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**THE ROLE OF EUROREGIONS  
IN TRANSFRONTIER CO-OPERATION**

**Three case studies:  
Slovakia, Lithuania, South Eastern Europe**

Directorate of Co-operation for Local and Regional Democracy  
Directorate General I – Legal Affairs

This study has been drafted by independent experts at the initiative of the Committee of Advisers on the Development of Transfrontier Co-operation in Central and Eastern Europe, an advisory body established by the Committee of Ministers of the Council of Europe.

Although every care has been taken to ensure the accuracy of the information contained in this study, the Council of Europe takes no responsibility for factual errors or omissions.

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## FOREWORD

This volume comprises three studies prepared in the course of the last few years by independent and governmental experts, at the request of the Council of Europe (Directorate of Co-operation for Local and Regional Democracy). The studies have different origins and justifications.

The first study concerns Slovakia and its neighbours. After describing the political, economic and administrative situation of the country, it analyses the legal framework for transfrontier co-operation with all the neighbouring countries. The study is the formal completion of work started in 1999 with the first bilateral conference (between Slovakia and the Czech Republic), pursued through the subsequent bilateral events involving Hungary (1999), Poland (2000) Austria (2001) and Ukraine (2002) and concluded at the international conference held in Piešťany (Slovakia) in 2003.

The second study was submitted to an international conference between Lithuania and its neighbours, held in June 2004 in Vilnius. It describes and compares the statutes, governing bodies, and activities of the Euroregions incorporating the territorial authorities of Lithuania and its neighbouring states.

The third study is a comprehensive assessment of the state of cross-border co-operation in south-eastern Europe, in the light of the political and economic conditions prevailing in the area. More explicitly than the previous two, this study contains a number of recommendations for improving the quality of the cross-border co-operation in the region.

What the three studies have in common is an attempt to describe for the first time in a comprehensive and detailed form, the legal nature of the agreements on which the “euroregions” are based and their effectiveness. We hope in this way to help both local and state authorities identify more effectively the inadequacies in their respective domestic legal framework – if any – and remove the obstacles to effective crossborder co-operation.

We also wished to make available to a broader audience of legal experts, scholars and practitioners a wealth of information and documents from which potential actors in the field of crossborder co-operation could derive inspiration. Through these studies, we publish for the first time detailed descriptions of the governing bodies, working methods and financial resources of several “euroregions”.

Finally, in compiling the analyses of the situation in three different geographical areas we wanted to encourage cross-fertilisation and mutual support between the local actors concerned. The studies show more similarities in approaches than differences, despite each solution being tailored to the needs of the local authorities and the states concerned.

This is not to say that there is no room for improvement. We leave it to the states concerned to assess whether the legal framework or the financial regulations applicable to crossborder co-operation need to be modified, in order to make co-operation more effective.

For its part, on the basis of the lessons learned from these three analytical approaches, the Council of Europe has promoted a number of tools and actions<sup>1</sup>:

- to facilitate ratification of the Madrid Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities, a “check list” of measures has been established, available to all states wishing to ratify the Convention and its Protocols;

- a recommendation has been adopted by the Committee of Ministers of the Council of Europe in order to promote good practice in, and the removal of obstacles to, crossborder co-operation between territorial authorities;

- the specific situation prevailing in south-eastern Europe has led the Committee of Ministers to adopt a Political Declaration on the development of crossborder and interterritorial co-operation between the states of south-east Europe. This in turn has led to the drafting of two regional agreements on local border traffic and mutual assistance in case of disasters occurring in border areas;

- in order to overcome the difficulties arising from the sheer diversity of the legal orders to which crossborder co-operation bodies are subject, a new convention containing a uniform set of rules on Groupings of territorial co-operation is being drafted. A regulation having a similar scope is being discussed in the European Union, and it is hoped that the two texts will prove complementary and coexist harmoniously.

The Council of Europe is a staunch supporter of crossborder co-operation, not only between states but also between territorial authorities, as a means of promoting and deepening mutual understanding, fostering social and economic

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<sup>1</sup> For further information on recent and current work of the Council of Europe in the field of transfrontier co-operation, visit our website : [www.coe.int/local](http://www.coe.int/local) and regional democracy/

wellbeing and defusing tensions. Wherever different peoples are able to know each other better, by implementing joint initiatives and developing a shared vision of a common future, trust and peace follow.

We hope that all the readers of this book will share and join this endeavour.

Philip Blair  
Director of Co-operation for Local and Regional Democracy  
Directorate General 1 – Legal Affairs  
Council of Europe



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# **PART I**

## **INSTITUTIONAL ASPECTS OF TRANSFRONTIER CO-OPERATION IN THE SLOVAK REPUBLIC**

Oľga Marhulíková in co-operation with  
Eva Grusmanová, Juraj Muravský  
Ministry of Interior of the Slovak Republic, Public Administration Section



## **Introduction**

The aim of the Council of Europe to support and foster transfrontier co-operation has a long tradition. The legal and terminological basis for such co-operation was established by the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities, open to signature by the states of Europe since 1980. In seeking to outline the positive achievement of the Slovak Republic in the sphere of transfrontier co-operation, the Public Administration Section of the Ministry of the Interior of the Slovak Republic, in co-operation with the Council of Europe, has prepared this analytical study of the institutional aspects of transfrontier co-operation in Slovakia, characterising the development and legal status of transfrontier structures.

Since its establishment as an independent republic on 1 January 1993, Slovakia has undergone historic development. Huge efforts have been made for its integration, to increase its potential in the European area by retaining national identity. Slovakia has ratified the respective European documents, signed bilateral agreements on transfrontier co-operation and upgraded tools for supporting transfrontier co-operation with neighbours.

The Government of the Slovak Republic considers transfrontier co-operation to be a long-term interest and an important form of development for border regions. Under a foreign policy based on good neighbourly relations, Slovakia has succeeded in raising mutual confidence, fostering relations at local level, and providing the impetus for local economic, cultural and social development. Such aims of transfrontier co-operation have the full support of Slovakia's border municipalities, towns and self-governing regions - a crucial fact at the preparation phase of European Union enlargement.

The President of the Slovak Republic, Rudolf Schuster, has for several years been committed to the development of transfrontier co-operation. Under his auspices there have been three bilateral conferences of the Council of Europe on transfrontier co-operation as well as the International Conference of the Council of Europe on Transfrontier Co-operation "Slovakia and Its Neighbours", held in June 2003 in Piešťany, western Slovakia.

Slovakia has gradually established the legislative conditions for transfrontier co-operation and ratified the respective European documents. Of them, the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities and of its Additional Protocol, which came into force in Slovakia on 2 May 2000, could be considered the most important. Protocol No. 2 to the European Outline Convention, concerning interterritorial

co-operation, came into force on 1 February 2001, and the European Charter of Local Self-government on 1 June 2000.

In implementing the above-mentioned documents, Slovakia relied on the Council of Europe and the invaluable legal and technical assistance it gave the Ministry of the Interior's Public Administration Section. In order to support development of transfrontier co-operation at local, regional and central level, the Ministry of the Interior together with the Council of Europe organised five bilateral conferences.

In Europe today, it is seen that states most fully express their sovereignty by being part of a community of countries sharing common values and aims. The integration of Slovakia into the family of advanced democratic countries of Europe is a priority of the Slovak Government's Programme Declaration. In a referendum held in May 2003, accession to the European Union was supported by more than 92% of voters. For Slovakia, the idea of European partnership has also become a project for future active participation in a democratic, co-operative and prosperous Europe.

Slovakia attaches enormous importance to mutual relations with neighbouring states, and helped by a central location in the region, it is an active participant in such co-operation. This is especially true of relations with the Czech Republic, in keeping with the Slovak Government's Programme Declaration as well as the objective historical and human ties. The Government is also pursuing all possible means to intensify relations with Poland and Hungary and actively supports effective and pragmatic functioning of the Vyšegrad co-operation. Special importance is placed on partnership with Austria, the only neighbouring state which is currently a member state of the European Union. As for relations with its largest neighbour Ukraine, their development is subject to close attention.

Transfrontier co-operation is developed pursuant to intergovernmental agreements signed with Poland (1994), the Czech Republic (2000), Hungary (2001) and Ukraine (2000). On 21 May 2003, the Slovak Government approved the Outline Agreement between the Slovak Republic and the Republic of Austria on Transfrontier Co-operation between Territorial Communities or Authorities.

If countries are to be successful in a common future unification of Europe, then EU member states must co-operate more closely and support EU candidate and acceding countries. This presents an opportunity for regional development. It is hugely important that bodies of territorial self-government, local state

administration and the third sector are included in the functioning and development of transfrontier co-operation. Within the framework of public administration reform, Slovakia recently adopted a series of crucial laws providing for decentralisation and modernisation of public administration. By reinforcing the principle of self-government control over public issues - supported by new institutions for direct participation of territorial and regional self-government in transfrontier co-operation – public administration reform provides possibilities for developing modern civil society and thus represents an important contribution in both the internal and external political context.

Transfrontier co-operation stems from the long-term strategy of Slovakia's foreign policy and is fully compatible with domestic legislation. On this basis, legal persons of international scope have been established for the development of transfrontier co-operation in euroregions. Mutual euroregional relations now have greater importance and extend over the entire border of Slovakia. Their institutional arrangements are described in this study.

Acknowledgement must be made of the substantial support and assistance given to developing transfrontier co-operation in Slovakia by the Secretary General of the Council of Europe Mr Walter Schwimmer, the Director of Co-operation for Local and Regional Democracy of the Council of Europe Mr Philip Blair and the Head of the Department of Local Government and Transfrontier Co-operation Mr Alfonso Zardi. Important support for the institutionalisation of transfrontier co-operation and euroregional structures has been provided by the Association of European Border Regions, the largest and most important cross-border organisation in Europe, and especially by its Secretary General, Mr Jens Gabbe.

Transfrontier co-operation is among the most important stabilising elements for the building of new Europe, and its successful development has helped strengthen relations between the border regions of Slovakia and its neighbours. The legal framework, form and methods of development of transfrontier co-operation in Slovakia are presented in this analytical study, which is the theoretical as well as practical contribution to the document on development of transfrontier co-operation up to the Slovak Republic's accession to the European Union.

Oľga Marhulíková  
Public Administration Section  
Ministry of the Interior of the Slovak Republic

# **1 A brief description of the Slovak Republic and its border regions**

## **1.1 A brief geographical and socio-economic overview of the Slovak Republic**

The Slovak Republic is a young democratic state in the heart of Europe, which celebrated its 10<sup>th</sup> anniversary only on 1 January 2003. It was established after the split of the former Czecho-Slovak Federative Republic, the history of which began in 1918. The peaceful establishment of both the successors, the Czech Republic and the Slovak Republic as new states was only the second of its kind during the 20<sup>th</sup> century, including the example of Norway in 1905.

Slovakia is a landlocked country located in Central Europe with five neighbouring states – the Czech Republic, the Republic of Hungary, the Republic of Poland, the Republic of Austria and Ukraine (see map).

The territory of Slovakia consists of 49 035 km<sup>2</sup>. The population is 5 403 000 inhabitants (according to the General Census of 26 May 2001; the population has grown since the last General Census taken in 1991 by 105 120 inhabitants). Its capital is the city of Bratislava situated in the south-western border region with 428 672 inhabitants (General Census 2001). As with the rest of Europe, the increase in the number of inhabitants has slowed down, but it is still positive with a total increase per 1000 inhabitants of 0.7 (year 2000). The population also shares a similar age structure to the rest of Europe, with 18.9% of the population in the pre-productive age group, 62.3% in the productive group and 18% in post-productive age group (year 2001). The share of the urban population has increased from 49.2% in 1980 to 56.6% in 2000.

Geographically Slovakia is located mainly in the West Carpathian arch, flowing southward to the Pannonian lowlands. Its highest point above sea level is the highest peak of the Carpathian Mountains – Gerlachovský štít at 2 654 m going down to about 100 m above sea level on the southern border in the Podunajská and Východoslovenská Lowlands, with the lowest point where the river Bodrog leaves the territory of Slovakia at 92 m above sea level.

An important feature is the large diversity of flora and fauna in comparison with the relatively small territory of state. The rich natural beauty and a large proportion of forested area (40.7% of the total area) may be seen as a comparative advantage for Slovakia for future development.

The economy of Slovakia could be characterised as open (with a large share of the foreign trade in its GDP) and transitive, with immense changes having taken

place over the last 13 years. Nowadays, most of the economic entities are privately owned, with the financial sector completely reformed, privatised, and working according to international standards. Slovakia may therefore be seen as a part of the global economy. However, the GDP per capita in Slovakia is still relatively low (less than 50% of the EU average), so the strategic goal of the National Plan of Regional Development is to increase it to 60 – 65 % of the EU average by 2006.

The public administration system in Slovakia is a dual one, consisting of state administration and self-governmental authorities. Local state administration consists of general administration (regional offices and district offices) and specialised local state administration. Self-government, to which competences from state administration are transferred under the current public administration reform in implementation in the Slovak Republic, is two-tiered – local (municipalities) and regional (self-governmental regions). The cities of Bratislava and Košice have self-government at both city and town level.

The current territorial division (see map) of Slovakia consists of 2,883 municipalities (NUTS V), including 138 with the statute of city, 79 districts (NUTS IV) and 8 regions (NUTS III). For the purpose of EU structural funds, four NUTS II regions have been established – Bratislava, Western Slovakia, Central Slovakia, and Eastern Slovakia.

## **1.2 Brief description of the border regions**

Regional borders in Slovakia are demarcated mostly by natural barriers such as rivers or mountain ranges. Although the history of Slovakia, and before that the former Czechoslovakia, is relatively very short, some of the borders belong to the oldest borders in Europe.

A very important factor affecting the development of cross-border co-operation is the historical background, socio-economical and cultural development of the particular border area. The purpose of this chapter is to submit a very brief description of the five borders of the Slovak Republic. The borders are usually divided into three groups for the purposes of international sources (mostly the European Union) of cross-border co-operation funding: the border with a previous Member State – Austria, three borders with new Member States – Poland, the Czech Republic and Hungary and the border with the non Member State, Ukraine. The lengths of particular borders are as follows (listed from the longest to the shortest):

- Slovak/Hungarian border: 668,6 km
- Slovak/Polish border: 547,1 km

- Slovak/Czech border: 251,8 km
- Slovak/Austrian border: 106,0 km
- Slovak/Ukraine border: 98,5 km

### ***Slovak – Hungarian border***

The Slovak-Hungarian is the longest border of Slovakia. The border is demarcated mostly by the rivers Danube and Ipeľ. Western and eastern parts of the border are lowlands – the northern boundary of the Pannonian Lowland, while the central part is mostly hilly, comprising the highest mountains of Hungary.

Border regions traditionally consist in Hungary of six regions (megye), from the west to the east: Győr-Moson-Sopron, Komárom-Esztergom, Pest, Nógrád, Heves, Borsód-Abaúj-Zemplén. In Slovakia the border regions comprise the southern parts of the regions (kraj) Trnava, Nitra, Banská Bystrica and Košice as well as the region of the capital Bratislava.

