status). Nevertheless, they are usually counted among Euroregions: to the ends of this survey, therefore, it was therefore considered appropriate to analyze also the case of the NP/G, a relatively young Working Community (several other communities developed between the Seventies and the Eighties), which performs a coordinated and specific activity.

- **Political mobilization.** The Working Community was instituted based on a strong political mobilization: as mentioned, the two regions share extremely strong cultural, historical, environmental and geographical roots. Actually, there is relevant competition between the ports of Vigo and Leixões and the airports of Galicia and Porto: the results of these two situations of cooperation and competition are regarded as definitely positive by local stakeholders.
- **Governance creation.** The administrative structure of the NP/G is probably dispersive, since it includes 15 commissions. At any rate, this situation allows the territories to set up a debate on the majority of sectors. It is also interesting that, in spite of the deep administrative differences between the two territories (strong autonomy for Galicia and direct dependence of Northern Portugal from the central government), they have been able to find a management and organizational model that allows a good level of cooperation.
- **Strategic unification.** The extreme marginality features of the territory represent a strong cohesion element that fostered the institution of the NP/G Working Community. Such marginality factor clearly steered the strategy of the Working Community towards actions aimed at relieving it, through pressure on the relevant authorities as regards transports and

infrastructures. The lack of legal personality, as obvious, implies a limitation of action and of the autonomous implementation of project activities.

2.4. Eurobalkans Euroregion

2.4.1 Organization and activity

The Eurobalkans Euroregion (EEB) was instituted in October 2002: the protocol was subscribed by the mayors of 66 municipalities of the border regions of Bulgaria, Macedonia and Serbia. Officially, the Euroregion was launched on September, 21st 2003 with the subscription of the statute by the mayors of Nis, Skopje and Sofia. Since the beginning, the Euroregion enjoyed international support, in particular by the East West Institute (EWI) and by the Council of Europe: since 2001, the latter had started a dialogue process between local bodies, which met during three conferences held in the three capitals. Initially, the creation of a transfrontier body met resistances at the central level. Nevertheless, the dialogue with the central governments of the three countries allowed the EEB to obtain also an institutional acknowledgement, thanks, in particular, to the fundamental contribution of the Council and of the Nis municipality. The Serbian government, therefore, was the first to acknowledge the Euroregion and, shortly after, it was followed by the Bulgarian and Macedonian governments.

If the initial contribution of the Council of Europe has to be considered fundamental in order to start up the Euroregion, it is also true that it found a fertile ground as the areas on the border between the three states share common cultural and historical roots, dating back to the Ottoman empire. For several aspects, Nis can be considered closer to Sofia than, for example, to Subotica. Furthermore, the EEB territories also share a similar socio-economic situation: they are underdeveloped areas from the economic point of view, mainly rural and with low productivity levels, in which illegal activities related to smuggling are widespread. The Council of Europe only supplied the initial momentum and then left full management autonomy to the administrative bodies of the Euroregion, occasionally supporting it in the organization of events and conferences.

The EEB created its own structure and chose, as general objective, increasing cross-border cooperation relations and allowing cooperation to become an economic development and integration instrument, fostering relations of peaceful coexistence between the populations living in the border regions. The Euroregion has legal personality and can autonomously manage projects funded by the European Union. In particular, the EEB includes the following administrative and management bodies:

- The **Council**. It includes three members, elected by the Assembly.
- The **Executive director**. He is in charge of the final decisions, based on the proposals made by the Assembly and pending the approval of the Council of Europe.
- The **Assembly**. It includes 66 representatives, one for each municipality.
- The **Secretariat**. It is the operational body, based in Nis. The office is in charge of elaborating, drafting and presenting project proposals to be funded by the various international donors. The structure employs 5 individuals full-time and 7-8 external collaborators. A branch office was also set up in Belgrade.
- The **Work groups**. There are six of them and all report to the Secretariat: i) regional economic development, ii) SMEs, iii) education and culture, iv) IT and technology, v) sport, vi) environment. In general, they aim at promoting the dialogue between members of the Euroregion and the different stakeholders (universities, companies, chambers of commerce) on specific topics. Generally, the activities of work groups lead to the elaboration of strategic development guidelines for the area in the various fields. So far, the group on local economic development has been particularly active, by giving origin to two committees (one

on steel and another on engineering). Both bring together some relevant local actors, as well as some municipalities: they identify strategic guidelines, with the aim of fostering the implementation of activities for the specific fields involved.

The activities are funded in part by international donors (European Union, German Marshall Fund). The other, more relevant part, comes from the annual contribution paid by individual members, whose association fee is Euro 500. That amount is used to cover structure management expenses, while the funds for specific project activities are supplied on a case-by-case basis by the municipalities involved and through the participation to international calls for tenders.

The EEB operates in a partnership with other Euroregions, among which Salzburg-Berchtesgadener Land-Traunstein, at the border between Germany and Austria, and, recently, the one between Morocco, Gibraltar and Spain. Recently, also with the support of the Council of Europe, the Eurobalkans Foundation was set up, with the specific purpose of supporting the Euroregions already active in the area and of fostering the institution of new ones.

2.4.2 Analysis

The concept of Euroregion has recently spread to the Balkans where, as of today, there are about 15 of them. Among them, the EEB is the only Euroregion officially acknowledged by central governments. This aspect appears to be even more relevant when considering that the countries involved (Serbia, Bulgaria and Macedonia) are still characterized by strong centralizing trends, which clearly clash with relevant decentralization practices such as the creation of a Euroregion. With reference to this specific case, it is possible to identify a few specific elements concerning the political dynamics:

- This Euroregion enjoys a strong institutional support by both the Council of Europe and the EWI. In particular, the Council of Europe provided important technical and institutional support, above all during the initial stage, and, despite its scarce interference in everyday activity management, it has a voice in the approval of the decisions made by the EEB Executive director.
- Institutional acknowledgement and the support of the Council of Europe are fostering a quick success of this Euroregion. As mentioned above, recently a Foundation reporting to EEB was set up, which has taken the role of incubator for south-eastern European Euroregions.

Taking into account Perkmann's three dimensions, the following aspects can be underlined:

- **Political mobilization.** Behind the Eurobalkans Euroregion there is a strong political mobilization, related to several cohesion and communion factors that have fostered its institution: i) cultural and historical roots, ii) scarce economic and social development iii) Nis-Skopje-Sofia transport networks. A further element in common is the fact that the EEB areas were not directly concerned by the wars of the recent past, during which relations and commercial exchanges had gone on. Hence, a generally higher level of confidence of the population of the area, compared to that of other south-eastern Europe regions, was in place. In spite of the many strong common elements, the creation of the Euroregion came from an external initiative: this shows that the local level, alone, was not capable of originating an initial political mobilization, while subsequently it was capable of supporting the process at the institutional level.
- **Governance creation.** The administrative structure of the EEB is quite similar to that of other Euroregions. The direct contact with the Council of Europe (vertical governance) is ensured in particular by the Executive director, while the relations between members are made possible by the Assembly and the Secretariat. The association fee paid by the members supports the structure, while the activities depend on specific funding.

- **Strategic unification.** Until now, the EEB has represented above all a forum for dialogue and coordination among local stakeholders, while project activities have been more limited. The general strategy appear to be aimed at the elaboration of guidelines for specific sectors (steel, infrastructures) rather than at an actual project elaboration activity. Nevertheless, the Eurobalkans Euroregion is quickly becoming a leader in the field of cross-border cooperation in the area.

3. THE SITUATION IN ITALY

This chapter will provide a summary of the situation of Euroregions in Italy. In particular, i) the most relevant Euroregions will be briefly described, Alpe-Adria and the recently instituted Adriatic Euroregion; ii) the position of the central government will be highlighted, with particular reference to the legal situation.

3.1. The Italian cases

The Alpe-Adria (AA) Working Community was instituted in 1978 in Venice and it includes the following members: Friuli Venezia-Giulia autonomous region and Veneto region (Italy), Styria, Upper Austria, Burgenland and Carinthia länder (Austria), Croatia, Republic of Slovenia, Baranya, Vas, Zala and Somogy counties (Hungary). The Memorandum of Understanding sets the main issues dealt with: cross-Alps communications, port movement, energy production and transport, agriculture, forest economy, water economy, tourism, environmental protection, landscape protection, preservation of cultural and recreational landscape, territorial organization, town-planning development, cultural relations, contacts between scientific institutions.