In both countries, economic development is more advanced in the west, and less so in the east, with the exception of the important cities of Košice (the second largest in Slovakia) and Miskolc (Hungary) in the east, which are significantly more developed than their surrounding regions. As with other borders, detailed SWOT analyses of the border region have been carried out in the programming document for Phare CBC and reviewed for the purpose of the programming document Neighbourhood Programme Hungary-Slovakia-Ukraine. According to this document, co-operation shall focus on nature protection, environment and small scale infrastructure.

The border infrastructure is relatively well developed on the Slovak-Hungarian border with 15 road border crossings, 1 highway crossing, 7 railway crossings, 2 river crossings and 1 pedestrian and bicycle crossing (see table), i.e. the average of one border crossing for each 25 km.

At the present time, seven permanent structures similar to euroregions are operating at this border: Podunajský Trojspolok, Váh-Dunaj-Ipeľ, Ipeľ-Ipoly, Neogradiensis, Slaná-Rimava, Kras, and Carpathian Euroregion.

#### **Border crossings on the state border with the Republic of Hungary (12 May 2004)**

no	Name		type	operation time	category of persons	transport category
1	Veľký Kamenec	Pácin	road	summer 08-20 winter 08-16	SR, RH	private vehicles



2	Slovenské N. Mesto	Sátoaljaújhely	road	permanent	all states	Unlimited
3	Slovenské N. Mesto	Sátoaljaújhely	rail	permanent	all states	personal, freight
4	Slovenské N. Mesto	Sátoaljaújhely	pedestrian, cycle	06-22	SR, RH	pedestrians, bicycles, skiers, wheelchairs
5	Čaňa	Hidásnémeti	rail	permanent		private vehicles, freight
6	Milhosť	Tornyosnémeti	road	permanent	all states	unlimited
7	Host'ovce	Tornanádaska	road	summer 06-20 winter 08-17	SR, RH	private vehicles, freight to 3,5 t
8	Domica	Aggtelek	road	summer 08-20 winter 08-16	all states	private vehicles
9	Kráľ	Bánréve	road	permanent	all states	unlimited
10	Onlyártovce	Bánréve	rail	permanent	SR, RH	private vehicles, freight
11	Šiatorská Bukovinka	Salgótarján	road	permanent	all states	unlimited
12	Fil'akovo	Somoskőujfalu	rail	permanent	all states	unlimited
13	Kalonda	Ipolytarnóc	road	08-20	SR, RH	Private vehicles, freight to 3,5 t
14	Slovenské Ďarmoty	Balssagyarmat	road	permanent	all states	unlimited
15	Šahy	Parassapuszta	road	permanent	all states	unlimited
16	Salka	Letkés	road	08-20	SR, RH	Private vehicles, freight to 3,5 t
17	Štúrovo	Szob	rail	permanent	all states	private vehicles, freight
18	Štúrovo	Esztergom	river port	07-19	all states	malé plavidlá
19	Štúrovo	Esztergom	road	permanent	all states	private vehicles, freight only SR,RH to 3,5t
20	Komárno	Komárom	road	permanent	all states	private

						vehicles
21	Komárno	Komárom	rail	permanent	all states	private vehicles, freight
22	Komárno	Komárom	river	permanent	all states	ship
23	Medveďov	Vámoszabadi	road	permanent	all states	unlimited
24	Rusovce	Rajka	road	permanent	SR, RH	private vehicles, freight to 3,5 t
25	Rusovce	Rajka	Rail	permanent	all states	private vehicles, freight
26	Čunovo	Rajka	highway	permanent	all states	unlimited

Source: Office of Border and Foreigner Police of the Presidium of Police Corps

### ***Slovak - Polish border***

This border is largely defined by the mountains of the Carpathian range with some small parts of the border in historical Spiš demarcated by the rivers Dunajec and its tributary Poprad. The border region is completely mountainous on both sides with some small planes in basins, and includes the highest mountains of both countries.

The border region in Poland consists of the southern parts of the regions (województwo): Śląskie, Małopolskie and Podkarpackie with seats in Katowice, Kraków and Rzeszów respectively. In Slovakia, the border region comprises the northern parts of the regions (kraj) Žilina and Prešov.

Economic development is similar to the Slovak-Hungarian border, that is, more advanced in the western part of the border region. In Poland, the areas around Katowice and Krakow are among the economically most developed in the whole country, and Krakow is one of the most important cultural and historical centres of the state. In Slovakia, the most important centres are Žilina, the upper Váh region, Poprad and Prešov. The Phare CBC programming document, which also includes the detailed SWOT analysis of the border regions from both sides, is followed by the programming document Interreg IIIA Republic of Poland – Slovak Republic 2004 – 2006.

The programming document focuses on the support of the infrastructure (technical, communication, and environmental), better reachability and higher attractivity for investors and tourists, as well as on the support of the transfrontier socio-economic co-operation oriented mostly on activities

supporting tourism, business development and the development of a balanced labour market.

The border crossings infrastructure is relatively well developed, especially in view of the very mountainous landscape. There are 11 road border crossings, 3 railway crossings, and one tourist border crossing for pedestrians and cyclists operating at this border (see table), which means there is an average of one border crossing per 36 km.

Three euroregions operate at the Slovak-Polish border, two of them – Euroregion *Tatry* (Slovak-Polish co-operation) and *Carpathian Euroregion* (co-operation of Slovak, Polish, Ukrainian, Hungarian and Romanian border regions) - are the longest operating euroregions in Slovakia. The third, Euroregion *Beskydy*, is a trilateral Slovak-Polish-Czech structure.

#### **Border crossings on state border with the Republic of Poland (12 May 2004)**

no	name		type	operation time	category of persons	category of transport
1	Palota	Lupków	Rail	07 - 19	all states	private vehicles, freight
2	Vyšný Komárnik	Barwinek	road	permanent	all states	unlimited
3	Becherov	Konieczna	road	permanent	all states	private vehicles, freight to 3,5 t
4	Plaveč	Muszyna	Rail	permanent	all states	private vehicles, freight
5	Mníšek nad Popradom	Piwniczna	road	permanent	all states	private vehicles, freight to 3,5 t
6	Lesnica	Szczawnica	tourist	summer 09-21 winter 09-17	SR, RP, no visa	pedestrians, cyclists
7	Lysá nad Dunajcom	Niedzica	road	permanent	all states	private vehicles, freight to 3,5 t
8	Tatranská Javorina	Lysá Poľana	road	permanent	all states	unlimited
9	Suchá Hora	Chocholów	road	permanent	all states	private vehicles,

						freight to 7,5 t
10	Trstená	Chyžné	road	permanent	all states	Unlimited
11	Bobrov	Winiarczyk ówka	road	permanent	all states	private vehicles, freight to 7,5 t
12	Oravská Polhora	Korbielów	road	permanent	all states	private vehicles, freight to 7,5 t (22-05 only 3,5 t)
13	Novot'	Ujsoly	road	permanent	all states	private vehicles, freight to 7,5 t (22-05 only 3,5 t)
14	Skalité	Zwardoň	rail	permanent	all states	unlimited
15	Skalité	Zwardoň- Mýto	road	permanent	all states	private vehicles, freight to 3,5 t

Source: Office of Border and Foreigner Police of the Presidium of Police Corps

### ***Slovak – Czech border***

This border has paradoxically both a very short and a very long history. The explanation for this contradiction is very simple. Although the border only emerged as an inter-state border on 1 January 1993, the division between the Czech and the Slovak territories followed approximately the same path for a very long time, indeed as far back as the beginning of the second millennium.

Geographically, the border in its northern half is lined by the mountain ranges of the West Carpathian arch, while in the south it is traced by the flow of the river Morava.

In the Czech Republic, the border area consists of the regions (kraj): Jihomoravský, Zlínský and Moravskoslezský with seats in Brno, Zlín and Ostrava respectively. In Slovakia, the border regions are Žilina, Trenčín and Trnava.

In both states, important economic activities as well as direct foreign investments are located in a wider area, mostly in the seats of the regions, and not directly in the areas adjacent to the border. The lowest GDP per capita on the Czech side is in the Zlínský Region and the highest is found in the

Jihomoravský Region. In Slovakia in the Trnava Region, this index is above the national average, while in the Trenčín and Žilina Regions it is under the national average.

For the Programme Interreg IIIA, the detailed programming document Interreg IIIA Slovak Republic – Czech Republic 2004 – 2006 was drafted, comprising a detailed SWOT analysis of the regions on both sides of the border. The strategic goals, which the document recommends supporting, are in particular measures for supporting development of tourism and related entrepreneurial activities, agricultural activities with a transfrontier dimension, as well as rural development.

The infrastructure, which used to be internal, is quite well developed with 15 road border crossings, 7 railway crossings and one highway crossing (see table). Thus, on average, there is one border crossing for less than 11 km of border.

Three euroregions operate at this border: a trilateral Slovak-Polish-Czech Euroregion *Beskydy* in the north, Euroregion *Bilé-Biele Karpaty* in the central part, and another trilateral Slovak-Czech-Austrian Euroregion *Pomoravie* in the south.

#### **Border crossings on state border with the Czech Republic (12 May 2004)**

no	name		type	operation time	category of persons	category of transport
1	Čadca	Mosty u Jablunkova	Rail	permanent	all states	private vehicles, freight
2	Svrčinovec	Mosty u Jablunkova	road	permanent	all states	unlimited
3	Čadca-Milošová	Šance	road	permanent	all states	only private vehicles
4	Klokočov	Bílá	road	permanent	all states	private vehicles, freight to 7,5 t SR, CR
5	Makov	Bílá-Bumbálka	road	permanent	all states	unlimited
6	Makov	Veľké Karlovice	road	permanent	all states	unlimited
7	Lysá pod Makytou	Střelná	road	permanent	all states	unlimited
8	Lúky pod Makytou	Horní Lideč	rail	permanent	all states	private vehicles,

						freight
9	Červený Kameň	Nedašova Lhota	road	permanent	all states	private vehicles, freight to 7,5 t SR, CR
10	Horné Srnie	Brumov-Bylnice	road	permanent	all states	private vehicles, freight to 7,5 t SR, CR
11	Horné Srnie	Vlársky průsmyk	rail	permanent	all states	private vehicles, freight only complete trains
12	Drietoma	Starý Hrozenkov	road	permanent	all states	unlimited
13	Nová Bošáca	Březová	road	permanent	all states	private vehicles, freight to 7,5 t SR, CR
14	Moravské Lieskové	Strání	road	permanent	all states	private vehicles, freight to 7,5 t SR, CR
15	Vrbovce	Velká nad Veličkou	road	permanent	all states	private vehicles, freight SR, CR
16	Vrbovce	Velká nad Veličkou	rail	permanent	all states	private vehicles, freight only exceptional
17	Skalica	Sudoměřice	road	permanent	all states	private vehicles, freight SR, CR
18	Skalica	Sudoměřice	rail	permanent	all states	private vehicles, freight only exceptional
19	Holíč	Hodonín	road	permanent	all states	private vehicles, freight SR, CR
20	Holíč	Hodonín	rail	permanent	all states	private

						vehicles, freight only
21	Brodské (D2)	Břeclav (D2)	highway	permanent	all states	unlimited (for highways)
22	Brodské	Lanžhot	road	permanent	all states	private vehicles, freight to 7,5 t SR, ČR
23	Kúty	Lanžhot	rail	permanent	all states	private vehicles, freight

Source: Office of Border and Foreigner Police of the Presidium of Police Corps

### ***Slovak – Austrian border***

This border is the second shortest, but very important from both an economic and political point of view, as this was, until 1 May 2004 (the date of accession of the Slovak Republic and its three neighbours - Republic of Poland, Czech Republic and Republic of Hungary - into the EU) the only border connecting Slovakia to the European Union. Most of the border is demarcated by the river Morava. Only a short part within the city limits of Bratislava is defined by agricultural land.

The border region in Slovakia comprises the western part of the region (kraj) Trnava and the territory of the capital city of Bratislava, while in Austria it comprises the two adjacent lands (Bundesland) Burgenland and Niederoesterreich together with the land Wien. Worth mentioning is that the distance between both capitals is by far the shortest throughout the whole of Europe (approx. 60 km), and this affects transfrontier co-operation in an important way.

The border region's economic situation is different in both countries. In Slovakia, the Bratislava region is, without doubt, the most developed one in the country, with the GDP per capita almost attaining the EU average (92). In Austria, the directly adjacent border region (but not the City of Vienna) is poorer. The programming document Interreg IIIA Republic of Austria – Slovak Republic 2004 - 2006 has been drafted for the Slovak – Austrian border. The document's common goal is to build up an integrated border region economically, socially, environmentally and spiritually during the programming period.

The border crossing infrastructure logically focuses on the region of Bratislava, with two railway crossings, one highway and two road crossings and one river crossing directly located within the Bratislava city limits. Apart from Bratislava, there are only two other road border crossings in operation: the ferry, and the boat bridge, both of which depend on the level of the river Morava (see table). On average, there is one border crossing for approximately 13 km of border. Apart from the trilateral Slovak-Czech-Hungarian Euroregion *Pomoravie*, there is a very large structure – Euroregion *Bratislava-Brno-Győr-Wien* – comprising the south-east of the Czech Republic, the north-east of Austria, north-west of Hungary and south-west of Slovakia in preparation.

### **Border crossings on the state border with the Republic of Austria (12 May 2004)**

<b>no</b>	<b>name</b>		<b>type</b>	<b>operation time</b>	<b>category of persons</b>	<b>category of transport</b>
1	Moravský Svätý Ján	Hohenau	road (boat bridge)	06-22	SR, RA, EU, no visa	private vehicles, freight to 3,5 t only Mo-Tue 08.00 – 16.00
2	Bratislava – Devínska Nová Ves	Marchegg	rail	permanent	all states	unlimited
3	Bratislava - Petržalka	Berg	road	permanent	all states	unlimited
4	Bratislava - Petržalka	Kitsee	rail	permanent	all states	unlimited
5	Bratislava - Jarovce	Kitsee	road	06-22	SR, RA, EU, no visa	private vehicles, freight to 3,5 t
6	Bratislava – Jarovce	Kitsee	highway	permanent	all states	private vehicles, freight to 3,5 t
7	Záhorská Ves	Angern	road (ferry)	06-22	SR, RA, EU, no visa	private vehicles, freight to 7,5 t (capacity of ferry 20 t)
8	Bratislava - port		river	permanent	all states	unlimited

Source: Office of Border and Foreigner Police of the Presidium of Police Corps

### ***Slovak – Ukrainian border***

The Slovak – Ukrainian border is the shortest of the Slovak borders. The northern part of the border is a sparsely populated well-preserved mountainous



area, while the southern part is agricultural and located in the flatlands of the northern part of the Pannonian Lowland.

In Slovakia, the eastern parts of the regions (kraj) Prešov and Košice are involved in transfrontier co-operation, while in Ukraine it is the region (oblast) of Zakarpatie (Transcarpathia) with the seat in Uzhorod.

Both regions belong to less developed areas in their countries, with their northern parts, which are very sparsely populated, having no industry at all. This, on the other hand, opens the possibility of dynamic growth of the tourist industry. The lack of infrastructure, however, is a large obstacle to such development. With the aim of enhancing transfrontier co-operation, the strategic development document “Carpathia 2003 – 2011” was prepared recently for the region comprising the border regions of Ukraine, Poland, Slovakia, Hungary, and Romania.

The new common strategy for developing neighbourhood programmes in Hungary – Slovakia – Ukraine 2004 – 2006 was devised in 2004 to help establish sustainable and dynamic transfrontier co-operation, via the setting up of transfrontier partnership development networks and transfrontier planning. Four border crossings currently operate at this border - 2 road crossings and 2 railway crossings (see table), i.e. one border crossing per 25 km of border.

Only one large permanent cross-border structure operates in this area, comprising the border regions of Hungary, Poland, Romania, Slovakia and Ukraine – *Carpathian* Euroregion.

#### **Border crossings on the state border with Ukraine (12 May 2004)**

<b>no</b>	<b>Name</b>		<b>type</b>	<b>operation time</b>	<b>category of persons</b>	<b>category of transport</b>
<b>1</b>	Čierna nad Tisou	Čop	railway	permanent	all states	private vehicles, freight
<b>2</b>	Maťovské Vojkovce	Pavlovo	railway	permanent	-	only freight
<b>3</b>	Vyšné Nemecké	Užhorod	road	permanent	all states	unlimited
<b>4</b>	Ubl'ľa	Malyj Bereznyj	road	permanent	all states	private vehicles, freight to 3,5 t

Source: Office of Border and Foreigner Police of the Presidium of Police Corps

## **2 The creation of a legal environment for transfrontier co-operation**

Transfrontier co-operation represents activities aimed at strengthening and supporting good neighbourly relations between populations and institutions on either side of a common border and inland. The main goal of such co-operation is to enable populations to improve their quality of life by allowing them to develop - both under and outside state regional policy for socio-economic matters - independent activities with partners from adjacent regions of neighbouring states. This is done with mutual respect for internal (typically legal) conditions and in compliance with the principles of state foreign policy.

The issue of transfrontier co-operation is significantly in keeping with the overall development of co-operation and integration in Europe. This process results from the globalisation of political, economic, social and cultural developments and efforts to project it into comprehensive and universal integration tendencies.

Development of transfrontier co-operation is focused above all on solving economic, social and environmental challenges at regional and local level. As a tool for achieving and supporting co-operation between European states, it is fully in accordance with the foreign policy pursued by Slovakia since its establishment.

In the context of the political changes occurring in central and eastern Europe after 1989, both in terms of the transformation of society and the approach of social, economic and political systems to those of Western Europe, the development of transfrontier co-operation through euroregional structures extended also to Slovakia and had the support of several international organisations and governments. However, the respective ideas and strategies were in many areas not clear.

From its establishment as an independent subject of international law on 1 January 1993, Slovakia (defined in the Constitution of the Slovak Republic, approved on 1 September 1992) gave priority to:

- internal building of the state, its institutions and administrative arrangements and to consolidating elements of the self-governmental democracy at the local and regional level;
- consolidating its role in the international community of states.

This in many respects foreshadowed the forms of its integration into European structures and also the forms of transfrontier co-operation in that period. The direct participation of local and regional authorities in the development of transfrontier programmes was hampered by problems of a legislative nature. For transfrontier co-operation to result in the development, stability and mutual confidence of neighbouring states, a package of administrative-legal, technical, economic and cultural measures was needed in order to clarify the goals and means for achieving them.

The first phase concerned political, security and economic integration. It emerged from integration at state level and was underpinned by bilateral agreements (for example, the Agreement between the Government of the Slovak Republic and the Government of the Republic of Poland on Transfrontier Co-operation – signed on 18 August 1994).

Here we should pay special attention to forms of transfrontier co-operation between towns and municipalities, such as mutual meetings and various joint events, projects and studies.

At first it seemed complicated for Slovak municipalities to associate with municipalities abroad, even for the purpose of transfrontier co-operation. Under the Slovak Constitution and the Act of the Slovak National Council on Municipalities (7 September 1990), a municipality had the right to associate with other municipalities in order to pursue issues of common interest, and, pursuant to the 1990 Act, a municipality could, upon a decision of the municipality council, form permanently or temporarily a nationwide, regional or interest association in order to perform common tasks, to represent common interests and needs, or for another such purpose.

At this time, neither the law on municipalities nor other laws allowed for Slovak municipalities to associate with, or even co-operate with, municipalities from other countries. The Slovak Constitution Article 64 paragraph 2 defined a municipality as an independent territorial and administrative unit, but neither it nor the related Article 66 allowed for Slovak municipalities to form regional associations with foreign municipalities. Such associations could be realised only under the general provision of Article 67, according to which a municipality shall independently decide on issues of territorial self-government subject only to obligations and restrictions laid down by law. But it was also necessary to respect Article 119 of the Constitution, which states that the Government shall decide on issues of state foreign policy.

After Slovakia was established, its new legal system lacked several of the tools needed to create a legal framework for transfrontier co-operation, especially for the creation of euroregional structures. At meetings on such co-operation, Slovakia was initially represented by heads of district offices of the state administration, but it was later shown that no basis in Slovak law existed for the participation of the local state administration in transfrontier co-operation, and thus the participation of the district office heads violated Article 2 paragraph 2 of the Constitution, pursuant to which state authorities could act only in accordance with the Constitution and to the extent stipulated by law.

Given that the Act on Municipalities made no provision for transfrontier co-operation of municipalities, and that the self-government of higher territorial units had not yet been established, the only existing self-governmental territorial units were municipalities. Slovakia therefore had no higher territorial units corresponding to the regional self-governments in neighbouring states, and so when the problem of how to represent the Slovak side at this level arose, municipalities established interest associations of legal persons as a substitute for the non-existing higher territorial units. However, such specific interest associations did not have the same legal footing compared to the foreign regional self-governments - like “Župa” in Hungary or “Vojvodstvo” in Poland – since they owned no property and did not have the same powers.

## **2.1 Criteria for transfrontier co-operation**

The development of transfrontier co-operation gradually fulfilled the goals of the Council of Europe and the European Union regarding closer co-operation between states in various fields. For Slovakia, with its high production potential, restructuring, low purchasing power and small market, it was overall very advantageous to develop transfrontier co-operation.

But transfrontier co-operation as a complex of processes required the adoption of many measures - administrative, legal, technical, economic and cultural – which pursuant to international treaties and agreements would support and regulate mutual relations between different subjects on either side of a common border. To ensure that such measures adhered to the interests of Slovakia, it was necessary to define criteria for the direction of initiatives on establishing and implementing transfrontier co-operation.

The Slovak Government's Resolution No. 474/1995 on Criteria for Governmental, Regional and Local Co-operation by Entry into Transfrontier Co-operation served as a starting point for defining the substance and subject of co-operation at all three levels and for outlining legislative steps in transfrontier

co-operation necessary for Slovakia's accession to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities and its Additional Protocol.

The Slovak Government adopted the following criteria:

1. To respect the sovereignty and territorial integrity of respective parties.
2. To create homogenous state infrastructures.
3. To respect and enforce consistently both the legal systems of the respective parties and international law.
4. To have mutually advantageous co-operation.
5. To support development of transfrontier co-operation at the regional and local level.
6. To define the subjects of transfrontier co-operation, including the scope and form of establishment and dissolution.

After the establishment of state regional offices in the Slovak Republic in 1996, the subjects of transfrontier co-operation were represented at local level by:

- a) bodies of the local state administration, and
- b) bodies of self-government.

The remit of state regional offices and district offices in establishing relations with public administration bodies of other states was laid down by the Slovak Ministry of Foreign Affairs in Regulation No. 207 of 22 July 1999, pursuant to Section 7 of Act No. 222/1996 (Collection of Laws) on the Organisation of Local State Administration as Amended. The Regulation states that in establishing transfrontier co-operation, regional and district offices shall take care to ensure the feasibility of the co-operation and to respect the foreign policy orientation of Slovakia, which shall be implemented in particular by:

- a) mutual exchange of written documents, information and experience related to the tasks of the local state administration,
- b) mutual exchange programmes for employees,
- c) organising common seminars, symposiums, exhibitions, and other cultural, sporting or social events,
- d) transfrontier co-operation.

The Regulation further specified the participation of the local state administration in transfrontier co-operation and the possibility of signing agreements with the respective authorities of other states.

This measure was seen as a temporary legal provision, since the ultimate objective was to establish higher territorial self-governmental units and to assign them the powers necessary to become the main players in transfrontier co-operation, pursuant to both the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities and the goals of the Council of Europe.

The Regulation of the Ministry of Foreign Affairs of the Slovak Republic was cancelled on 1 January 2004.

## **2.2 European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities and the Additional Protocol thereto**

For the Council of Europe, especially after its enlargement, transfrontier co-operation became a focus of consideration. It had already adopted in 1980, as one of a series of conventions, the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (hereinafter referred to as “the Outline Convention”). In it, transfrontier co-operation is deemed to include all activities oriented on strengthening and fostering neighbourly relations of populations living on either side of a common state border. The goal of the Outline Convention is to support and promote the signing of agreements on transfrontier co-operation within the scope of powers of local and regional authorities.

Transfrontier structures are the essential tools for developing and maintaining transfrontier relations. The Council of Europe emphasised the importance it attaches to the right of border regions to develop neighbourly relations by approving the Additional Protocol to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (“Additional Protocol”), under which it explicitly presumes to accept, subject to certain conditions, the legal personality of bodies established for the purpose of such co-operation.

The development of transfrontier co-operation in the context of building up Europe may be seen in the fact that the Outline Convention has already been signed and ratified by all countries neighbouring Slovakia: by Austria in 1980 and 1982; Hungary in 1992 and 1994; Poland in 1993; Ukraine in 1993; and the Czech Republic acceded to it on 21 March 2000.

Slovakia also had to adopt this general legal framework if its central, regional and local authorities were to engage in transfrontier co-operation to the fullest extent and thereby support integration into the developed democratic Europe.

A proposal of the Ministry of the Interior to assess conditions for Slovakia to accede to the Outline Convention and Additional Protocol was discussed at a Cabinet meeting on 20 August 1996. In a Resolution acknowledging the proposal, the Cabinet authorised the Interior Minister to submit to the Government's Legislative Council by 31 March 1997 a draft legislative schedule for incorporating the provisions of the Outline Convention and Additional Protocol into the Slovak legal system (Resolution point B2), and to submit to the Cabinet a proposal for Slovakia's accession to the documents along with a proposal for further measures (point B3). In addition, the Interior Minister was tasked with coordinating transfrontier co-operation in Slovakia (point B4).

Within this process, the Government through Resolution No. 26 of 20 January 1998 approved the proposal of accession to the Outline Convention and Additional Protocol (point A1 of the Resolution), agreed to sign the Outline Convention with reservations to Article 3 paragraph 2 (point B1), and agreed to sign the Additional Protocol with reservations to Article 5 (point B2).

The reservations, not included in the proposal submitted by the Ministry of the Interior, were not specified by the Government and it therefore became necessary to clarify them. Since the Outline Convention makes no allowance for reservations and the Additional Protocol expressly forbids any (Article 9)<sup>2</sup>, the Ministry of the Interior proposed to have them replaced by declarations, as expressly required by Article 8 of the Additional Protocol.

Referring to Article 3 paragraph 2<sup>3</sup> of the Outline Convention, a draft declaration was formulated as follows:

“The Government of the Slovak Republic, referring to Article 3 paragraph 2 of the Convention declares that its application shall be subject to the conclusion of inter-state agreements.”

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<sup>2</sup> Article 9 of the Additional Protocol states: “No reservations to the provisions of this Protocol shall be allowed.”

<sup>3</sup> Article 3 paragraph 2 of the Outline Convention states: “If the Contracting Parties deem it necessary to conclude inter-state agreements, these may *inter alia* establish the context, forms and limits within which territorial communities and authorities concerned with transfrontier co-operation may act. Each arrangement may also stipulate the authorities or bodies to which it applies.”

This draft declaration expressed only the intent to use the competence given to each state without a declaration.

Article 8 paragraph 1 of the Additional Protocol<sup>4</sup> explicitly requires that each contracting state must, when signing or ratifying the protocol, declare whether it will apply the provisions of both Articles 4<sup>5</sup> and 5<sup>6</sup> or only one of the articles.

Article 4 of the Additional Protocol merely defines the scope of a legal personality of a transfrontier co-operation body established by co-operating territorial communities or authorities.

Article 5, on the other hand, allows for any measures taken by a body of transfrontier co-operation established by co-operating territorial communities or authorities to have the same legal force as if they had been taken by the territorial communities or authorities which concluded the agreement. Such a

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<sup>4</sup> Article 8 par. 1 of the Additional Protocol states: “Each Contracting Party shall declare, when signing this Protocol, or when depositing the instrument of ratification, acceptance or approval, whether it will apply the provisions of Articles 4 and 5 or of one of those Articles only.”

<sup>5</sup> Article 4 of the Additional Protocol states: “1. Where the transfrontier co-operation body has legal personality, such personality shall be as defined in the law of the Contracting Party in which its headquarters are located. The legal personality of the body is recognised by the other Contracting Parties which have territorial communities or authorities party to the transfrontier agreement in conformity with their own national law.

2. The transfrontier co-operation body shall perform the responsibilities assigned to it by the territorial communities or authorities in accordance with its purpose and in the manner provided for in the national law by which it is governed. Thus:

- a) action by the transfrontier co-operation body shall be governed by its statute and by the law of the headquarters State;
- b) the transfrontier co-operation body shall not, however, be empowered to take measures which apply generally or which may affect the rights and freedoms of individuals;
- c) the transfrontier co-operation body shall be financed from the budgets of the territorial communities or authorities concerned. It shall not be empowered to impose levies of a fiscal nature. It may, if appropriate, receive revenue in respect of services provided by it to territorial communities or authorities, users or third parties;
- d) the transfrontier co-operation body shall have an annual estimated budget and shall draw up a balance-account which shall be approved by auditors independent of the territorial communities or authorities party to the agreement.”

<sup>6</sup> Article 5 of the Additional Protocol is as follows: “1. The Contracting Parties may, if their national law allows it, decide that the transfrontier co-operation body is to be a public law entity, and that, for the purposes of each Contracting Party’s legal system, any measures which it takes are to have the same legal force and effects as if they had been taken by the territorial communities or authorities which concluded the document. 2. However, the agreement may stipulate that it is for the territorial communities or authorities which concluded the agreement to execute such measures, especially where the measures may affect the rights, freedoms and interests of individuals. Moreover, each contracting party may provide that general responsibilities cannot be attributed to the transfrontier co-operation body and that such a body shall not be empowered to take measures which apply generally.”



body would then have the right to decide instead of the territorial communities or authorities on the rights, legally protected interests and duties of physical and legal persons and so perform instead of them the local public administration. In the conditions of the Slovak Republic, such a provision was regarded as neither desirable nor acceptable.