Since the AA is a Working Communities, it does not have legal personality. It has a plenary assembly of presidents of member local authorities and five operational commissions, with technical competences in the following sectors: i) territorial organization and environmental protection, ii) economy, transport and tourism, iii) culture and society, iv) healthcare and social affairs and v) agriculture and forests. The AA activity is mainly information exchange among members through a set of instruments: i) joint thematic reports, ii) periodic publication of bulletins, iii) scientific conferences on various issues, iv) promotion of cultural activities. Furthermore, it acts as a mediator in the search of partners for economic activities.

From the moment of its institution, the AA has seen moments of growth and slowdown, which have determined a variable trend in time. In particular, in some moment it has been object of political exploitations, linked to the strong historical connotation of the territory between Friuli Venezia-Giulia and Istria. In the beginning of the Nineties, the growing strength of nationalistic movements, such as those related to the reconstruction of Great Austria at the border with Tirol, provided the occasion to consider the AA as an instrument for the reannexation of Italian Istria to Friuli Venezia-Giulia. Such exploitations, often only hinted at by some specific local movements, have somehow slowed down the activities of the AA.

Taking into account Perkmann's three dimensions, the following elements can be underlined:

- **Political mobilization.** The historical-cultural factors underlying the AA are quite relevant. They proved to be fundamental for the birth and survival of cooperation among the members. Besides cultural and historical factors, also economic and infrastructural elements are to be considered: from this standpoint, there is great interest revolving around the creation of Corridor 5. The shared elements, nevertheless, also lent themselves to exploitations (as in the case of Istria, becoming rather reasons for tension than for cohesion).

- **Governance creation.** This factor was probably one of the biggest weaknesses. First of all, this is due to the nature of the Working Community, which has no legal personality, and which subjects the success of the cross-border cooperation body to the commitment of the incumbent president and the strategic guidelines to his or her choices. The institution of an independent body (with legal personality) would probably guarantee more consistent results: in the next section, it will be explained how this situation depends on the Italian legal framework. One of the main criticalities for which an actual Euroregion was not instituted is the **difference in administrative powers** of the various areas involved: Friuli Venezia-Giulia is a special statute region (Veneto is not), Carinthia enjoys a fair amount of autonomy, but not as much as Friuli Venezia-Giulia and, finally, Slovenia currently has no local bodies and, therefore, can only take into account certain issues by involving the central government.
- **Strategic unification.** The AA, in these years, has been mainly concerned with facilitating the exchange and production of analyses and information for the strategic planning of member territories. Due to its legal nature, it cannot play a relevant role within Interreg.

On February, 6th 2006, the Adriatic Euroregion kick-off conference was held in Venice, an initiative promoted by the Congress of Local and Regional Powers of the Council of Europe, by the Istria region (Croatia) and by the Molise region (Italy). The creation of the Adriatic Euroregion had been previously formalized during an international conference held in Termoli in November 2004, when the Council of Europe and the Molise region had signed an official Memorandum, identifying the objectives and structure of the new cooperation body and a road map for the following months. The new Euroregion included also representatives of other Italian, Albanian, Bosnian, Croatian, Serbian-Montenegrin and Slovenian Adriatic regions. During the Venice conference, the Statute of the Adriatic Euroregion was signed, which defines the legal nature, the structure and the objectives of the cooperation, as well as the members' obligations.

The Adriatic Euroregion is a non-profit association (private law subject), which has no separate legal personality from that of its members'. It includes the following members: Apulia, Molise, Abruzzo, Marche, Emilia Romagna, Veneto, Friuli Venezia-Giulia (Italian regions); the Republics of Montenegro and Albania, the Istria, Zadar, Lika-Senj, Primorje-Gorski kotar, Šibenik-Knin, Split Dalmatia and Dubrovnik-Neretva counties (the latter includes a Herzegovinian canton). The Council of Europe and the European Parliament are also members. The Adriatic Euroregion includes the following bodies: i) the Assembly (Adriatic Council), the main deliberative body, with powers of approval of the annual programme, of election of the president and of definition of the main strategic guidelines; ii) the President, who is in charge for two years and chairs the sessions of the Executive committee; iii) the Executive committee, which implements the financial plan and follows the activities of the Permanent Commissions; iv) the Permanent commissions, with technical competences on several issues (environment, tourism and culture, Agriculture, fishery, transport and infrastructures); v) the board of auditors; vi) the secretariat, which carries out administrative tasks and whose premises are in Pula and Brussels. The Euroregion has 5 thematic commissions: i) tourism and culture, ii) fishery, iii) transport and infrastructures, iv) environmental protection and v) production activities. Until now, a number of meetings have been held, during which the groundwork for the Euroregion was completed and the 5 thematic commissions have presented the first indications on the objectives for their respective sectors: the commissions are currently engaged in a debate aimed at defining, after the definition of the priorities, the actions to be carried out.

It is undoubtedly too early to analyze the Adriatic Euroregion according to Perkmann's dimensions, since it is still in an early stage. Nevertheless, the following elements can be noticed:

- **A high number of local bodies of different level** take part in the structure: from central governments to regions. Other criticalities may also arise from the different degree of decentralization of the Member States. Therefore, while putting on the same level, for

example, Molise and Albania may imply representativeness problems, above all at the international level (local bodies have less competences, both at the local and at the international level, than a sovereign state), the participation of a central government in place of a local body may be more effective if, as in the case of Balkan countries, it is the government of a small country whose local bodies enjoy a low level of political autonomy.

- The Adriatic Euroregion extends over **an extremely vast area** (over 200,000 square kilometres), characterized by **common, but also conflictual, cultural roots**, which have often been cause of division, rather than union (the conflicts in former Yugoslavia and the already mentioned issue of Istria). Furthermore, such areas are characterized by strong inequalities from the socio-economic point of view, even without considering the Italian regions.
- Currently, it is clear that the will and interest in helping the Adriatic Euroregion to grow come mainly from the Italian regions and the Council of Europe, while the **Balkan partners** (with the only exception of Istria) are **not-too-active** 'onlookers' of the structure consolidation process.
- There is a quite clear overlapping of competences with the Alpe-Adria Working Community, which may lead to competition on some competences, in particular those related to Interreg and Corridor 5.

3.2. The position of the central government

The short analysis carried out so far on Italian Euroregions shows the partial lack of a reference legal framework on cross-border cooperation. Indeed, Italy subscribed but has not yet ratified the Additional Protocol to the Madrid Convention on cross-border cooperation, defined in Strasbourg in 1995, which further specifies, making them more powerful, provisions which were already in the framework convention. The non-ratification of the protocol has somehow hindered the diffusion of Euroregions and limited the strength of the existing ones (that have taken the form of Working Communities), since they cannot take an independent legal personality. This shows a certain degree of resistance by the central government in granting cross-border cooperation bodies a relevant role: it is clear, indeed, that if such bodies acquired a stronger legal status, some competences would be decentralized and local autonomies would have a greater say in the national foreign policy. It is obvious, indeed, that increasing the power of Euroregions would also raise constitutionality issues. In this regard, the Department of Regional Affairs (DAR) of the Prime Minister's Office carries out control activities on the constitutional legitimacy of the agreements between the Regions and foreign regions or countries, as well as of regional laws on international relations and cooperation. In general, the DAR follows carefully the international relation processes of regions, through the participation in the State-Regions Conference and in technical meetings with individual regions to analyze in greater depth the issues in its competence on.

The end of the 24th parliamentary term (2001 – 2006) led to the lapse of the draft law which authorized the ratification of the Strasbourg Protocol. Submitted to the Parliament by the Minister of Foreign Affairs, the Minister of Home Affairs and the Minister of Regional Affairs and elaborated also thanks to a debate with the regions set up by the DAR, the draft law would have made possible the institution of joint cross-border bodies, through which 'the different territorial institutions may coordinate, manage and organize different cooperation forms.' According to the draft law, Italy would have opted, 'availing itself of the possibility granted by article 8 of the Protocol, exclusively for the institution of a joint cross-border cooperation body with private law nature. The possibility of resorting to public law structures, granted by article 5 of the Protocol, is therefore excluded.' This would have been in line with the choice made by the majority of the countries which have ratified the Protocol, that chose to have private law bodies (France and

Germany among others). The approval of the draft law would have represented an important step for Italian cross-border cooperation bodies: currently, the Italian government is taking into account the hypothesis of a new draft law (see page 32).

4. CONCLUSIONS AND ORIENTATIONS FOR THE ADRIATIC CASE

The previous pages analyze some of the main aspects related to Euroregions and, more generally, to cross-border cooperation. The process highlighted first of all the most strictly theoretical aspects, related to the definition and size of Euroregions, with a legal analysis. Subsequently, the analysis of a number of case studies has been useful to understand how, in different European areas, Euroregions with shared traits and peculiar features have developed, with differences stemming, from time to time, from the legal form, the structure or the historical, political and geographical context within which such institutions have developed. The last chapter, finally, has provided an account of the current situation in Italy, with reference to the legal framework, which has shown to be a fundamental issue for the future development of cross-border cooperation in our territory. It is now appropriate to draw some conclusions and put together the fundamental aspects of the analysis, that may provide a clear general orientation picture, in particular for the Adriatic case.

The first consideration is about the evolution that the centre-periphery relations have had in Europe, starting from the end of World War II. Since the Fifties, indeed, some mid-European border areas have started to perceive the need of collaborating, of finding solutions starting from the presence of shared issues as well as of a common social capital. Such a need was mainly originated by a condition of structural distance from the centre. The creation of structures specifically devoted to the management of cross-border cooperation relations found fertile ground wherever there were cultural and social points in common, together with a sufficient degree of decentralization to allow the institutionalization of such relations. The first Euroregions, therefore, were born spontaneously, they were not planned. This observation should not appear trivial, because it represents a fundamental element to explain the solidity and intensity of the relations existing within cooperation systems such as Euregio or Regio Basiliensis. It is actually possible to identify different Euroregion typologies based on the fundamental objectives that determined their creation:

- The first Euroregion typology is the one just described, which appeared in the Fifties, in particular in mid-Europe countries (Germany, Low Countries, Switzerland and France). In them, **there was a strong political mobilization** that involved both the policy-makers and the social base. Such structures manage the territorial policies at various levels and they are less related to individual project activities funded by the European Community.
- The second typology, **Working Communities** (such as Alpe-Adria and Northern Portugal – Galicia) appeared in the Seventies. In general, they are not considered Euroregions in the strict sense. They have a wider territorial extension and specific objectives that determined their institution: they typically have a particular vocation for the economic development. They are always without legal personality, an aspect that limits their activities in several regards.
- The third Euroregion typology appeared after the fall of the Berlin Wall. Cross-border cooperation started to spread beyond the Iron Curtain: at first in **central-eastern European countries** (Poland, Hungary) and, more recently, also in the Balkans. Very often, though, these Euroregions are characterized by a lower political mobilization than those of the first type: **the momentum is top-down, coming in particular from the Council of Europe, which promotes several initiatives**, above all in the Balkans (see the Eurobalkans Euroregion).

The second consideration is about the growing acknowledgement of Euroregions as a cohesion instrument, both within the EU (under the 2007-2013 Structural Funds) and for the countries going through the accession process (within the IPA). In particular, the Interreg Programme has represented an important incentive for the creation of Euroregional structures. Two elements deserving further analysis can be identified:

- **Interreg** and, more generally, the growing acknowledgement of cross-border cooperation by the EU and the Council of Europe have favoured, from the point of view of financial resources, the proliferation of Euroregions. This has led to benefits in terms of creation or consolidation of relations between different territorial systems and has fostered the implementation of common activities.
- The flip of the coin is that more recent Euroregions **have lost, in several cases, the spontaneity characterizing the older ones**. From the point of view of political mobilization, newer Euroregions and, in particular, those in the Balkans, appear to be less related to a bottom-up impetus by the territories. In fact, they are determined more by the choices of decision-makers who are often distant from the territories (Brussels, Strasbourg) and who, through the Euroregions, pursue more general aims, such as territorial cohesions within and along the borders of the European Union.

There is a clear connection between what has just been described and the third typology of Euroregions, described in the previous page. Hence, a short causal-temporal sequence may be reconstructed: i) starting from the Fifties, some territories perceived the need to create cross-border cooperation structures to promote and manage common activities, in order to foster the economic, social and cultural development; ii) the diffusion of such structures favoured the cohesion between territories in the heart of Europe; iii) the European Union and the Council of Europe acknowledged the importance of such structures for the EU internal cohesion and for the stabilization and association process of south-east European countries and they provided a legal framework and specific programmes; iv) the Council of Europe undertook the role of promoter of Euroregional structures in areas where they had trouble being set up (the Balkans).

The third consideration pertains some of the reasons for the success of Euroregional experiences, identified below:

- Once again, **political mobilization**: the Euroregions formed also thanks to the will and commitment of the civil society appear to be more solid.
- **Legal personality**: the structures enjoying it may act with greater independence from local and central governments. Such autonomy allows them to hire dedicated personnel to manage exclusively the activities of the Euroregion. Furthermore, it makes them less dependent on the political alternation in the member local authorities.
- **Private law subjects**: it is the preferred (and most accepted by central governments) solution over public law subjects. It helps avoiding the creation of sub-regional structures with excessive powers and competences, that risk to overlap with those of local authorities in the field of regional policy and with those of central governments in the field of foreign policy.
- **The tendency to decentralization by the countries in which the Euroregion acts**: countries such as Germany, with a strongly decentralized territorial structure, have strongly favoured their diffusion. In other countries such as France, which has a much more centralized structure, the Euroregion have met even constitutional problems. At any rate, also **the 'friendly' relation of the Euroregion with the central government** plays a relevant role: the institutional acknowledgement of the former by the latter may provide legitimacy to its actions also in the eyes of especially centralist governments (as in the case of the Eurobalkans Euroregion in Serbia).

- **The limited extension:** it is widely acknowledged that a limited extension of the territory of a Euroregion favours its effectiveness. Also in the light of the surveys carried out and the cases studied, such a hypothesis may be confirmed. Some experiences have partly slowed down in the attempt to extend their borders (Alpe-Adria) and, in general, Euroregions are relevant when they are based on few, specific common elements: such common elements lose strength with the expansion of the territory and the distance from a hypothetical Euroregion epicentre.

The last consideration concerns the Adriatic case and the orientations for its development: it is based on the remarks just made and on the peculiarities of the Italian system. The starting point is the fact that there are two Euroregions: one more specifically related to the Adriatic area (Adriatic Euroregion) and the other on a partly overlapping, but less extended territory (Alpe-Adria). The following elements can be highlighted about the former:

- It should be a subject with legal personality: this is linked to the Italian legal framework and to the **ratification of the Strasbourg additional Protocol**. A clarification and a better regulation of the relations between central government and Euroregion, as well as between Italian regions and Euroregion should follow (the same should occur in other countries).
- It should **get specific competences also with reference to the AA**: a close collaboration, rather than a territorial competition, is desirable, in order to take advantage of complementarities and avoid overlapping.
- **The area involved is vast and marked by deep differences** from the cultural, economic and social points of view: there is a strong risk that the influence of the Euroregion may decrease with the increase of the distance from its centre (the Veneto – Friuli Venezia-Giulia – Istria axis). To avoid this, the Adriatic Euroregion should set up a ramified structure, like that of the ERB, with **national secretariats and a general coordination secretariat**.
- It should promote **greater participation by the civil society**: the political mobilization should not only be by the decision-makers (both central and local), but also by the population. In order to do so, it is necessary to take into account also the ‘alternative’ movements arisen in the border areas where such need is perceived more (Friuli Venezia-Giulia and Istria) and whose objective is to push cross-border cooperation, and in particular the Adriatic Euroregion, to take into account also the requests of the population.