Pursuant to Article 8 paragraph 1 of the Additional Protocol, requiring that each contracting party apply either both Article 4 and Article 5 or only one of them, the following declaration was drafted:

“The Government of the Slovak Republic declares pursuant to Article 8 paragraph 1 of the Additional Protocol that it applies the provisions of Article 4 only.”

It was not proposed to formulate any reservation or declaration for Article 5 of the Outline Convention<sup>7</sup> since in the government resolution, the reservation to Article 5 was mentioned in paragraph on the Additional Protocol and was not related to the Outline Convention.

On 4 August 1998, the Government adopted Resolution No. 507, whereby it agreed to sign the Outline Convention and the Additional Protocol with the proposed declarations and also changed some dates laid down by Resolution No. 26.

On 7 September 1998, Slovakia, through its permanent representative to the Council of Europe, signed the Outline Convention and Additional Protocol with the above-mentioned declarations.

Following the parliamentary elections in September 1998, the new Slovak Government approved by Resolution No. 72 on 27 January 1999 a proposal of the Interior Minister to sign the Outline Convention and Additional Protocol with a declaration as follows:

“The Slovak Republic declares pursuant to Article 8 paragraph 1 of the Additional Protocol that it applies the provisions of Article 4 only.” (Point B1 of the Resolution).

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<sup>7</sup> Article 5 of the Outline Convention is as follows: “The contracting parties shall consider the advisability of granting to territorial communities or authorities engaging in transfrontier co-operation in accordance with the provisions of their Convention the same facilities as if they were co-operating at national level.”

At the same time, it authorised the Prime Minister to submit both documents to the National Council of the Slovak Republic (“Slovak Parliament”) for approval and recommended the Slovak President to ratify them.

Under point D1 of the Resolution, the Minister of the Interior was given the task of incorporating into the strategy for public administration reform the legislative measures required to implement the provisions of the Outline Convention and Additional Protocol, and to determine which, and to what extent, self-governmental bodies would be authorised to conclude agreements on transfrontier co-operation; under point D5, the Interior Minister was to prepare drafts of agreements on transfrontier co-operation with the governments of Austria, Ukraine, Hungary and the Czech Republic.

So the new government did not recommend the Slovak President to apply the previous government’s declaration on Article 3 paragraph 2 of the Outline Convention, established by the signing of the convention on 7 September 1998, and at the same time it had the Minister of Foreign Affairs annul the declaration with the depositing of the ratification instrument. Such a declaration was redundant since Article 3 paragraph 2 explicitly allows contracting parties the right to regulate transfrontier co-operation of the territorial communities or authorities by concluding inter-state agreements without any declaration.

The redundancy of such a declaration was shown by Slovakia’s recent and current experience and the fact the Slovak Government had already signed an agreement on transfrontier co-operation with the Polish Government, on 18 August 1994, as well as analogous agreements with other neighbouring countries.

On 26 October 1999, the Slovak Parliament through Resolution No. 517 approved ratification of the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities and of the Additional Protocol to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities. They were ratified by the Slovak President on 10 January 2000 and entered into force on 2 May 2000.

The Outline Convention was published in the Collection of Laws of the Slovak Republic as No. 78/2001, part 32, of 15 March 2001, and the Additional Protocol as No. 79/2001, part 33, of 15 March 2001.

### **2.2.1 Legal analysis of the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities and its Additional Protocol**

The legal analysis of the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (hereinafter “outline convention”) and of its Additional Protocol consists of a comparison of the stipulations of both documents.

The goal of this legal analysis is to compare the provisions of these documents with relevant currently valid, legal norms in the Slovak Republic.

The legal analysis is presented in table form in which, in the left column the particular provisions of the conventions are listed, and the relevant provisions of the Slovak laws are listed in the right one; the relevant commentary of particular provisions is under the table.

The stipulations of the Additional protocol are not related to any concrete stipulation in the laws of the Slovak Republic.

In the Slovak Republic, euroregions, with transfrontier co-operation bodies, are established by the conclusion of agreements between the territorial communities or authorities.

Conditions for establishment, legal status, registration and deletion of such interest associations are set out in Article 20f and follow the Civil Code.

<b>Provisions of the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities</b>	<b>Relevant provisions of domestic law</b>
<i>Article 1</i>	
<p>Each Contracting Party undertakes to facilitate and foster transfrontier co-operation between territorial communities or authorities within its jurisdiction and territorial communities or authorities within the jurisdiction of other Contracting Parties. It shall endeavour to promote the conclusion of any agreements and arrangements that may prove necessary for this purpose with due regard to the different constitutional provisions of each party.</p>	<p>Article 3 par. 1, Article 7 of the Act No. 222/1996 Coll. on Organisation of the Local State Administration as Amended            Article 1 par. 3, Article 21 par.1 of the Act No. 369/90 Coll. on Municipalities            Article 5 of the Act No. 302/2001 Coll. on Self-government of the Higher Territorial Units            Ratified Article 10 par. 1 of the European Charter of Local Self-government</p>

<i>Article 2</i>	
<p>1. For the purpose of this Convention, transfrontier co-operation shall mean any concerted action designed to reinforce and foster neighbourly relations between territorial communities or authorities within the jurisdiction of two or more Contracting Parties and the conclusion of any agreement and arrangement necessary for this purpose. Transfrontier co-operation shall take place in the framework of territorial communities' or authorities' powers as defined in domestic law. The scope and nature of such powers shall not be altered by this Convention.</p>	<p>Article 1 par. 4 of the Act No. 222/1996 Coll. on Organisation of the Local State Administration as Amended  Article 1 par. 2 of the Act No. 369/90 Coll. on Municipalities  Article 5 par. 1 to 7 of the Act No. 302/2001 Coll. on Self-government of the Higher Territorial Units  Ratified Article 4 par. 4 of the European Charter of Local Self-government Regulation of the Ministry of Foreign Affairs of the Slovak Republic No. 207/1999 Stipulating the Proceedings of Regional Offices and District Offices by Entering the Relations with the Public Administration Bodies of Other States</p>
<p>2. For the purpose of this Convention, the expression "territorial communities or authorities" shall mean communities, authorities or bodies exercising local and regional functions and regarded as such under the domestic law of each State. However, each Contracting Party may, at the time of signing this Convention or by subsequent notification to the Secretary General of the Council of Europe, name the communities, authorities or bodies, subjects and forms to which it intends to confine the scope of the Convention or which it intends to exclude from its scope.</p>	<p>Article 3 par. 1 of the Act No. 222/1996 Coll. on Organisation of the Local State Administration as Amended  Article 4 par. 3 letter a) to r) of the Act No. 369/90 Coll. on Municipalities  Ratified Article 4 par. 4 of the European Charter of Local Self-government  Regulation of the Ministry of Foreign Affairs of the Slovak Republic No. 207/1999 Stipulating the Proceedings of Regional Offices and District Offices by Entering the Relations with the Public Administration Bodies of Other States</p>
<i>Article 3</i>	
<p>1. For the purpose of this Convention, the Contracting Parties shall, subject to the provisions of Article 2, encourage any initiative by territorial communities or authorities inspired by the outline arrangements between territorial communities and authorities drawn up in the Council of Europe. If they judge necessary</p>	<p>Article 6 par. 3, Article 7 of the Act No. 222/1996 Coll. on Organisation of the Local State Administration as Amended  Article 4 par. 3 letter a) to o), Article 5 par.1 of the Act No. 369/90 Coll. on Municipalities  Article 4, Article 5 of the Act</p>

<p>they may take into consideration the bilateral or multilateral inter-state model agreements drawn up in the Council of Europe and designated to facilitate co-operation between territorial communities or authorities.</p> <p>The arrangements and agreements concluded may be based on the model and outline agreements, statutes and contracts appended to this Convention, numbered 1.1 to 1.5 and 2.1 to 2.6 with whatever changes are required by the particular situation to each Contracting Party. These model and outline agreements, statutes and contracts are intended for guidance only have no treaty value.</p>	<p>No. 302/2001 Coll. on Self-government of the Higher Territorial Units Article 10 par. 1 of the European Charter of Local Self-government Intergovernmental agreements on transfrontier co-operation between the Slovak Republic on one side with Poland, Hungary, Ukraine and the Czech Republic on the other side Regulation of the Ministry of Foreign Affairs of the Slovak Republic No. 207/1999 Stipulating the Proceedings of Regional Offices and District Offices by Entering the Relations with the Public Administration Bodies of Other States</p>
<p>2. If the Contracting Parties deem it necessary to conclude inter-state agreements, these may <i>inter alia</i> establish the context, forms and limits within which territorial communities and authorities concerned with transfrontier co-operation may act. Each arrangement may also stipulate the authorities or bodies to which it applies.</p>	
<p>3. The above provisions shall not prevent the Contracting Parties from having recourse, by common consent, to other forms of transfrontier co-operation. Similarly, the provisions of this Convention should not be interpreted as invalidating existing agreements on co-operation.</p>	
<p>4. Agreements and arrangements shall be concluded with due regard to the jurisdiction provided for by the internal law of each Contracting Party in respect of international relations and general policy and to any rules of control or supervision to which territorial communities or authorities may be subject.</p>	
<p>5. To that end, any Contracting Party may, when signing the present Convention or in a later communication to the Secretary general of the Council of Europe, specify the authorities competent under its domestic law to exercise control or supervision with regard to the territorial communities or authorities concerned.</p>	
<p><i>Article 7</i></p>	
<p>Each Contracting Party shall see to it that the territorial communities or authorities concerned are informed of the means of action open to them under this Convention.</p>	<p>Act no. 211/2000 Coll. on Free Access to Information</p>

## **Article 1**

The legislative provisions in the Slovak Republic related to Article 1 of the Outline Convention enable territorial self-government bodies and local state administration bodies to take part in transfrontier co-operation initiatives.

Listed provisions of the Act on Municipalities and of the European Charter of Local Self-government enable the municipality to associate with other municipalities in order to achieve the common benefit.

For the purpose of transfrontier co-operation, the municipality may, in the scope of their competence, co-operate with the territorial and administrative communities or authorities of other states performing the local powers. It has the right to become a member of the international association of territorial communities or authorities.

Agreement or membership in the international association cannot be in contradiction with the Constitution of the Slovak Republic, the constitutional acts, acts and international treaties binding the Slovak Republic, nor can it be in contradiction with the public interest.

After establishment of the second tier of self-government, the self-governmental regions, in the Slovak Republic in the year 2001, the scope for co-operation with territorial and administrative units or authorities of other states performing regional functions was introduced. A self-governmental region has the right to become a member of an international association of territorial communities or authorities. The co-operation is implemented only on the basis of an agreement on co-operation.

The listed provisions of the Act on Municipalities and the Act on Self-government of the Higher Territorial Units enable municipalities and self-governmental regions to participate in transfrontier structures, for example euroregions.

## **Article 2 paragraph 1**

“...transfrontier co-operation shall mean any concerted action designed to reinforce and foster neighbourly relations...”. Under Slovak legislation, the right of the municipality as well as the self-governmental region to co-operate with the territorial communities or authorities of neighbouring states was already law.

## **Article 2 paragraph 2**

In Slovak legislation, the expression “territorial communities or authorities” means municipalities, self-governmental regions, regional offices and district offices which can, in the scope of their competence, engage in transfrontier co-operation.

### **Article 3 paragraph 1, 2**

The Slovak Republic, following Government Resolution No. 42/99, authorised the Minister of Interior to draft agreements on transfrontier co-operation with all neighbouring countries. To date, such agreements have been concluded with the governments of the Republic of Poland (signed on 18 August 1994), the Czech Republic (signed on 2 November 2000), the Republic of Hungary (signed on 23 April 2001) and with Ukraine (signed on 5 December 2000). The Outline Treaty between the Slovak Republic and the Republic of Austria on Transfrontier Co-operation between Territorial Communities or Authorities was also signed (25 October 2003) and came into force on 1 September 2004.

### **Article 3 paragraph 4**

Agreements are concluded in accordance with domestic law. If the legal conditions are not fulfilled, the Regional Office may invoke the obligation of the duty to terminate the agreement in court or withdraw its membership from the international associations of the territorial communities or authorities.

### **Article 7**

Territorial communities or authorities concerned apply by providing of information the Act no. 211/2000 Coll. on Free Access to Information.

## **2.3 Protocol No. 2 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities**

Although the Outline Convention and Additional Protocol do not explicitly limit transfrontier co-operation to neighbouring territorial communities or authorities, neither do they explicitly state that they apply to non-neighbouring subjects. In response to the increasing co-operation between non-neighbouring subjects, a new document of the Council of Europe was opened for signature on 5 May 1998: Protocol No. 2 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning the interterritorial co-operation, (hereinafter referred to as “Protocol No. 2”).

Protocol No. 2 concerns co-operation between territorial communities or authorities exercising the local and regional powers, which in the Slovak Republic means municipalities and their associations, self-governmental regions, regional offices and district offices. Article 2, paragraph 1 of Protocol No. 2 states that the territorial communities or authorities are defined pursuant to the Article 2 of the Outline Convention, paragraph 1, which reads that “territorial communities or authorities shall mean communities, authorities or bodies exercising local and regional functions”.

For those municipalities, their associations and other territorial and administrative units of the Slovak Republic which have long been engaged in transfrontier co-operation with non-neighbouring counterparts, the signing and ratifying of Protocol No. 2 confirmed the legitimacy of such co-operation.

Pursuant to Article 7, no reservations are allowed to Protocol No. 2, with the exception of reservations to ratification, stated explicitly in Article 8 paragraph 1 b), regarding ways by which a state may express its intention to apply Protocol No. 2. The Slovak Republic expressed such a reservation to ratification when signing Protocol No. 2. Prior to ratification, Protocol No. 2 was submitted to the Slovak Parliament for acceptance.

Pursuant to Article 6, paragraph 1, the state has the right to declare when signing or ratifying Protocol No. 2 whether it will apply pursuant to Article 4 the provisions of both Articles 4 and 5 or only one of the articles. In accordance with the declaration made at the signing of the Additional Protocol, and with the aim of harmonising Slovak law with both protocols, the following declaration was made:

“The Government of the Slovak Republic, referring to Article 6, paragraph 1 of Protocol No. 2, and Article 8 paragraph 1 of the Additional Protocol to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities, declares that with regard to Protocol No. 2 it shall apply only Article 4.”