PART 2: SURVEY ON THE EGTC

5. THE EGTC: ORIGIN AND BRIEF DESCRIPTION OF THE INSTRUMENT

The development of territorial cooperation, in the form of Working Communities and Euroregions, has recently had a new, important impulse with the institution of the European Grouping of Territorial Cooperation. On July, 5th 2006 the European Parliament and the EU Council adopted Regulation (ec) No. 1082/2006, instituting the EGTC. The objective was to ‘facilitate and promote cross-border, transnational and/or interregional cooperation, called territorial cooperation, among its members, with the only purpose of strengthening the economic and social cohesion.’ The institution of the EGTC answered the need to create **appropriate instruments for cross-border cooperation**, to allow territorial authorities belonging to different states to institute **cooperation groups with legal personality**, to manage the European funds aimed at territorial cooperation.

The EGTC has legal personality, which allows it to act in the name and on behalf of its members, through competences attributed to it within a Convention subscribed by the members themselves. It may be a public law subject. The EGTC must be formed by organizations of at least two Member States, which may be Member States, regional bodies, local bodies and public law institutions. The participation of members from non-EU countries is not excluded, provided that the law of such countries or the agreements between them and the Member States allow such a participation.

The concept of territorial cooperation, therefore, acquires great importance in the **European integration process**, possibly including also countries going through the accession process, thanks to the creation of regulations defining its role, in compliance with the laws of the various states.¹⁵ It is therefore important to understand the orientation on EGTC and territorial cooperation of Member States and candidate members.

6. CONSIDERATIONS ON THE REGULATION: MAIN ARTICLES AND LEGAL IMPLICATIONS

6.1. An overview of Regulation 1082/2006

The Regulation of the European Grouping of Territorial Cooperation came into force on August, 1st 2007 . It includes 18 articles, and it is therefore quite slim. The first article defines the EGTC and describes its main features, among which the fact that it has legal personality; through this instrument ‘cross-border, transnational and/or interregional cooperation, hereinafter called territorial cooperation’ actions, are supported. The second article describes the applicable law which is, first of all, the one contained in the Regulation and, secondly, the one of the Member State in which the EGTC is. Article 3 lists the possible members: Member States, regional bodies, local bodies and public law institutions (in Italy the latter include, among others, port authorities, state universities,

¹⁵ Regulation 1082/2006, article 2, paragraph 1; Committee of the Regions *The European Grouping of Territorial Cooperation*, p.12, 2007.¹⁶ For a complete list: http://cor.europa.eu/document/activities/egtc/CoR_EGTC_Members.pdf.

associations of mountain municipalities, research institutions and cultural and artistic promotion institutions¹⁶).

The fourth and fifth articles define the procedures for the institution of an EGTC and for the acquisition of the legal personality (this aspect will be analyzed more thoroughly in the next chapter), while article 6 describes the norms on fund management. Article 7 contains indications on the tasks that may be assigned to an EGTC, that are ‘defined by the convention agreed by its members’ (article 7, paragraph 1) and that, in general, must concern ‘the facilitation and promotion of territorial cooperation to strengthen economic and social cohesion.’ The third paragraph of article 7 specifies that the EGTC is specifically conceived to i) manage an operational programme under the Structural Funds as Management Authority, ii) implement projects co-financed through the Structural Funds. Furthermore, it can implement actions iii) co-financed by the European Commission within different programmes (like for example the 7th framework programme and iv) without the co-financing by the European Commission.

Article 8 and 9 define the contents that need to be specified within the Convention and the Statute, while article 10 specifies the organs of an EGTC. Articles 11 and 12 contain the regulations on the budget and on liquidation, insolvency, cessation of payments and liability: the EGTC is disciplined by the law of the Member State where it has its registered office and ‘shall be liable for its debts whatever their nature.’ Public interest and dissolution are ruled by the provisions of articles 13 and 14; of particular relevance is article 15, which specifies that community legislation on jurisdiction shall apply, barring those cases not provided for in it: in those cases, ‘the competent courts for the resolution of disputes shall be the courts of the Member State where the EGTC has its registered office.’ Articles 16 – 18 include the final provisions of the Regulation.

Subsection 8 of the preamble of Regulation 1082/2006 must be mentioned, which specifies that recourse to an EGTC should be optional: such an instrument was basically conceived for the management of the 2007-2013 Structural Funds and there is no provision making it compulsory. Indeed, in article 18 of Regulation 1080 of July, 5th 2006, concerning the European Regional Development Fund (ERDF), it is specified that ‘Member States participating in an operational programme under the European territorial cooperation objective may make use of the European grouping of territorial cooperation under Regulation (EC) No. 1082/2006.’

Finally, of great importance is also subsection 16 of the preamble, the only part of the Regulation specifying that entities from third countries may become part of an EGTC, but only ‘where the legislation of a third country or agreements between Member States and third countries so allow.’ Such an issue, that has acquired great relevance also within the State-Regions Conference in Italy, is further analyzed in chapter 8.

6.2. Relevant issues

After summarizing, in the previous paragraph, the content of the 18 articles composing Regulation 1082/2006, we may now highlight its most relevant peculiar features. A study on the EGTC, commissioned by the Committee of the Regions and carried out in 2007 by a group of external consultants, identified seven crucial aspects: i) the ‘transfrontier’ character; ii) the presence of legal personality; iii) the location of the new legal body in a single headquarter, necessarily positioned in the territory of the Community; iv) the acknowledgement of a broad legal capacity in every national legal system¹⁷; v) the possibility, for the members of the EGTC, to define, in a convention and in statutes, the features of its task and operation; vi) the existence of organs that allow the new legal body to express its will and to act on behalf of the members; vii) a budget.

¹⁷It may, in particular, acquire or dispose of movable and immovable property and employ staff and may be a party to legal proceedings,’ article 1, paragraph 4 of Regulation 1082/2006.

Among them, it is worth highlighting what seems to be the most important feature of the EGTC, its legal personality, that ‘enables it to act directly with its members, community institutions and third parties.’¹⁸ Undoubtedly, one of the motivations that has led to the EGTC is the will to create a standard instrument that allow all the Member States to promote and implement territorial cooperation actions and to create bodies with legal personality capable of managing it. In Italy, for example, this has not yet been possible, since the added protocols to the 1980 Madrid Convention have never been ratified (see point 3.2). The additional Strasbourg Protocol of 1995 provides the possibility of creating bodies with or without legal personality (articles 3 and 4): in Italy, where it has not been ratified, Euroregions and Working Communities are without legal personality. This is a relevant issue, since a Euroregion or an EGTC with legal personality may request funds as separate institutions from the bodies that are their members, while this is not possible for those without it. Furthermore, a structure with legal personality may hire permanent personnel to manage the activities (for the EGTC, this is specified in the first article of the Regulation), while a Working Community having no legal personality, cannot hire personnel autonomously: the local bodies, its members, must do it (and they generally have their own internal functionaries carry out also the tasks related to the management of Working Community activities). Having legal personality, an EGTC is liable towards third parties for its debts and, if the latter exceed the availability, individual members are jointly and severally liable, proportionally to their contribution.

While the EGTC always has legal personality, nothing is specified on the nature of such statutes, i.e. whether it should be public or private law. In fact, this will depend by the members’ choice, which may be expressed in the Statute and ‘so far as national law regulations so allow.’¹⁹ At any rate, the EGTC regulation seems to lean towards public law status, even though the private law status is not specifically excluded.

The steps to create an EGTC: excerpts from the *Interact Handbook*²⁰

Recently, a EGTC roadmap elaborated by the Interact Secretariat was published. The document identifies and describes 5 subsequent phases, necessary for the institution of an EGTC, also including the potential last phase of liquidation and cessation of activities. The first activity that potential members should carry out is an analysis of needs, possibly in the form of a feasibility study. The other activities are reported below:

1. during the first stage, **preparation**: i) defining the general objectives and tasks; ii) defining the territorial scale, which Member States to include and establishing if the EGTC regulation is applicable in any of the third countries considered; iii) identifying the members, also based on their competences and ability to give relevant contributions in technical and financial terms; iv) exploring the legal frameworks of Member States and identifying the most favourable ones to set the registered office.
2. During the second phase, **decision**: i) carrying out a comparison with other forms of territorial cooperation (EEIG, Working Communities, Euroregions with legal personality), possibly through a cost-benefit analysis; ii) studying the legal feasibility, looking for a common legal basis that applies to all the Member States of the EGTC.
3. During the third stage, **implementation**, once the choice of the EGTC has been made: i) locating the registered office, a choice that will probably fall on the country offering the most favourable conditions from the legal, fiscal and social standpoints or from the point of view of the framework regulating territorial cooperation; ii) drafting the Convention, that should just include the indications of the Regulation (see article 8); iii) drafting the Statute concisely and in compliance with the contents of the Regulation (article 9), possibly integrating it with a procedural handbook if there is the will to include further rules and indications; iv) notifying to one’s Member State the will to participate in an EGTC, attaching copied of the Convention and of the Statute; v) if there is no objection by the Member States, recording and/or publishing statute and convention, depending on

¹⁸ EGTC study, page 84.

¹⁹ Ibid, page 87.

²⁰ Personal elaborations of the *Interact Handbook on the European Grouping of Territorial Cooperation*, 2008.

the relevant law in force in the countries where the EGTC has its registered office, informing the Committee of the Regions and one's Member State and, within 10 days, sending a publication request on the Official Journal of the EU; vi) launching the EGTC, hiring personnel, opening a current account and instituting the organs.

4. During the fourth stage, **performance**: i) drafting an annual budget, that will benefit from external co-financing and members' financing (not compulsory), remembering that for the cases of insolvency, liquidation and cessation of payments, the laws of the countries in which the EGTC has its registered office apply; ii) evaluating the performance of the EGTC every two or three years.
5. Finally, an EGTC **may be dissolved** when: i) its activities are banned by a court having jurisdiction because they are in contrast with public policy, security, health, morality or public interest; ii) a decision to this effect is made by the Assembly, either because it has a pre-defined duration or because the expected results have not been reached.

Apart from the passages mentioned above, one of the key issues is the long-term sustainability of an EGTC. Since the launch of such a structure requires time and complex procedures, the costs should be evaluated against long-term benefits.

7. THE FIRST CONCRETE CASES: WHO IS WORKING TO SET UP EGTCs

By June 2008, according to the Committee of the Regions and the Interact Secretariat, less than half of the Member States (13) had included the EGTC Regulation: Bulgaria, Denmark, Estonia, France, Germany, Greece, Hungary, Portugal, Romania, Slovakia, Slovenia, Spain and United Kingdom. In Belgium it was applied only by the Flanders. As a consequence, as of June 2008, only three EGTCs had been instituted, the first one, the 'Eurometropole Lille-Kortrijk-Tournai' (between France and Belgium); Esztergom – Sturovo (between Slovakia and Hungary) and, more recently, Galicia – Norte (between Spain and Portugal). For that reason, the Committee of the Regions has prepared a draft opinion in which 'it invites the European Commission to push Member States to adopt the necessary application measures and, in case, to start 'the necessary infraction procedures against Member States.' In parallel, in the same draft opinion, the Council of the Regions suggests the European Commission to supply economic and financial incentives, such as 'the elaboration of a specific programme, with community financings that may be attributed to the European Regional Development Fund' and, in community contract notices, 'including efficiency bonuses' for the projects implying the creation of an EGTC²¹.

The first EGTC created includes 14 partner institutions, divided among some regions of northern France and Belgium (in western Flanders and in the Walloon region of Hainaut), and its creation was marked by the publication of the French Official Journal on January, 21st 2008. Among the members there are also the French and the Belgian central governments and its registered office is in Lille, in France. Another relevant element is the financial participation of all the 14 members, equally divided between the two countries (50% of contributions by French and 50% by Belgian institutions).

The cooperation between the Lille Métropole community and the Belgian partners was enacted in 2002 by a development strategy of the transfrontier region. Since then, the collaboration materialized in around forty projects, currently under way, concluded or about to be launched. The EGTC has, as main axes of intervention, sustainable development, innovation and entrepreneurship and services to citizens. In the field of sustainable development, the EGTC focuses, among other things, on a network of five French-Belgian water purifiers and on the restoration of navigability in the channel connecting the two countries. In the innovation and entrepreneurship field, one of the

²¹Committee of the Regions, Draft opinion presented on June, 18th-19th 2008 during the 75th plenary session called 'European Grouping of Territorial Cooperation a new impetus to territorial cooperation in Europe', page 8.

most relevant projects concerns the improvement of the accessibility of the interchange poles along the TGV track. As regards the services to citizens, TV programmes have been made which air on local networks in both countries and show and spread the richness of the common heritage; furthermore, a collaboration between two museums, Lille's and Belgian Grand Hornu, has been set up, in order to give origin to a cross-border cultural development pole. Such examples may be useful to understand the possible outcomes of cooperation within an EGTC, that may start from previous project experiences, above all matured within the Interreg programme.

As regards the first EGTC, it must be noticed that it was instituted even if Belgium and France had not included the Regulation²². It is known that a Regulation can be applied directly: nevertheless, if it is not included, and therefore the national body to which the participation notification is to be sent is not identified, it would seem impossible to complete the process that leads to the institution of an EGTC. Actually, the 'Eurometropole Lille-Kortrijk-Tournai' proves the opposite and **sets a precedent**: indeed, Belgium and France found an agreement based on which it was possible to go on, in spite of the fact that the Regulation had yet not been included in either country, with a direct commitment by the two central governments, which are EGTC members (and financiers).

In Italy there is great interest in using this new territorial cooperation instrument. Some Italian regions have been especially active during the Regulation drafting, supporting it above all from the political and institutional standpoint. Currently, the representatives of four Italian regions, Piedmont, Friuli Venezia-Giulia, Apulia and Marche, are members of an experts' committee on the EGTC which periodically meets at the Council of the Regions. Piedmont and Friuli Venezia-Giulia are also the subjects currently working the hardest for the institution of an EGTC.

As seen in the previous part on Euroregions, Veneto and Friuli Venezia-Giulia are part of the Alpe-Adria Working Community: founded in 1978 in Venice, it does not have legal personality. After going through alternating moments of growth and slowdown, recently the AA has acted in concrete to promote an EGTC, counting on a strong political and institutional will. Currently, three possible cooperation scenarios are being taken into account:

1. The first is the Euroregion project "Villa Manin", which will eventually become an EGTC including Regione Veneto, Regione Friuli Venezia-Giulia and Lander Carinthia, which have already subscribed an agreement (in Klagenfurt, January 11th, 2007), Slovenia (which has not subscribed it yet) and Istria and Primorje-Gorski kotar (both in Croatia), which could only be included later, since they are non-EU territories.
2. The second scenario is the one identified within the 'Matriosca' Interreg project, which has analyzed the possibility of setting up an EGTC in the Alpe-Adria-Pannonia area, including 15 territories, only partly corresponding to those of the AA (for example, Lombardy is not included, while the Serbian autonomous Vojvodina province is). The project produced as an outcome a study which also defines a first hypothesis of EGTC Statute.

In general, in this area two level are being taken into account: one hypothesizing a broad area EGTC, which also includes non-EU (Croatian and Serbian) territories and one including a core of territories that have already signed other agreements, which would be joined by Croatian territories at a later stage and which would operate autonomously as an EGTC, with the Alpe-Adria Working Community as a political point of reference.

²² France included the Regulation in April 2008.

8. THE SITUATION IN ITALY

The process that has led to the creation and launch of the new territorial cooperation instrument began in Brussels in 2002, with a first regulation proposal presented in 2004. A fundamental role was played by some European regions and local bodies, especially interested in the new discipline, and, among them, some Italian regions. On the contrary, some central governments, among which Italy, have perceived the EGTC as an instrument somehow imposed by the European Commission. In particular, from the standpoint of the Ministry of Foreign Affairs and of the Italian government, such an instrument presents several problems, of political as well as legal nature, because it provides the possibility of creating interregional organs governing transnational relations.

Following the perplexities expressed at the European level, the Regulation has remained partly ambiguous and unclear in some passages: in a way, it looks more like a directive than a regulation. Indeed, while a regulation can be applied directly, a directive needs to be integrated in content by a specific legal framework. From the standpoint of the Italian central government, it was unthinkable that the EGTC could be implemented immediately.