The Parliament of the Slovak Republic approved ratification of Protocol No. 2 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning inter-territorial co-operation in Resolution No. 902 issued on 15 June 2000. The document was ratified by the President of the Slovak Republic on 15 October 2000. It came into force on 1 February 2001 and was published in the Collection of Laws of the Slovak Republic as No. 116/2001, part 47, of 30 March 2001.

## **2.4 European Charter of Local Self-government**

The European Charter of Local Self-Government (hereinafter referred to as “the Charter”) was opened for signature on 15 October 1985. Pursuant to Article 15, paragraph 3, it came to force in the Slovak Republic on 1 June 2000 and was published in the Collection of Laws as No. 336/2000, part 138, of 19 October 2000.



It should be noted that in ratifying the Charter, Slovakia, unlike many other states, did not restrict the scope of the Charter to certain categories of local or regional bodies, nor did it restrict the scope to certain territories. Therefore the Charter applies to all local bodies throughout the territory of the state.

In co-operation with the Council of Europe and with financial support from the Government of the Republic of Ireland, the Ministry of the Interior of the Slovak Republic organised a conference on problems related to implementation of the Charter, which produced a detailed discussion on the constitutional and legal bases of local self-governments.

From the provisions of Article 10 of the Charter, related to transfrontier co-operation and international associating of local authorities, the Slovak Republic applied only paragraph 1. Pursuant to this, local bodies may, to the extent allowed by law and in the performance of their duties, co-operate with local bodies of other states in order to fulfil tasks of common interest.

The Slovak Republic did not commit itself to applying paragraph 2, pursuant to which each state shall respect the right of local authorities to join either an association for the protection and development of their common interests, or the international association of local authorities. Nor did it apply paragraph 3, pursuant to which local authorities have the right to co-operate, under conditions which may be defined by law, with local authorities of other states.

Additional commitments of the Slovak Republic in relation to the Charter require amendments to legislation. Regarding the fact that the Charter aims for long term enlargement of territorial self-governmental competences (which in Slovakia should occur within decentralisation of public administration), the Parliament of the Slovak Republic approved Act No. 453 on 2 October 2001, amending Act No. 369/90 on Municipalities, which in Section 21 (1) states that a municipality may within the scope of its competences co-operate with the foreign territorial and administrative units or authorities performing local functions. Such an authority may join an international association of territorial communities or authorities.

Within decentralisation and modernisation of public administration, which includes legislative changes to the system of territorial self-government (especially the substantial enlargement of municipal competences, the Slovak Republic fulfils the conditions for applying Article 10, paragraphs 2 and 3, established by the amendment of Act No. 369/90 on Municipalities.

Deepening of the principle of self-governmental management of public affairs is of great importance for transfrontier co-operation, since it provides for greater development of modern civil society and made a significant contribution to the process of accession to the European Union.

### 2.4.1 Legal analysis of the European Charter of Local Self-government

The European Charter of Local Self-Government is the first multilateral legal document which defines and protects the principles of local self-government and adheres to the principle of subsidiarity. It is a pillar of democracy, the protection and development of which is the main goal of the Council of Europe. Decentralisation of public administration is a key condition for the Slovak Republic to apply further provisions of the Charter.

The process of reform in Slovakia has already achieved positive results in many areas, notably in the transfer of competences to municipalities and in the legal regulation of the transfer of competences from bodies of local state administration to bodies of territorial self-government.

The amendment to the Act on Municipalities also contributed to the fulfilment of further provisions of the Charter.

Regarding systemic changes made in the area of transfrontier co-operation between territorial self-governmental authorities of the Slovak Republic and self-governmental authorities of neighbouring states, the following provisions of domestic law apply:

<b>Provisions of the European Charter of Local Self-government</b>	<b>Relevant provisions of domestic law</b>
<i>Article 10</i>	
<i>Local Authorities' Right to Associate</i>	
1. Local authorities shall be entitled, in exercising their powers, to co-operate and, within the framework of the law, to form consortia with other local authorities in order to carry out tasks of common interest.	Article 66 of the Constitution of the Slovak Republic Article 1 para 3, Article 20, Article 21 of the Act No. 369/90 Coll. on Municipalities

<p>2. The entitlement of local authorities to belong to an association for the protection and promotion of their common interests and to belong to an international association of local authorities shall be recognised in each State.</p>	<p>Article 66 of the Constitution of the Slovak Republic Article 1 para 3, Article 20, Article 21 of the Act No. 369/90 Coll. on Municipalities</p>
<p>3. Local authorities shall be entitled, under such conditions as may be provided by the law, to co-operate with their counterparts in other States.</p>	<p>Article 66 of the Constitution of the Slovak Republic Article 20f to Article 20j of the Civil Code Article 1 para 3, Article 20, Article 21 of the Act No. 369/90 Coll. on Municipalities</p>

### **Article 10 paragraph 1**

Provisions in Slovak law related to the Article 10 paragraph 1 allow a municipality to associate with other municipalities for the purpose of common benefit.

Municipalities may co-operate on the basis of an agreement to implement a particular project or activity or to establish an association of municipalities.

### **Article 10 paragraph 2**

Under the amendment to the Act on Municipalities, municipalities may join an international association of territorial communities or authorities.

### **Article 10 paragraph 3**

Self-governmental bodies in the Slovak Republic may, to the extent allowed by law, co-operate with foreign territorial and self-governmental communities or authorities exercising powers at the local level.

## **2.5 International support for creation of a legal environment for transfrontier co-operation**

### **2.5.1 Council of Europe**

Since 1998, successive Slovak governments have responded positively and with political will to the Council of Europe's programme of activities for supporting dialogue and transfrontier co-operation at the local and regional level.

The first International Conference of the Council of Europe on Slovak-Czech Transfrontier Co-operation was held in 1999 and was followed by bilateral conferences between Slovakia and, respectively, neighbouring countries Hungary, Poland, Austria and Ukraine. The five conferences were judged by all

sides to be an important step in the development of mutual co-operation. Despite different viewpoints of particular countries, and also despite legal and administrative barriers, solutions have gradually been initiated and proposals of local and regional bodies for developing transfrontier co-operation have been supported by both the President and the Government of Slovakia. In this regard, the International Conference on Transfrontier Co-operation between Slovakia and its Neighbours was held in June 2003, under the auspices of Slovak President Rudolf Schuster. Attended by representatives from the Council of Europe, from the governments of Slovakia, the Czech Republic, Poland, Hungary, Austria, and Ukraine, and ambassadors of neighbouring states, the Conference evaluated recent achievements of transfrontier co-operation and outlined possibilities for further co-operation in a unified Europe.

The Council of Europe has provided invaluable legal and technical assistance to the Ministry of the Interior of the Slovak Republic, not only for the signing of European documents which support the development of transfrontier co-operation between territorial communities or authorities, but also for their incorporation into Slovakia's legislative framework.

The resulting documents are as follows:

<b>Document. Number.</b>	<b>Gov OK to sign</b>	<b>Signed for SR</b>	<b>Gov OK to ratify</b>	<b>OK of NC of SR with ratification</b>	<b>Ratification by the President of SR</b>	<b>Overhand of ratification</b>	<b>in force</b>	<b>Publish in Laws of SR</b>
European Charter of Local Self-government ETS 122 15.10 1985	Resol. No. 97 from 3 2 1999	23.2 1999	Resol. No. 453 from 2 6.1.9 99	Resol. No.516 from 26.10.1 999		1.2.2000	1.6. 2000	No. 336/20 00 from 19 10 2000
European Outline Convention on Transfrontier Co-operation between Local Communities or Authorities ETS 106 21.5.1980	Resol. No. 507 from 4 8 1998	7. 9 1998	Resol. No. 72 from 27.1.1 999	Resol. No. 517 from 26.10.1 999	10.1.2000	1.2.2000	2.5. 2000	No. 78/200 1 from 15.3 2001

Additional Protocol to European Outline Convention on Transfrontier Co-operation between Local Communities or Authorities ETS 159 9.11.1995	Resol. No. 507 from 4 8 1998	7. 9 1998	Resol. No. 72 from 27.1.1 999	Resol. No. 517 from 26.10.1 999	10.12.2000	1.2.2000	2.5. 2000	No. 79/200 1 from 15.3. 2001
Protocol No.2 to European Outline Convention on Transfrontier Co-operation between Local Communities or Authorities ETS 169 5.5.1998	Resol. No. 1029 from 25 11 1999	1. 2 2000	Resol. No. 1029 from 25.11 1999	Resol. No. 902 from 15.6.20 00	15.10.2000	31 10 2000	1 2 2001	No. 116/20 01 from 30.3. 2001

**Bilateral conferences of the Council of Europe on transfrontier co-operation** represented a significant milestone in the long-term process of establishing mutual understanding between Slovakia and its neighbours. They respected the identity of each side and also the character of bilateral co-operation - whether it concerned a European Union member state or a European Union candidate.

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**The Conference on Slovak-Czech Transfrontier Co-operation** was the first such conference. Held on 22 June 1999 in Strážnice in the Czech Republic, and on 23 June 1999 in Skalica in the Slovak Republic, it was attended by the Slovak Minister of Interior Ladislav Pittner, Czech Minister for Regional Development Jaromír Císař, experts from the Council of Europe, and other prominent representatives from social and public life.

Minister Pittner stated at the conference that there remained close cultural and economic relations between municipalities in Moravia (Czech Republic), Lower Austria, and Záhorie (Slovakia), which had not been interrupted by either the fall of the Iron Curtain or the partition of the Czechoslovak Federal Republic. He noted also the historically favourable conditions for developing co-operation in culture, tourism, and business.

Today we can say that the consequences of establishing the Czech and Slovak republics have begun to emerge in these border areas in particular. With assistance from the Council of Europe, co-operation between these countries was intensified and all levels of social life were improved as a result.

The main points of the Conference were as follows:

- The Slovak and Czech governments were congratulated on their respective implementation of the Outline Convention and the Additional Protocol as significant international documents that guarantee appropriate legal and administrative grounds for transfrontier co-operation at both local and regional level. At the same time, Slovakia said it would adopt appropriate legislative measures within public administration reform in order to implement the principles and criteria resulting from these documents.

- It was recommended that the Slovak and Czech governments conclude an intergovernmental agreement on transfrontier co-operation and establish a common intergovernmental commission for transfrontier co-operation.

The Agreement between the Government of the Slovak Republic and the Government of the Czech Republic on Transfrontier Co-operation was concluded on 2 November 2000 and came into effect on 19 January 2001. This Convention includes more demanding forms of co-operation in the fields of regional development, environmental protection, transport, health care, employment, bilateral assistance in the event of natural disasters and other emergencies, crime prevention, and other areas. It serves as a complementary instrument intended to improve mutual trust and good neighbourly relations at local level.

The Slovak-Czech Intergovernmental Commission for Transfrontier Co-operation was established on 5 March 2002 with the task of implementing the Agreement, promoting Slovak-Czech transfrontier co-operation, and improving the lives of citizens in border areas.

- The Conference welcomed the foundation of the Regional Association “Pomoravie/Pomoraví” and called on the central state administration authorities of both countries to promote the establishment of other euroregions.

By June 2003, the following euroregions had been established across the Slovak-Czech border:

- Slovak-Czech-Austrian Euroregion *Pomoravie-Záhorie-Weinviertel*, which comprises the districts of Malacky, Senica (both Slovakia), Břeclav, Brno (and environs), Hodonín, Znojmo, Gänsedorf, Mistelbach, Hollabrunn and Korneuburg;

- Slovak-Czech Euroregion *Bílé-Biele Karpaty* in the territory of regions Trenčín (Slovakia) and Zlín;

- Slovak-Czech-Polish Euroregion *Beskydy*, which comprises cities and municipalities in regions Žilina (Slovakia), Frýdek-Místek and Bielsko-Biała.

It is through euroregions that Slovak-Czech transfrontier co-operation is most efficiently developed at regional and local level. Participants focus on economy, infrastructure, and socio-economic relations, while helping improve recognition of, and relations between, citizens living on either side of the border.

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**The Conference on Slovak-Hungarian Transfrontier Co-operation** took place on 28 September 1999, in Salgótarján, Hungary and on 29 September 1999 in Lučenec in the Slovak Republic.

Participants included Pál Csáky, the Slovak Deputy Prime Minister, Peter Magvaši, the Slovak Minister of Labour, Social Affairs and Family, Jaroslav Šumný, General Director of the Slovak National Labour Office, Pinter Sandor, the Hungarian Minister of Interior, and representatives of the Council of Europe, regional self-government, non-governmental organisations and central and local state administration authorities. It was stated that the various forms of Slovak-Hungarian co-operation carried out by Slovak regional offices as state administration authorities (self-governing higher territorial units had not yet been established) and Hungarian regions, represented a sound basis for the progression of Slovakia and Hungary within the European integration processes. Extensive and thematically heterogeneous co-operation was developed between the Regional Office in Banská Bystrica and the regions of Nógrád and Borsód-Abaúj-Zemplén; the Regional Office in Nitra and the regions of Komárom-Esztergom, Nógrád, Pest and Győr-Moson-Soprony; the Regional Office in Košice and the region of Borsód-Abaúj-Zemplén, and the Regional Office in Bratislava and the region of Győr-Moson-Soprony.

The main points of the Conference were as follows:

- It was recommended that the Slovak and Hungarian governments conclude an intergovernmental agreement to support transfrontier co-operation pursuant to the Outline Convention and establish a Slovak-Hungarian intergovernmental commission to support transfrontier co-operation.

The Agreement between the Governments of the Slovak Republic and the Republic of Hungary on Transfrontier Co-operation was concluded on 23 April 2001 and came into effect on 28 October 2001.

- The Conference welcomed the establishment of Euroregion Ipeľ-Ipoly and Euroregion Váh-Dunaj-Ipeľ and called on the central state administrations to promote the establishment of other euroregions aimed at providing bilateral assistance and co-operation across state borders pursuant to European documents. By 30 June 2003, the following euroregions had been established across the Slovak-Hungarian border: *Váh-Dunaj-Ipeľ*, *Neogradensis*, *Slaná-Rimava*, *Podunajský trojspolok*, *Kras*, and *Ipeľ-Ipoly*.

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**The Conference on Slovak-Polish Transfrontier Co-operation** took place on 29 May 2000 in Dolný Kubín in the Slovak Republic and on 30 May 2000 in Szczawnica in Poland, under the auspices of Slovak President Rudolf Schuster and Polish President Aleksander Kwaśniewsky. Representing the Council of Europe was Mr Philip Blair, the Director of the Directorate of Co-operation for Local and Regional Democracy.

The main points of the Conference were as follows:

- The participants were pleased to learn that legal possibilities related to Slovak-Polish transfrontier and interterritorial co-operation had been greatly improved as a result of Poland and Slovakia having ratified the Outline Convention in 1993 and 2000 respectively, and by Slovakia's ratification of Additional Protocol No. 2, which came into force on 1 February 2001.

- Support was expressed for the creation of self-governing structures in the Slovak Republic as proposed by the Slovak Government, since this would provide for improved transfrontier and inter-regional co-operation.