Since the publication of Regulation 1082/2006 in the Official Journal of European Communities on August, 1st 2006, Italy, as well as all the Member States, has started the necessary regulatory process to include it, a process that should have ended by August, 1st 2007, the date on which the Regulation came into effect. Nevertheless, as of June 2008, the Regulation has not yet been included in Italy. Let us therefore analyze the process, commenting on the various documents it has produced and which have led to the current stalemate situation.

In autumn 2006, an interministerial committee was set up, coordinated by the Prime Minister's Office and by the Ministry for Community Policies, in agreement with the Departments for Regional Affairs and Local Autonomies, Foreign Affairs, Internal Affairs, Economy and Finances and the Ministry of Justice, whose objective was to elaborate the necessary regulatory text to include Regulation 1082/2006. On an initiative of some regions, in February and April 2007 some meetings were held with the committee, with the objective of highlighting the most pressing issues of Italian regions, among which the admission of third countries to the participation in an EGTC. This, also during the State-Regions Conference, was one of the most debated aspects, which so far has not led to a shared vision. On one hand, indeed, there is hesitance (also clear in the text of the Presidential Decree), in particular by the Ministry for Foreign Affairs, to interpret the Regulation so as to allow the participation of non-EU countries to an EGTC. On the other hand the regions, in particular Veneto, Friuli Venezia-Giulia, Marche and Apulia, support this possibility, because they see a greater opportunity of availing themselves of the new community instrument, also to strengthen the cooperation relations with third countries, in particular in the western Balkans.

In order to understand the different positions of central government and regions, it is useful to analyze briefly the main points of the Presidential Decree draft, and then to take into account the observations made on it by regions and autonomous provinces. On August, 3rd 2007 the Council of Ministers granted preliminary approval to the Presidential Decree draft applying Regulation 1082/2006, subsequently submitted and discussed during the State-Regions Conference, on December, 12th 2007. Later, regions and provinces expressed a non-binding opinion. Such a document presents a fundamentally critical position, in which regions and autonomous provinces recognize 'a sharp discrepancy between the spirit of the community regulation and that of the proposed Presidential Decree draft.' Furthermore, criticisms tend to underline the fact that the Italian text is stringent and more restrictive than the one drafted in Brussels. Below the main points of the Presidential Decree and the criticism of regions and autonomous provinces are analyzed.

The participation of a member from a non-EU country, according to the Presidential Decree, is allowed only 'as an **exception**' and only 'if **specific agreements** between the Italian republic and such country so allow.' Furthermore, the participation may only occur at a later stage, i.e. when the

EGTC **‘has already been instituted.’** In the Community Regulation, the participation of third countries is not mentioned in the articles, but only in subparagraph 16 of the preamble: ‘The adoption of a Community measure allowing the creation of an EGTC should not, however, exclude the possibility of entities from third countries participating in an EGTC formed in accordance with this Regulation where the legislation of a third country or agreements between Member States and third countries so allow.’ As already mentioned, the issue of third country bodies’ participation has been an important point of discussion in Italy. From this standpoint, it is clear that the government, and in particular the Ministry for Foreign Affairs, aim at limiting the participation of non-EU countries, basically because the EGTC is conceived as a EU internal cooperation instrument. Nevertheless, the Italian central government does not mean to prohibit completely the participation of third country bodies: the will expressed in the Presidential Decree draft is to **evaluate on a case-by-case basis** the eligibility of such subjects only at a later stage, i.e. when the EGTC has already been instituted by Community bodies. Furthermore, the eligibility is related to the existence of ‘specific’ agreements. In particular, the Italian Presidential Decree further narrows the Community discipline in three ways:

- First of all, in the Regulation there is no mention of already instituted EGTC, therefore the will of the European law-maker is to allow non-EU subjects to participate in the creation of the EGTC and, therefore, to be part of the process that leads to the elaboration of the Statute and that, in general, defines the features of the new cooperation instrument. The will of the Italian government, as we have seen, is to allow such a participation only exceptionally and at a later stage.
- Secondly, the Presidential Decree binds the participation to the presence of **specific** agreements, i.e. subscribed exclusively in that moment and to that end (creating an EGTC). This is relevant above all when considering that in some cases cooperation agreements between Italy and third countries (as for example those in the western Balkans) are already in place, but they are not specific for the EGTC.
- Thirdly, the European law-maker allows for the participation of a third country body in two cases: i) if the legal framework of the third country so allows **or** ii) after an agreement between the two countries. The Italian Presidential Decree only includes the second case (specific agreements), but not the first, i.e. the case in which the third country integrates Community provisions in its legal system through internal rules.

That being said, it must be considered that, if on one hand the Italian Presidential Decree is restrictive for the reasons specified above, on the other hand also the European law-maker attaches scarce relevance to the participation of third country bodies, only mentioning it in the preamble. It can therefore be stated that, to some extent, the Italian inclusion has tried to provide greater strength to the regulatory effectiveness of subparagraph 16 of the preamble of Regulation 1082/2006 by including its provisions among the articles of the Presidential Decree. At any rate the EGTC, in the intentions of both the European and the Italian law-makers, is an instrument essentially conceived for the cooperation within the EU borders, a further instrument to use regional and social development funds and to support the cohesion policy.

Another relevant point in the Presidential Decree draft, as well as in the discussion within the State-Regions Conference, is the one defining, in article 3, the composition of the committee to which prospective members must apply for the institution of an EGTC. Such a committee, indeed, is ‘chaired by the Prime Minister or by the Minister for Regional Affairs and Local Autonomies and composed of ministers of European policies, foreign affairs, home affairs, justice, economy and finances, economic development, as well as of other ministers interested in the activities of the EGTC.’ Furthermore, the regulation specifies that, before the committee examines the request, a preliminary inquiry must be carried out on three levels: i) by the Ministry for Economic Development ‘on the possibility of implementation of territorial cooperation programmes or projects co-financed by the EC,’ ii) by the Ministry for Home Affairs ‘on public order reasons’ and

iii) by the Department for Regional Affairs and Local Autonomies ‘on the compatibility with the national interest of the participation of regions and local bodies in the EGTC.’ The regions and autonomous provinces, in the summary document of their observations, underline that this article ‘is the most critical one.’ From the regions’ standpoint, indeed, the evaluation mechanism specified by the Presidential Decree would slow down the approval process of the applications, considering its complexity, further increased by the presence of three more preliminary inquiries by as many central authorities, not even specified in Regulation 1086/2006. The regions, therefore, have strong doubts on the necessary time for the approval of prospective members’ requests. Furthermore, ‘it is not clear what would happen if the application receives a negative answer as there is no motivation obligation, unlike in the Regulation.’ In general, according to the regions and the autonomous provinces, ‘such a cumbersome procedure, due to paragraph 3 [on the three preliminary inquiries], deprived of the assent by default principle, produces complete uncertainty in answer times’. However, neither the Regulation mentions the assent by default principle.

Among other criticisms presented by regions and autonomous provinces in the official document, the following two may be mentioned:

- The fact that in article 4, paragraph 3, it is specified that the EGTC must have a board of auditors among its organs: such an organ is not among the fundamental ones mentioned by Regulation 1082/2006 and, according to the regions and the autonomous provinces, it would lead to an increase in management costs.
- The fact that in article 8, paragraph 1, the Presidential Decree includes the drafting of a multi-year budget next to the annual one, since the European law-maker only indicates the annual budget.

The remarks by the regions and the autonomous provinces end by underlining the need ‘to rewrite the Presidential Decree draft, taking into account such remarks, with the aim of finding greater correspondence between the Italian implementation rules and the spirit of Regulation 1082/2006, in order to make possible and even facilitate the institution of EGTCs in Italy.’

As we have seen, the Presidential Decree on the implementation of Regulation 1082/2006 was drafted with a slight delay on the deadline specified by the EC; subsequently, it was presented and discussed within the State-Regions Conference, raising some criticism by regions and autonomous provinces. The Presidential Decree progressed on its path but it stopped at the Council of State which, on November, 7th 2007, expressed a negative opinion. This was basically due to two considerations:

- First of all, ‘the regulatory instrument apt to implement community regulations is a law.’ The Council of State, therefore, adduced a matter of rank of law sources: the Presidential Decree, a secondary source, is not appropriate to implement a Community regulation. It is therefore necessary to resort to a law or a similar primary source (decree-law and legislative decree).
- Secondly, the way in which the new organ would acquire political personality, through the publication on the Official Journal, ‘has no ground or correspondence in the legal framework for private law legal bodies.’