Within the decentralisation of public administration in Slovakia, self-governing higher territorial units were established on 4 July 2001 under Act No. 302, which allows for them to join an international association of territorial units or territorial authorities.

- The Conference acknowledged the activity carried out by Euroregion *Tatry* and *Carpathian* Euroregion; it welcomed the full membership of Slovakia into the *Carpathian* Euroregion as of 6 July 1999, and expressed pleasure at the establishment of *Beskydy* as the third euroregion on the Slovak-Polish border.

- It was recommended that local and regional authorities on both sides of the border propose projects to support the co-operation promoted by the European Union under the PHARE CBC Programme for the Slovak Republic – Poland from 2000 to 2002.

Since 2000, the European Union has earmarked EUR 4 million annually for each side of the Slovak-Polish transfrontier co-operation.

- Relevant authorities of the state administration, regional self-government and private sector were urged to support efforts of the Slovak Republic and Poland related to the European Union accession process.

In a referendum on European Union entry held in May 2003, over 92% of voters supported accession, demonstrating the extent to which Slovaks desire integration into the family of advanced European democracies.

- Participants committed themselves to further supporting the policy followed by the Council of Europe and greatly appreciated the support for the Conference given by Slovak President Rudolf Schuster and Polish President Aleksander Kwaśniewsky.

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**The Conference on Slovak-Austrian Transfrontier Co-operation** took place on 24 October 2001 in Piešťany in the Slovak Republic and on 25 October 2001 in Baden bei Wien in Austria, under the auspices of Slovak President Rudolf Schuster and Austrian President Thomas Kleistil. Representing the Council of Europe was Alfonso Zardi, Head of the Department of Local Government and Transfrontier Co-operation.

Slovakia's Ministry of the Interior State Secretary Ivan Budiak said in his address that bilateral co-operation between Slovakia, a European Union candidate state, and Austria, an EU member state, would help accelerate Slovakia's accession to the EU through the possibility of exchanging information and experience from the Austria's accession process. It would also provide a unique preparation for future, successful co-operation within the European Union.

The main points of the Conference were as follows:

- The participants expressed pleasure that bilateral co-operation between Slovakia and Austria, as well as the co-operation within the Regional Partnership, was developing intensively and that the Austrian side was actively promoting the accession of Slovakia to the European Union.
- It was recommended that the governments of Slovakia and Austria conclude an agreement on transfrontier co-operation between territorial communities or authorities pursuant to European documents.

On 21 May 2003, the draft Outline Agreement between the Government of the Slovak Republic and the Government Austria on Transfrontier Co-operation was discussed by the Slovak Cabinet and approved under Resolution No. 382.

- It was agreed to further support transfrontier co-operation by using programmes of the European Union, specifically, INTERREG and PHARE CBC.

Since 2000, the European Union has earmarked EUR 6 million annually for each side of the Slovak-Austrian transfrontier co-operation.

- The Council of Europe was asked to continue promoting transfrontier co-operation between Slovakia and Austria in the form of organised conferences, study visits and transfrontier meetings and to keep providing technical support and consultancy in the processing of legal instruments required for transfrontier co-operation.

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**The Conference on Slovak-Ukrainian Transfrontier Co-operation** took place on 30 May 2002 in Michalovce - Zemplínska Šírava in the Slovak Republic and on 31 May 2002 in Užhorod in the Ukraine, under the auspices of Slovak President Rudolf Schuster and Ukrainian President Leonid Kučma. The participants included Jurij Rylač, the Ukrainian Ambassador to Slovakia, Vasil

Grivna, the Slovak Ambassador to Ukraine, and Alfonso Zardi, Head of the Department of Local Government and Transfrontier Co-operation of the Council of Europe.

Slovakia's Ministry of the Interior, State Secretary Ivan Budiak said in his address that he was pleased the Conference had been included in the Council of Europe's programme for 2002. He highlighted the successful development of Slovak-Ukrainian relations, saying this was a priority of Slovak foreign policy and in the interest of Slovak citizens.

Ukraine has a special significance for Slovakia in that it shares traditional social and cultural relations and similarities in language and religion. Besides each country having a minority population of the other, they also have a shared historical experiences and their road towards independence has created conditions for continuous mutual understanding and expansive opportunities for co-operation.

The main points of the Conference were as follows:

- Ukraine was supported in its desire to join European structures pursuant to the Common Strategy of the European Union in relation to Ukraine.
- The governments of the Slovak Republic and Ukraine were called on to establish a common Slovak-Ukrainian Intergovernmental Commission for Transfrontier Co-operation pursuant to both the Slovak-Ukrainian Intergovernmental Agreement on Transfrontier Co-operation and European documents.

The Slovak-Ukrainian Working Group for Transfrontier Co-operation was established on 7 March 2003 in Michalovce in the Slovak Republic, under the Slovak-Ukrainian Intergovernmental Commission for Trade-Economic and Scientific-Technical Co-operation.

- It was recommended that the relevant legislative, technical and administrative measures be taken to allow the citizens of municipalities and cities divided by the border to cross the border near their residence.
- Regarding the upcoming enlargement of the European Union and the potential cessation of the PHARE programme on the Slovak-Ukrainian border, the participants called on the European Commission to continue supporting the transfrontier co-operation and to provide a gradual transition towards its funding under the European Union programmes INTERREG III and TACIS.

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The historically important **International Conference of the Council of Europe on Transfrontier Co-operation** with all of the neighbouring countries **Slovakia and Its Neighbours**, held under the auspices of the President of the

Slovak Republic, started in the presidential palace in Bratislava by the ceremonial audience by H.E. Rudolf Schuster with the participation of the representatives of the Council of Europe, heads of delegations and ambassadors of the neighbouring states, representatives of the Association of European Border Regions, Permanent Representative of the Slovak Republic to the Council of Europe Anna Lamper, Minister of Interior of the Slovak Republic Vladimír Palko and State Secretary of the Ministry of the Interior of the Slovak Republic Martin Pado on 12 June 2003.

The international concluding conference of the Council of Europe was organised in Piešťany in Slovakia from 12 to 13 June 2003, immediately after the successful May referendum on access of Slovakia to the European Union. The conference was the culmination of several years work of the Ministry of the Interior of the Slovak Republic in a series of bilateral conferences with all Slovak neighbours, as part of the transfrontier co-operation programme of the Council of Europe, and with its substantial support.

The Piešťany conference, supported by the participation of the Vice Prime Minister of the Slovak Republic Pál Csáky, ambassadors of the neighbouring states as well as the Permanent Representative of the Slovak Republic to the Council of Europe, by the chairmen of the intergovernmental commissions for transfrontier co-operation – state secretaries and deputy ministers of the Slovak Republic, the Czech Republic, the Republic of Poland, the Republic of Hungary, the Republic of Austria and Ukraine, Head of Department of Local Self-government and Transfrontier Co-operation of the Council of Europe, Secretary General of the Association of European Border Regions, and numerous representatives of the self-governmental and state administration authorities, started a new chapter in the history of Slovakia and its neighbours in the integrating Europe.

The participants at the International Conference of the Council of Europe on Transfrontier Co-operation Slovakia and Its Neighbours and others striving to strengthen co-operation with border regions of the Member State of the European Union (Austria), border regions of the Candidate States (Czech Republic, Poland, Hungary) as well as border regions on the outside border of the future union (Ukraine):

- were pleased to state that bilateral co-operation between the Slovak Republic and its neighbours is developing in the sense of the European Outline Convention on Transfrontier Co-operation between Territorial Authorities or Communities ratified by all of the states participating at the conference – and Additional Protocol to the Outline Convention ratified only by the Slovak Republic,

- agreed that the good basis for natural development of transfrontier co-operation is laid down in the intergovernmental agreements concluded with all neighbouring states, except Austria (*Outline Treaty between the Slovak Republic and the Republic of Austria on Transfrontier Co-operation between Territorial Communities or Authorities was signed on 25 October 2003 in Bratislava and came into force on 1 September 2004*) and in the effective functioning of the intergovernmental commissions on transfrontier co-operation with the Czech Republic, Poland and Ukraine,
- supported the desire of Ukraine to integrate into the European structures following the common strategy of the European Union towards Ukraine and will maximally use the possibilities provided by the European structures to both states and will create, in the frame of the Schengen rules, the adequate measures relieving the crossing of the state borders for the local population of both states,
- address their wish to the Council of Europe to continue its activities, and keep serving as a forum for discussions over issues of common interest in local and regional democracy and at the development of legal framework for cross-border co-operation.

For the benefit of transfrontier co-operation and to support the success of the future of the new Member States of the European Union, it is necessary to enhance and further develop closer co-operation between the regions. This important task could be discussed at the international conference of the Council of Europe “Transfrontier Co-operation in Carpathian Euroregion” in 2005 on Slovak and Ukrainian territory.

The Council of Europe and the Ministry of the Interior of the Slovak Republic issued a Conference Volume with the presentations delivered at the International Conference of the Council of Europe on Transfrontier Co-operation “Slovakia and Its Neighbours”. Together with the publishing house Borgis, they issued a publication “Slovakia and Its Neighbours”.

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On 11 June 2003, on the eve of the International Conference of the Council of Europe on Transfrontier Co-operation “Slovakia and Its Neighbours” and in its framework, a seminary for the representatives of the euroregions from the border regions between Slovakia and its neighbours had been organised.

Alfonso Zardi, Head of the Department of Local Government and Transfrontier Co-operation of the Directorate General for Legal Affairs of the Council of Europe stated at the seminary that “Euroregions are a welcomed direction of development of the institutionalised co-operation on the level of territorial authorities and communities; they are encouragement for the development on the local level, providing the new impulses for the local communities creating

new bridges in business, investments and development of the human resources. It is very important that the internal legislation support their establishment and development as well as to conclude the relevant intergovernmental agreements so that they can use properly the adequate sources. Up to now, only Slovakia ratified the Additional Protocol to the Madrid Convention (European Outline Convention on Transfrontier Co-operation between Territorial Authorities or Communities), which stipulate the rules for acceptance of the legal personality of Euroregions as well as validity of their decisions. Therefore, one of the messages of the seminary is to consider the reasons of such a small number of ratifications of the Additional Protocol”.

Jens Gabbe, Secretary General of the Association of European Border Regions, in his presentation delivered at the seminary pointed out the necessity of creating of the legal framework for transfrontier co-operation on regional level (quoting the document “Cross-border co-operation as an European task and political goal of the European Union”). At the same time he informed that the Association of European Border Regions proposed to include into the European Constitution a separate Article dealing with transfrontier/trans-European co-operation. In practise, it means to use the commitment of the Member States and of the EU to enable development of regional co-operation on both internal and external borders; to provide the appropriate legal tools for transfrontier/trans-European co-operation in a form of a European Regulation.

In addition to others, the participants of the seminary in the adopted **Memorandum of Euroregions:**

- stated that there are large differences in the competences, duties and power of decisions of the euroregions from neighbouring countries resulting from their internal legislation. It is not considered as an obstacle, but more as an impulse to harmonise the legal systems.
  - address their wish to the Council of Europe to prepare the “Euroregional Model Statute” in the form of an annex to the Madrid Convention or in the form of its Third Protocol,
  - express their readiness to strengthen the euroregions with the substantial role of the local and regional self-governments, not only by support of the democratic values, but also by implementation of their policies. The key principles being the partnership and subsidiarity.
- Participants of the seminary express their conviction that Slovakia, its neighbours and euroregions are ready to fulfil these important tasks, thus establishing the common European house.

## 2.5.2 Association of European Border Regions (AEBR)

**Slovakia's Ministry of the Interior and the Association of the European Border Regions (AEBR)** contributed significantly to the development of good neighbourly relations throughout the programme LACE - PHARE CBC, which provided invaluable help to both regions along the Slovak border and related euroregions, and also supported representatives of the state administration in the following ways:

- In December 1999, in Bratislava, a workshop was held on programmes and projects of transfrontier co-operation for Slovak regional border associations;
- In July 2000, at the first Conference held in Štrbské Pleso, advice was given on the preparation of projects for Slovak border regions and their Czech, Polish, Hungarian, Austrian and Ukrainian neighbours;
- On 26 October 2000, in Košice, an educational workshop was held on the subject of the Slovak-Hungarian border regions; on 27 October 2000, in Rimavská Sobota, the Office of Euroregion *Slaná-Rimava* was opened.

Publication of the LACE - PHARE CBC Practical Guide and Assessment Report on Slovakia/Poland, Slovakia/Hungary, Slovakia/Austria and Slovakia/Czech Republic proved extremely useful. It contributed to the practical activity of border regions and euroregions, and summed up the experiences of Western European countries from euroregions. This inspired local authorities to find more practical ways of developing cross-border co-operation.

Special mention should be made of the working trips of AEBR members to Záhorská Ves and Moravský Svätý Ján in December 1999, to the Slovak-Polish Euroregion *Tatry* in July 2000, and to the newly established Slovak-Hungarian Euroregion *Slaná-Rimava* in October 2000. The personal participation of AEBR experts in co-operation with regional experts preparing and implementing cross-border co-operation programmes was a significant event for all those involved.

<b>Euroregion</b>	<b>AEBR member since</b>
Tatry	1996
Bílé-Biele Karpaty	2000
Carpathian Euroregion	1997

## 2.6 Intergovernmental agreements on transfrontier co-operation

From the outset of European integration, experience gained by Council of Europe member states in developing transfrontier co-operation was of great

significance and helped strengthen territorial and administrative units in border regions. At the same time, it became increasingly necessary to frame this co-operation in the form of inter-state agreements on transfrontier co-operation.

On 18 August 1994, the Agreement between the Government of the Slovak Republic and the Government of the Republic of Poland on Transfrontier Co-operation was signed, becoming the first governmental level agreement pursuant to the Outline Convention

Pursuant to the International Treaty Principles of the Government of the Slovak Republic, approved under Government Resolution No. 615 of 26 August 1997, and pursuant to both Government Resolution No. 74/1999 and the Outline Convention, the Interior Ministry prepared drafts of agreements on transfrontier co-operation with the Czech Republic, Hungary, Ukraine and Austria and submitted them to each side in August 1999.

International treaties and agreements, concluded nowadays with all of the neighbouring countries, created the legal framework necessary to enhance transfrontier co-operation.