Therefore, in order to include the EGTC Regulation, a primary law is needed. For such a reason, after the rejection by the Council of State, an attempt has been made to re-include the Regulation, at first as an amendment to the 2007 Financial Act, then within the ‘Mille Proroghe’ Decree, but in both cases the text was taken out.

Currently, the regulatory situation is therefore complicated. There is a EU Regulation, which can be applied directly by each Member State. For this reason, the Italian subjects who are willing to start or take part in an EGTC should be able to do so, since the Regulation has been in force since August, 1st 2007. Nevertheless, the same Regulation specifies that it is up to the Member State to give or deny the authorization to start or take part in an EGTC: in Italy, since the Regulation has not

been included, no national authority in charge of receiving the notifications of the prospective members of an EGTC has been appointed. At any rate, the prospective member of an EGTC with registered office in a country that has not yet included the Regulation, such as Italy, may in theory legally prosecute the government for the non-inclusion of the Regulation though such an initiative would be extremely lengthy and with an uncertain outcome.

9. REMARKS ON THE RELATION BETWEEN THE EGTC AND THE ADRIATIC EUROREGION

9.1. The added value of the EGTC compared with Euroregions

In the previous pages, the new Community territorial cooperation instrument, the EGTC, was described, governed by Regulation 1082/2006, in force since August, 1st 2007. In this short analysis, the Regulation was illustrated, together with the main implications stemming from its inclusion in Member States. Particular attention was given to the Italian situation and to the process that, until now, has not led to the inclusion of the Regulation in our system. As of June 2008, only three EGTC exists, one at the border between France and Belgium, one between Hungary and Slovakia and one between Spain and Portugal while only 13 countries out of 27 have included the Regulation. Nevertheless, several institutions, usually existing Euroregions and Working Communities, including Alpe-Adria, are taking the first steps to institute EGTCs. Below, some of the most relevant aspects emerged during the survey are highlighted, together with the added value of an EGTC compared with the other territorial cooperation instruments.

The question is whether the EGTC has an **added value compared with the Euroregion**. In order to provide a satisfactory answer, we will have to wait for a few years, in order to understand what can be achieved through the new instrument. Nevertheless, as of today, some remarks can already be made. First of all, there is agreement in believing that **the legal personality is the main feature of the EGTC**: hence its added value compared with those Euroregions which, on the contrary, are without legal personality (non-profit associations, Working Communities). An EGTC may therefore be autonomous in terms of budget, personnel hiring policies and activity management. As already mentioned, in some countries, among which Italy, the non-ratification of the additional protocols to the 1980 Madrid Convention has been limiting territorial cooperation, since it is impossible to institute bodies with a separate legal personality from the organisms composing them. In this sense, the EGTC overcomes such limitations and makes territorial cooperation consistent in all the Member States. Indeed, it represents a novelty and an added value mainly in those areas in which territorial cooperation was limited: in countries such as, for example, Germany and Holland, where there are Euroregions with legal personality, the EGTC will probably be less attractive than in Italy. Unlike the Madrid Convention (and subsequent protocols), whose applicability is bound to the ratification by individual states, the EGTC can be directly applied since it is a Community Regulation. As mentioned, in some respects it is a partially anomalous regulation, whose application is partly related to the internal law of individual Member States and that, for this reason, appears to be of difficult application if not previously included. Nevertheless, the case of the first EGTC, created in two countries that had not yet included the Regulation, is particularly meaningful in this respect. In fact, the coming into effect of Regulation 1082/2006 allows all EU countries to become territorial cooperation bodies with legal personality.

Secondly, compared with Euroregions, the EGTC is **an instrument defined in a clearer and more univocal way**, whose features are expressed in an 18-article Regulation. The Euroregions, on the other hand, cannot be defined univocally and may have different legal and operational forms (see the first part of this analysis). In a certain way, therefore, the European Commission has

standardized the practices related to territorial cooperation and Euroregions which, until today, have been disciplined by specific international agreements and by the 1980 Madrid Convention, with two additional protocols, promoted by the Council of Europe.

The third added value of an EGTC compared with a Euroregion can be represented by the (potential) **greater access to EU financing**. Indeed, as the Regulation also underlines, ‘the tasks of an EGTC shall be limited primarily to the implementation of territorial cooperation programmes or projects co-financed by the Community through the European Regional Development Fund, the European Social Fund and/or the Cohesion Fund’: this suggests that, compared with a Euroregion, an EGTC will have privileged access to Community Funds, above all in the future, when the European Commission will be interested in launching and spreading the new instrument over the instrument somehow supported by the Council of Europe. It can therefore be hypothesized that EGTCs will have privileged access to Community resources. Furthermore, as seen, the EGTCs may access directly external funds and they may be Interreg management authorities, while Euroregions without legal personality cannot be funded directly.

As regards the added value of Euroregions compared with the EGTC, it lies in their greater flexibility in including also non-EU countries. In the previous pages we have seen how the EGTC is an instrument basically conceived for the cooperation between EU countries, in which third countries, even though they are not completely excluded, have a secondary role. For such reason, Euroregions seem to be a more appropriate instrument to foster cooperation in the areas at the borders of Europe, such as the Adriatic or the eastern regions. From this standpoint, the two instruments can be considered **complementary**. In a dynamic and long-term perspective, the Euroregion can also be seen as a first step leading to an EGTC, as soon as third countries are admitted (first Croatia and then, hopefully, all the other Western Balkan countries). This dynamic perspective acquires an even higher value in Italy, where, as we know, the Euroregions cannot enjoy the advantages related to the legal personality and where, for such a reason, there is greater interest in using the new Community instrument also in the cooperation with third countries.

9.2. EGTC scenarios in the Adriatic Euroregion

The EGTC is also relevant, in perspective, for the Adriatic Euroregion: below, some possible cooperation scenarios within this region are described, in order to understand if and how such a community instrument can be used.

As seen, the Adriatic Euroregion is a non-profit association, a private law subject, without separate legal personality from that of its members, that include Italian, Slovenian, Croatian, Bosnian, Montenegrin and Albanian territorial bodies, as well as the Council of Europe and the European Parliament. The Adriatic Euroregion is still at an initial stage, in which the partners are working at strengthening the dialogue and at building an ‘Adriatic’ vision. The Euroregion should become the forum in which policies and strategies are formulated, agreements and joint positions are found and objectives are identified and translated into project proposals and concrete actions.

The question is whether the EGTC may somehow support the cooperation process under way in the Adriatic Euroregion. In the light of the considerations made in this survey, some scenarios can be hypothesized:

1. **Broad EGTC** (The whole Adriatic Euroregion). A similar hypothesis can be excluded in this moment, since there are bodies from four third countries. Nevertheless, it must be considered that, albeit in the long period (at least 10 years), all those countries have the possibility to become part of the EU.
2. **North-Eastern EGTC**, including some of the Adriatic Euroregion members, such as the Veneto and Friuli Venezia-Giulia regions, the Izola, Koper and Piran municipalities (Slovenia) and the Istria and Primorje-Gorski kotar counties (Croatia). An EGTC including

a subset of the Adriatic Euroregion may be hypothesized: this seems to be the most viable scenario. Indeed, it includes entities from two EU countries, Italy and Slovenia, and it might include, at a later state, the Croatian institutions, considering that Croatia should become part of the EU in 2009. Furthermore, there is no doubt that such territories have historical, cultural as well as practical relations that would foster the creation of an EGTC. Nevertheless, the Alpe-Adria is already working at an EGTC that would basically include the same geographical area.

3. **South-Eastern EGTC**, including the Apulia and Marche regions, the Istria and Primorje-Gorski kotar counties (Croatia) and Albania from the Adriatic Euroregion, as well as one or more bodies from Greece (to satisfy the requisite of having at least two Member States in the EGTC), unless waiting until the accession of Croatia. Such an EGTC could revolve around joint needs and strategies related to the sea, such as fishery, ports, transport, environment and tourism, as well as internal transport.
4. **Corridor 8 EGTC**, including the Apulia region and Albania from the Adriatic Euroregion and territorial bodies from Bulgaria and Macedonia. As the title suggests, this would be a 'specialized' EGTC, with the aim of promoting the integration of the territories involved, in view of the economic, human and cultural exchanges that would arise around the corridor and to carry out a targeted management of the related activities.

At any rate, it must be considered that creating subsets of the Adriatic Euroregion would lead to the fragmentation of an area that is already experiencing problems in integrating the visions and needs of so many territorial entities. One of the possible alternatives is to constitute one or more EGTCs for specific needs, i.e. whose purpose is to support cooperation in different technical and/or specialist context. For example, an EGTC whose objective is the integration of transport and healthcare services between Slovenia, Istria and Friuli Venezia-Giulia or, as hypothesized above, one that revolves around Corridor 8. Above all in similar cases, an in-depth study of prospective Balkan partners' territorial planning documents will be necessary, as well as a debate with them, in order to identify joint development themes and objectives, that may represent the central idea to base an EGTC on.

Nevertheless, besides hypotheses of Euroregion and EGTC, it is necessary to underline the fact that State and regions have often different visions on the role of the territorial cooperation. In Italy, as well as in other EU countries, such divergences are slowing down the Regulation inclusion process as well as, years ago, they were one of the causes for the non ratification of the Strasbourg additional protocol.

ANNEX: LIST OF EUROREGIONS

Name	Member States	Year of foundation
Adriatic Euroregion	Albania, Bosnia and Herzegovina, Croatia, Italy, Montenegro, Slovenia	2006
Archipelago (islands) committee Interreg Saaristo Interreg Skärgården	Finland, Sweden	1978
ARKO (Arvika/Kongsvinger) euroregion	Norway, Sweden	1978
Baltic euroregion Euroregion Baltija Euroregion Bałtyk	Denmark, Latvia, Lithuania, Poland, Russia, Sweden	1998
Barents Euro-Arctic Council Barentsrådet	Finland, Norway, Russia, Sweden	1993
Bavarian forest - Bohemian Forest / Šumava euroregion Euroregio Bayerischer Wald-Böhmerwald/Sumava Euroregion Šumava-Bavorský les	Austria, Czech Republic, Germany	?
Belasica euroregion	Bulgaria, Greece, Republic of Macedonia	2003
"BENEGO" (Belgisch-Nederlands Grensoverleg Belgian-Dutch border consultation)	Belgium, Netherlands	?
Benelux-Middegebied euroregion	Belgium, Luxembourg, Netherlands	1948
Beskydy Mountains euroregion Euroregion Beskidy Euroregión Beskidy	Czech Republic, Poland, Slovakia	2000
Białowieża Forest euroregion Euroregion Puszcza Białowieska	Belarus, Poland	2002
Bornholm and Southwestern Skåne euroregion	Denmark, Sweden	1980
BUG euroregion	Belarus, Poland, Ukraine	1995
Carpathian Euroregion Euroregion Karpacki Karpatský euroregión	Hungary, Poland, Romania, Slovakia, Ukraine	1993
Central North committee Mittnordenkommittén	Finland, Norway, Sweden	1977
Cieszyn Silesia euroregion Euroregion Tešínské Slezsko Euroregion Śląsk Cieszyński	Czech Republic, Poland	1998
Cross-channel euroregion Kent & Nord Pas-de-Calais/Belgium Region Transmanche	Belgium, France, United Kingdom	?
Danube 21 euroregion	Bulgaria, Romania	1992

Danube - Kris - Mures - Tisza euroregion Duna - Körös - Maros - Tisza euroregion Euroregiunea Dunăre - Criș - Mureș – Tisa Evreregija Dunav - Kriš - Moriš - Tisa	Hungary, Romania, Serbia	1997
Dobrava euroregion	Czech Republic, Poland	2001
East Sussex/Seine-Maritime/Somme euroregion Rives-Manche Region	France, United Kingdom	?
Egrensis euroregion EuroRegio Egrensis	Czech Republic, Germany	?
Elbe/Labe euroregion EURORegion Elbe-Labe	Czech Republic, Germany	1992
Ems-Dollart euroregion Ems-Dollart Region Eems-Dollard Regio	Germany, Netherlands	1977
"EUREGIO" Euregion Gronau	Germany, Netherlands	1958
Glacensis euroregion Euroregion Pomezí Čech, Moravy a Kladska	Czech Republic, Poland	1996
Helsinki-Tallinn euregio	Estonia, Finland	1999
Inn-Salzach EuRegio	Austria, Germany	?
Inntal euroregion	Austria, Germany	1998
Insubrica euroregion Regio Insubrica	Italy, Switzerland	1995
International Lake Constance conference Internationale Bodenseekonferenz	Austria, Germany, Switzerland	1997
Karelia euregio	Finland, Russia	2000
Kvarken council Interreg Kvarken-MittSkandia Interreg Kvarken –MidtSkandia Interreg Merenkurkku-MittSkandia	Finland, Norway, Sweden	1972
Languedoc-Roussillon/Midi-Pyrenees/Catalonia euroregion Languedoc-Roussillon/Midi-Pyrénées/Comunidad Autónoma de Catalunya	France, Spain	1998
Mesta-Nestos euroregion	Bulgaria, Greece	1997
Meuse-Rhine euroregion Euregio Maas-Rhein Euregio Maas-Rijn Eurégion Meuse-Rhin	Belgium, Germany, Netherlands	1976
Neisse euroregion Euroregion Neisse-Nisa-Nysa Nysa, Nisa, Neisse Euroregion	Czech Republic, Germany, Poland	1991

Neman euroregion Niemen (Nieman) Euroregion Euroregion Nemunas	Belarus, Lithuania, Poland, Russia	1997
North Calotte Council Nordkalotträdet Pohjoiskalotin neuvosto	Finland, Norway, Sweden	1971
Ore Mountains euroregion Euroregion Krušnohoří Euroregion Erzgebirge	Czech Republic, Germany	1992
Østfold-Bohuslän/Dalsland euroregion Østfold-Bohuslän/Dalsland Border Committee	Norway, Sweden	1980
Pomerania euroregion EURegio Pomerania	Denmark (suggested), Germany, Poland, Sweden	1995
Pomoraví - Záhorie - Weinviertel euroregion	Austria, Czech Republic, Slovakia	1999
Praded euroregion Euroregion Praděd Euroregion Pradziad	Czech Republic, Poland	1998
Pro Europa Viadrina euroregion	Germany, Poland	1993
Raetia Nova euroregion Nova Raetia	Austria, Switzerland	?
Rhine-Waal euroregion Euregio Rhein-Waal Euregio Rijn-Waal	Germany, Netherlands	1973
Rhine-Meuse-North euroregion Euregio Rhein-Maas-Nord Euregio Rijn-Maas-Noord	Germany, Netherlands	1978
Saar-Lor-Luxembourg-Rhin euroregion	Germany, France, Luxembourg	1995
Salzburg-Berchtesgadener Land-Traunstein euroregion	Austria, Germany	1993
Scheldemond euroregion Conseil de l'Estuaire de l'Escaut	Belgium, France, Netherlands	1989
Silesia euroregion	Czech Republic, Poland	1998
Silva Nortica euroregion Euroregion Silva Nortica / Jihočeská Silva Nortica	Austria, Czech Republic	2002
Spree-Neisse-Bober euroregion Sprewa-Nysa-Bóbr Euroregion	Germany, Poland	1992
Tatras euroregion Euroregion Tatry Euroregión Tatry	Poland, Slovakia	1994
Tornio River Valley Council The Tornedalen Council Tornedalsrådet	Finland, Sweden	1987

Tornionlaakson Neuvosto		
TriRhena euroregion Regio TriRhena	Germany, France, Switzerland	1995
Tyrol-South Tyrol-Trentino euroregion Euroregion Tirol-Südtirol/Alto Adige-Trentino	Austria, Italy	1998
Via Salina euroregion Ausserfern and Kleinwalsertal/Bregenzerwald Euregio	Austria, Germany	1997
West/West Pannonia euroregion	Austria, Hungary	1998
White Carpathia euroregion Euroregion Bílé Karpaty Euroregión Biele Karpaty	Czech Republic, Slovakia	2000
Zugspitze-Wetterstein-Karwende euroregion	Austria, Germany	