### **Intergovernmental agreements and Intergovernmental Commissions of Slovakia and its neighbours**

<b>Document</b>	<b>Signed</b>	<b>Came into force</b>	<b>Published in the Collection of Laws of SR</b>
Agreement between the Government of the Slovak Republic and the Government of the Republic of Poland on Transfrontier Co-operation	18 August 1994	19 January 1995	No. 44/1995 Coll.part 18 from 6.3.1995
Agreement between the Government of the Slovak Republic and the Government of the Czech Republic on Transfrontier Co-operation	2 November 2000	19 January 2001	No. 164/2001 Coll.part 70 from 5.5.2001
Agreement between the Government of the Slovak Republic and the Cabinet of Ministers of Ukraine on Transfrontier Co-operation	5 December 2000	29 January 2001	No. 172/2001 Coll. part 172 from 12.5.2001
Agreement between the Government of the Slovak Republic and the Government of the Republic of Hungary on Transfrontier Co-operation between Territorial Communities or Authorities	23 April 2001	28 October 2001	No. 4/2002 Coll.part 3 from 11.1.2002

Outline Treaty between the Slovak Republic and the Republic of Austria on Transfrontier Co-operation between Territorial Communities or Authorities	25 October 2003	1 September 2004	No. 407/2004 Coll. part 175 from 21.7.2004
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<b>Commission</b>	<b>1st meeting</b>	<b>Locality</b>
Slovak – Polish Intergovernmental Commission for Transfrontier Co-operation	5 - 6 September 1996	Republic of Poland Rytko
Slovak – Czech Intergovernmental Commission for Transfrontier Co-operation	5 March 2002	Slovak Republic Stará Turá
Slovak – Ukrainian Working Group for Transfrontier Co-operation in the framework of the Intergovernmental Commission for Trade-economical and Scientific-technical Co-operation between the Slovak Republic and Ukraine	7 March 2003	Slovak Republic Michalovce
Slovak-Ukrainian Intergovernmental Commission for Transfrontier Co-operation	6 May 2004	Slovak Republic Zemplínska Šírava
Slovak – Hungarian Intergovernmental Commission for Transfrontier Co-operation	in preparation	-

### **2.6.1 Agreement between the Government of the Slovak Republic and the Government of the Republic of Poland on Transfrontier Co-operation**

The Agreement between the Government of the Slovak Republic and the Government of the Republic of Poland on Transfrontier Co-operation was signed in Warsaw on 18 August 1994 and entered into force on 19 January 1995. It is published in Slovakia's Collection of Laws as No. 44/1995, part 18, of 6 March 1995.

The Agreement provides a legislative framework for developing co-operation and improving relations between the state administration authorities and local self-governments in border areas of the Slovak Republic and Poland, as well as promoting personal contacts between citizens, local associations, institutions and social organisations. This co-operation is focused on the economic, social, cultural, scientific and tourist development of border areas.

In order to support best possible co-operation between authorities of the local state administration and self-government, the Contracting Parties established, pursuant to Article 7 of the Agreement, the Slovak-Polish Intergovernmental Commission for Transfrontier Co-operation. Its role is to examine and deal with issues related to the common interests of the respective authorities. It determines all areas and forms of transfrontier co-operation, co-ordinates programmes,



makes recommendations on decisions by joint co-ordinating authorities of the state administration and self-government, and promotes contact between state and non-state subjects of both countries.

The statute of the Slovak-Polish Intergovernmental Commission on Transfrontier Co-operation follows the intergovernmental agreement.

Pursuant to the Slovak Government's Resolution No. 410/96 point B 7, the Commission held its first meeting on 5 – 6 September 1996 in Rytro, Poland, and unanimously approved and signed its Statute and directives on main activities. The membership of the Commission is shown in the table below: The Slovak-Polish Intergovernmental Commission for Transfrontier Co-operation consists of:

	<b>Slovak part</b>	<b>Polish part</b>
<b>Chairman</b>	State Secretary of the Ministry of the Interior of the SR	State Secretary of the Ministry of the Interior and Public Administration of the RP
<b>Vice-chairman</b>	International Economic Co-operation Department, Ministry of Foreign Affairs of the SR	European Integration and International Co-operation Department, Ministry of the Interior and Public Administration of the RP
<b>Executive Secretary</b>	Public Administration Section, Ministry of the Interior of the SR	European Integration and International Co-operation Department, Ministry of the Interior and Public Administration of the RP
<b>Heads of Working Groups for:</b>		
<b>the Co-ordination of the Development of the Border Regions</b>	Regional Policy Section, Ministry of Construction and Regional Development of the SR	Governmental Centre of Strategic Studies
<b>the Border Crossings and the Transport</b>	Border and Foreign Police Office, Presidency of the Police Forces, Ministry of the Interior of the SR	Border Administration, Commandership of the Frontier-Guard of the RP
<b>the Economic Co-operation</b>	International Economic Co-operation Department, Ministry of Foreign Affairs of the SR	International Bilateral Co-operation Department, Ministry of Economy, Labour and Social Policy of the RP

<b>Environment Protection and Forest Economy</b>	Nature and Country Protection Section, Ministry of Environment of the SR	Investment and Technology Development Department, Ministry of Environment of the RP
<b>Culture</b>	Cultural Heritage Section, Ministry of Culture of the SR	Division of Co-operation with Self-governments and Culture Propagation, Ministry of Culture of the RP
<b>Education and Youth Exchange</b>	Division of Education and Training of the Roma Communities, Ministry of Education of the SR	International Co-operation Department, Ministry of National Education and Sport of the RP
<b>Transfrontier Co-operation of Territorial Self-governments</b>	Mayor of Levoča	Head of “Malopoľský Vojvodship”
<b>Food and Agriculture</b>	Trade Policy Department, Ministry of Agriculture of the SR	Division of European Union and International Co-operation, Ministry of agriculture and the Country Development of the RP
<b>Spatial Planning and Construction</b>	Spatial Planning and Building Rules Section, Ministry of Construction and Regional Development of the SR	Spatial Planning Department, Ministry of Infrastructure of the RP
<b>Employment and Social Policy</b>	Employment Strategy Department, Ministry of Employment, Social Affairs and Family of the SR	Labour Market Department, Ministry of Economy, Employment and Social Policy of the RP
<b>Co-operation and Mutual Assistance in Response to Catastrophes, Natural Disasters or Other Serious Accidents</b>	Civil Protection Office, Ministry of the Interior of the SR	Country Centre of Emergency Co-ordination, Commandership of State Fire Guard
<b>Health Care and Health Emergency Service</b>	Bilateral Co-operation Department, Foreign Affairs Section, Ministry of Health of the SR	Health Insurance Department, Ministry of Health of the RP

<b>Other Commission Members:</b>	
<b>Slovak part</b>	<b>Polish part</b>
Regional Chamber of Commerce and Industry in Žilina	International Co-operation Office, Country Economic Chamber
Roads Development Unit, Ministry of Transport, Posts and Telecommunications of the SR	Transport Policy Department, Ministry of Infrastructure of the RP
Head of the Self-governmental Region of Prešov	Head of “Podkarpatký Vojvodship”
Head of the Self-governmental Region of Žilina	Head of “Śliezsky Vojvodship”
Customs Headquarters of the SR	Chief of “Podkarpatký Vojvodship”
Head of Regional Office in Žilina	Chief of “Malopolský Vojvodship”
Head of Regional Office in Prešov	“Śliezsky Vojvodship”
Management of INTERREG IIIA Department, Support of Regional Development Agency, Ministry of Construction and Regional Development of the SR	Implementation Unit of PHARE CBC, Ministry of the Interior and Public Administration of the RP
Tourism Department, Ministry of the Economy of the SR	
International Economic Co-operation Department, Ministry of Foreign Affairs of the SR	

Transfrontier co-operation with Poland is the most developed in Slovakia. The respective Commission is co-chaired by Slovakia’s Ministry of the Interior’s State Secretary and Poland’s Ministry of the Interior and Public Administration’s State Secretary, who are responsible for ensuring that its tasks are carried out.

The Commission considers the following steps to have been its most significant contribution to widening opportunities for transfrontier co-operation:

- On 1 July 1999, in Trstená, Slovakia, the signing of the Agreement between the Government of the Slovak Republic and the Government of the Republic of Poland on Border Crossings, Crossing the State Border by Tourist Path and Principles of Crossing the State Border outside Border Crossings.
- On 24 January 2000, in Bratislava, the signing of the Treaty between the Slovak Republic and the Republic of Poland which amends the Treaty on Small Border Traffic, signed on 6 December 1996, in Zakopané, Poland. The amended Treaty came into force on 18 October 2001.

Under the amended Treaty on Small Border Traffic, a person is allowed to cross the Slovak-Polish border with only an ID card if they have either permanent or temporary residency in the designated area of “small border traffic”, or if they are named on a list, verified by respective municipalities, of Slovaks aged up to 15 years and Poles aged up to 18 years who are taking part in an organised youth activity.

- On 24 January in Bratislava, the signing of the Agreement between the Government of the Slovakia Republic and the Government of the Republic of Poland on Co-operation and Mutual Assistance in the event of Disasters, Natural Disasters and Other Serious Emergencies. It entered into force on 14 November 2002 and is published in the Collection of Laws as No. 739/2002.
- On 29 July 2002 in Stará Ľubovňa, Slovakia, the signing of the Treaty between the Slovakia Republic and the Republic of Poland on Simplifying Border Clearance for Road and Rail Traffic.
- On 29 July 2002 in Stará Ľubovňa, the signing of the Treaty between the Slovak Republic and the Republic of Poland on Changes in the Course of the State Border and on Approval of Border Documentation.

### **2.6.2 Agreement between the Government of the Slovak Republic and the Government of the Czech Republic on Transfrontier Co-operation**

The Agreement between the Government of the Slovak Republic and the Government of the Czech Republic on Transfrontier Co-operation was signed on 2 November 2000 and came into force on 19 January 2001. It is published in the Collection of Laws as No. 164/2001, part 70, of 5 May 2001.

The Government of the Slovak Republic entrusted under Resolution No. 327/2000 the Minister of the Interior to fulfil the execution of the agreement after its entry into force. Following this resolution, and after consultations with the Czech side the Ministry of the Interior of the Slovak Republic prepared the draft statute of the Intergovernmental Commission on Transfrontier Co-operation, adopted at its first session.

Pursuant to Article 8 of the Agreement, the Slovak-Czech Intergovernmental Commission on Transfrontier Co-operation was established on 5 March 2002 and held its first meeting on 5 March 2002, in Stará Turá, Slovakia. The Commission carries out its activities pursuant to the approved statute and directives on main activities.

The Slovak-Czech Intergovernmental Commission on Transfrontier Co-operation consists of:

	<b>Slovak part</b>	<b>Czech part</b>
<b>Chairman</b>	State Secretary of the Ministry of the Interior of the SR	Deputy Minister for Local Development of CR
<b>Vice-chairmen</b>	Section of Regional Policy, Ministry of Construction and Regional Development of the SR	Local Administration Department, Ministry of the Interior of the CR
	International Economic Co-operation Department, Ministry of Foreign Affairs of the SR	Central European States Department, Ministry of Foreign Affairs of the CR
<b>Executive Secretary</b>	Public Administration Section, Ministry of the Interior of the SR	EU Programmes Department, Ministry for Local Development of the CR
<b>Members</b>	Head of Self-governmental Region of Trenčín	Head of Region of Zlín
	Head of Self-governmental Region of Trnava	Head of South-Moravian Region
	Head of Self-governmental Region of Žilina	Head of Moravian-Silesian Region
	Euroregion Beskydy	Association Region Beskydy
	Euroregion Bílé-Biele Karpaty	Euroregion Bílé-Biele Karpaty
	Euroregion Pomoravie	Association of Municipalities and Cities of South Moravia

### **2.6.3 Agreement between the Government of the Slovak Republic and the Government of the Republic of Hungary on Transfrontier Co-operation between Territorial Communities or Authorities**

The Agreement between the Government of the Slovak Republic and the Government of the Republic of Hungary on Transfrontier Co-operation was signed on 23 April 2001 and came into force on 28 October 2001. It is published in the Collection of Laws as No. 4/2002, part 3, of 11 January 2000.

Following this resolution, and after consultations with the Czech side the Ministry of the Interior of the Slovak Republic prepared the draft statute of the Intergovernmental Commission on Transfrontier Co-operation, adopted at its first session.

Pursuant to Article 8 of the Agreement, a Slovak-Hungarian Intergovernmental Mixed Commission on Transfrontier Co-operation was established (hereinafter the Mixed Commission). The Mixed Commission shall carry its activities as

part of the mechanism created under the Protocol between the Ministry of Foreign Affairs of the Slovak Republic and the Ministry of Foreign Affairs of the Republic of Hungary, signed on 24 November 1998 in Bratislava, on creation of the mechanism to fulfil the Treaty on Good Neighbourliness and Friendly Co-operation between the Slovak Republic and the Republic of Hungary, signed on 19 March 1995 in Paris. Parties shall guarantee equal representation in the Mixed Commission. Pursuant to Article 8 paragraph 3 of the Agreement, the self-governments shall delegate their representatives to the Mixed Commissions through their associations. The Mixed Commission shall draft its statute and standing order.

#### **2.6.4 Agreement between the Government of the Slovak Republic and the Cabinet of Ministers of Ukraine on Transfrontier Co-operation**

The Agreement between the Government of the Slovak Republic and the Cabinet of Ministers of Ukraine on Transfrontier Co-operation was concluded on 5 December 2000 and came into force on 29 January 2001. It is published in the Collection of Laws No. 172, as of 12 May 2001.

Following the Resolution of the Government of the Slovak Republic, the Minister of the Interior was entrusted to execute the Agreement after coming into force.

To support closer co-operation of the authorities of regional self-government and local state administration in the field of transfrontier co-operation, the Slovak-Ukrainian Work Group was established, which develops its activity in compliance with the Agreement on the Progression of Activities of the Intergovernmental Commission for Business, Economic, Scientific and Technical Co-operation between the Slovak Republic and the Ukraine.

Under the Agreement on Transfrontier Co-operation concluded between the Government of the Slovak Republic and the Cabinet of Ministers of the Ukraine, its development shall be executed in border areas, between the contracting parties, in compliance with the national regulations of the Slovak Republic and Ukraine. The co-operation is mainly directed towards the economic, social, cultural, scientific and tourist development of the border areas, but also towards the protection of nature and the environment, problems of citizens working in the border areas and other areas of social development. The Slovak Republic is interested in the enhancement of transfrontier co-operation by using instruments intended to ensure a sufficiently permeable common border (whilst maintaining a sufficient level of efficiency in guarding it), fight against organised crime and illegal migration (in the interest of

maintaining the internal safety of the Slovak Republic and adherence to the principles of the Schengen Convention), as well as for the support of the development of communication nodes and relevant infrastructure.

The first meeting of the Work Group for Transfrontier Co-operation took place on 7 March 2003, in Michalovce, in the Slovak Republic.

The Slovak-Ukrainian (Ukrainian-Slovak) Commission on Transfrontier Co-operation consists of:

	<b>Slovak part</b>	<b>Ukrainian part</b>
<b>Chairman</b>	State Secretary of the Ministry Of the Interior of the SR	1 <sup>st</sup> Deputy Minister, Ministry of the Economy and European Integration of Ukraine
<b>Vice-chairman</b>	State Secretary of the Ministry of Construction and Regional Development of the SR	1 <sup>st</sup> Deputy Head of Transcarpathian Regional State Administration
<b>Executive Secretary</b>	Public Administration Section, Ministry of the Interior of the SR	Euroregional Co-operation Department, Ministry of Economy and European Integration of Ukraine
<b>Members</b>	State Secretary of the Ministry of the Environment of the SR	1 <sup>st</sup> Deputy Chairman, State Committee for Water Management of Ukraine, Governmental Plenipotentiary in Ukrainian – Slovak Commission for Border Water
	International Economic Co-operation Department, Ministry of Foreign Affairs of the SR	Economic Co-operation Department, Ministry of Foreign Affairs of Ukraine
	Border and Foreign Police Office, Presidium of the Police Forces,	Western Regional Department of Administration, State Borders Administration of Ukraine
	Customs Office, Čierna nad Tisou	State Customs Administration of Ukraine
	Head of Self-governmental Region of Prešov	Head of Ivano-Frankivska Regional State Administration
	Head of Self-governmental Region of Košice, Chairman of Carpathian Region	Deputy Head of Lvivska Regional State Administration
	Head of Regional Office in Prešov Chairman of the Council of the Carpathian Euroregion	Trade-economy Mission of the Embassy of Ukraine to the Slovak Republic
	Head of Regional Office in Košice	Euroregional Co-operation Department, Ministry of the Economy and European Integration of Ukraine

### **2.6.5 Outline Treaty between the Slovak Republic and the Republic of Austria on Transfrontier Co-operation between Territorial Communities or Authorities**

On 11 March 2003, the expert meeting dealing with the Draft of the Outline Treaty between the Slovak Republic and the Republic of Austria on Transfrontier Co-operation between Territorial Communities or Authorities (hereinafter the “Outline Treaty”) took place at the Ministry of the Interior of the Slovak Republic in Bratislava. After discussing the draft, delegations stated that the text of the Outline Treaty can be considered as finished and after discussion and approval by the relevant authorities it shall be prepared promptly for signature.

The Government of the Slovak Republic agreed with the conclusion of Outline Treaty by its Resolution No. 382 from 21 May 2003. The Outline Treaty between the Slovak Republic and the Republic of Austria on Transfrontier Co-operation between Territorial Communities or Authorities was signed on 25 October 2003 in Bratislava.

The ratification deeds were exchanged in Bratislava on 2 June 2004, and the Treaty came into force on 1 September 2004 (the first day of the third month after the exchange of ratification instruments).

## **3 Analysis of transfrontier structures**

Europe is characterised by a common history and culture, but also by many borders and by territories located in border areas. Slovakia’s border is long in ratio to the area of the country - 1,672 km to 49,034 km<sup>2</sup>.

In Slovakia, transfrontier relations between territorial and administrative communities have undergone historical development. The transfrontier co-operation first engaged in by local authorities in Slovakia was informal in character. The expansion and strengthening of neighbourly relations in border areas necessitated in practice the creation of transfrontier associations in the form of transfrontier regions - involving an institutional structure typical of the kind of transfrontier co-operation of which many West European border regions had practical experience.

The regional associations which emerged in the 1990s – covering territory beyond the area of the Slovak Republic and including, notably, the participation of municipalities, cities and bodies of the local civil service in transfrontier co-operation - did not in this period have a clearly defined legal framework.



Nevertheless, local authorities of public administration endeavoured to create transfrontier associations called euroregions (see chapter 2).

Slovakia, as a result of its position in Central Europe, has conducted transfrontier co-operation with border regions of the European Union (in Austria, and since 1 May 2004 in the Czech Republic, Poland and Hungary), but also border regions outside the European Union (in Ukraine).

Transfrontier co-operation, as well as efforts aimed at mutual integration, are governed by international agreements determining the bases and legal rules for these endeavours. At the initiative of the Ministry of the Interior and with the approval of the Government, the Slovak Republic has acceded to the principal documents of the Council of Europe concerning transfrontier co-operation. The ratification instruments of the four documents are deposited with the Council of Europe in Strasbourg (the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities, the Additional Protocol to the Convention, Protocol No. 2 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning inter-territorial co-operation, and the European Charter of Local Self-Government – see chapter 2).

In accordance with these documents, transfrontier co-operation between municipalities and regions is being developed, and the provisions of the documents have been, and are being, progressively implemented into the legal system of the Slovak Republic. At present, mutual relations between the Slovak Republic and neighbouring countries in the area of transfrontier co-operation between neighbouring border regions, cities and municipalities are organised on a legal basis. The good foundations for natural co-operation of Slovak border regions with their neighbours are established by legal agreements and by intergovernmental agreements on transfrontier co-operation concluded with each neighbouring country.

Transfrontier co-operation with the **Czech Republic** is being developed in accordance with the 2000 Agreement between the Governments of the Slovak Republic and the Czech Republic on Transfrontier Co-operation (the “Agreement”). According to Article 7(1) of the Agreement, local and regional authorities of the states of both contracting parties may plan and organise transfrontier co-operation within the remit of their competences and set up joint co-ordinating bodies.

For the purpose of co-ordinating transfrontier co-operation between local authorities and regional authorities, the contracting parties set up in March 2002

the Slovak-Czech Intergovernmental Commission on Transfrontier Co-operation (“the Commission”). **Its members include representatives of Euroregion Beskydy, Euroregion Bílé – Biele Karpaty and Euroregion Pomoravie** – the euroregions operating on the Slovak-Czech border. The Commission, in accordance with Article II (3) of the Statute of the Slovak-Czech Intergovernmental Commission for Transfrontier Co-operation, drafts recommendations relating to decisions prepared by the joint co-ordinating bodies at regional and local level and examines contentious issues that hamper this co-operation.

Transfrontier co-operation with **Poland** has been developing on the basis of a formal agreement since 1994. In accordance with the Agreement between the Government of the Slovak Republic and the Government of the Republic of Poland on Transfrontier Co-operation (“the Agreement”), the respective authorities of both states at the regional and local level may set up joint co-ordinating bodies for the development of transfrontier co-operation (Article 5(3) of the Agreement).

In order to examine and solve problems of mutual interest to regional and local authorities of both states and to support contacts between state and non-state subjects in territories on both sides of the Slovak-Polish border, the contracting parties set up in September 1996 the Slovak-Polish Intergovernmental Commission on Transfrontier Co-operation (“the Commission”). Representatives of the joint co-ordinating bodies of the regional and local levels may, in accordance with Article 7(5), take part in meetings of the Commission and exercise an advisory vote. On the Slovak-Polish border, euroregional relations are developing in the form of euroregions based exclusively on the territorial principle of self-governing authorities and higher territorial communities. Representatives of Euroregion Tatry, Euroregion Beskydy and the Carpathian Euroregion regularly take part in discussions of the Commission.

In 2000, Slovakia and **Hungary** signed the Agreement between the Government of the Slovak Republic and the Government of the Republic of Hungary on Transfrontier Co-operation between Territorial Communities or Authorities (“the Agreement”). According to Article 5(a) of the Agreement, transfrontier co-operation is also aimed at supporting the development of euroregions.

In carrying out the Agreement and pursuant to Article 8(1), the contracting parties shall set up an Intergovernmental Slovak-Hungarian Mixed Commission for Transfrontier Co-operation.

(Operating on the Slovak-Hungarian border are **the Carpathian Euroregion, Euroregion Podunajský trojopolok, Euroregion Váh-Dunaj-Ipeľ, Ipeľ-Ipoly Euroregion, Euroregion Neogradiensis, Euroregion Slaná-Rimava and Euroregion Kras**).

Co-operation between the local and regional authorities of Slovakia and **Ukraine** takes place in accordance with the 2000 Agreement between the Government of the Slovak Republic and the Cabinet of Ministers of Ukraine on Transfrontier Co-operation (“the Agreement”). Pursuant to Article 2(1) of the Agreement, each contracting party has undertaken to assist and support the development of transfrontier co-operation between the local authorities and regional authorities within the jurisdiction of its own state and between the local authorities and regional authorities within the jurisdiction of the other contracting party.

The co-ordination of transfrontier co-operation pursuant to Article 7 of the Agreement is carried out by the Slovak-Ukrainian Intergovernmental Commission for Transfrontier Co-operation. Among its members is a representative of **the Carpathian Euroregion**.

The development of partnership relations with **Austria** takes place within the meaning of the Outline Treaty between the Slovak Republic and the Republic of Austria on Transfrontier Co-operation between Territorial Communities or Authorities (“the Treaty”) signed in October 2003. Agreements concluded on the basis of the Treaty are binding only upon those territorial communities or authorities which are parties to the Treaty. In Slovakia, they are municipalities, self-governing regions, bodies of local civil service and municipal associations, and in Austria, they are federal regions, municipalities and municipal associations. The creation of an intergovernmental commission for transfrontier co-operation is not being considered.

In this analysis, we shall examine in detail the institutional form of transfrontier structures of the euroregional type as one of the forms of transfrontier co-operation.

### **3.1 Typicalities of a euroregion**

As a factor in significantly reducing tension on borders and in improving good neighbourly relations, transfrontier co-operation began to be institutionalised in the countries of Western Europe at the end of the 1950s and beginning of the 1960s.

The main aim of the newly-emerging transfrontier structures was to support regional development in the often neglected peripheral areas of states, far from the metropolitan centres, and to overcome cultural, social and economic disparities between one side of a border and the other. One of the most important goals of transfrontier co-operation was to bring people together so that by working jointly for the success of the region they would come to understand one another and to dispense with the deep-rooted, stereotypical perception of the neighbouring nation.

According to the Association of European Border Regions, the **euroregion** as a transfrontier structure has the following basic characteristics<sup>8</sup>:

### ***Organisation***

- integration of regional and local authorities from both sides of the state border, sometimes with a parliamentary assembly;
- a transfrontier organisation with a permanent secretariat, comprising an expert and administrative personnel and with its own financial resources;
- according to private law established on the basis of national associations or on the basis of foundations from both sides of the border pursuant to public law, or
- according to public law established on the basis of inter-state agreements governing membership of regional authorities.

### ***System of work***

- development and strategically-orientated co-operation – not measures based upon individual cases;
- having a substantial transfrontier orientation – not a national border region;
- no new level of administration;
- a centre for all transfrontier relations: citizens, politicians, institutions, economy, social partners, organisers of cultural events and so on;
- balancing different structures and competences on both sides of the border, also from the psychological view;
- partnership co-operation at the vertical (European, governmental, regional, local) and horizontal level;
- transfrontier decisions taken at the national level in accordance with methods realisable on both sides of the border (avoiding conflicts over competences and structures);

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<sup>8</sup> Working document AEBR-LACE on the EU Initiative INTERREG and future development, July 1997, page 36.

- transfrontier involvement of citizens, institutions and social partners in programmes, projects and decision-making processes;
- direct initiative and use of own resources as preconditions for assistance and support to third countries.

### ***Content of transfrontier co-operation***

- definition of the sphere of activity according to common interests (for example, infrastructure, economy, culture);
- co-operation in all areas of life: lifestyle, work, leisure time, culture and so on;
- placing the same emphasis on socio-cultural co-operation as on co-operation in the area of economy and infrastructure;
- realisation of treaties and agreements between states, concluded at European level and implemented in the transfrontier environment;
- consultancy, support and co-ordination of transfrontier co-operation, especially in the following areas:
  - economic development,
  - regional development,
  - transport,
  - territorial planning,
  - protection of the environment and countryside,
  - culture and sport,
  - health sector,
  - energy,
  - waste disposal,
  - tourism and leisure time,
  - agriculture,
  - innovation and replacement of technology,
  - schools and education,
  - social co-operation,
  - rescue services and disaster prevention,
  - communication,
  - public safety.

### **3.2 Basic description and geographical profile of euroregion-type transfrontier structures operating in the territory of the Slovak Republic**

As previously mentioned, ideas for the creation of transfrontier co-operation structures in the Slovak Republic first began to emerge immediately after the foundation of the country. The first euroregions arose in areas where transfrontier co-operation had already been established. This period also saw the emergence of the *Carpathian* Euroregion, an extremely diverse transfrontier

structure operating in the border areas of Slovakia and its neighbouring countries: Poland, Hungary, Ukraine, and, further afield, Romania.

Given the marked difference between the longitudinal and latitudinal axes of Slovakia, a significant part of the territory lies relatively close to the border (see the map in chapter 1). All eight regions (NUTS III<sup>9</sup>) may be considered as border territories since each of them borders at least one neighbouring country.

As a consequence of different historical development, there is a relatively uneven spread of euroregions on the borders, although they operate along the whole of the Slovak border. For a broader view, euroregions in the following analysis are arranged according to geographical profile from the Ukrainian border, to the Polish, Czech, Austrian and Hungarian borders.

Operating on the Slovak border with Ukraine, Hungary and Poland is the **Carpathian Euroregion**, an extensive structure lying on the territory of five Central and Eastern European states: Hungary, Poland, Romania, Slovakia and Ukraine. It operates on a territory of more than 160,000 km<sup>2</sup> where the population is almost 16 million (according to documents obtained from the national office of the *Carpathian Euroregion* in Slovakia). The *Carpathian Euroregion* international association covers the following regions:

in Slovakia – the regions Košice and Prešov;

in Hungary – the regions Borsod-Abaúj-Zemplén, Heves, Hajdú-Bihar, Jász-Nagykun-Szolnok and Szabolcs-Szatmár-Bereg, and the regional towns of Debrecín, Eger, Miskolc and Nyíregyháza;

in Poland – the region Podkarpackie;

in Romania – the regions Botosáni, Maramures, Suceava, Harghita, Satu Mare and Zilah;

in Ukraine – the regions Transcarpathia, Ivano-Frankivs'k, Lviv and Chernivtsi. It was founded on 14 February 1993 in Debrecín (Hungary), and the Slovak national part obtained full membership on 25 November 1999.

Operating on the Slovak-Polish border, in addition to the *Carpathian Euroregion*, are Euroregion *Tatry* and Euroregion *Beskydy*. **Euroregion Tatry** is one of the the longest operating euroregions in Slovakia - the idea of establishing it emerged at a conference of mayors of Polish and Slovak municipalities held in Zakopane (Poland) on 21-24 November 1991.

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<sup>9</sup> According to Article 3(2) of Regulation (EC) No. 1059/2003 of the European Parliament and of the Council of 26 May 2003 and to the nomenclature of territorial units for statistics, a NUTS III unit must have a population of not less than 150,000 and not more than 800,000. Regions in the Slovak Republic are therefore classified as NUTS III.

An agreement between the self-governing authorities of Poland and the Slovak Republic on the creation of the Euroregion *Tatry* regional association was signed at the founding conference on 26 August 1994 in Nowy Targ (Poland). The euroregion's territory of operation has an area of 11,400 km<sup>2</sup> and a population of more than 850,000 (data from the association *Región Tatry*).

**Euroregion Beskydy** is one of the trilateral structures and operates in the territory of the Czech Republic, Poland and the Slovak Republic. It was established by the signing of the Agreement on Slovak-Polish-Czech Partnership between the Slovak association *Región Beskydy*, the Polish association *Region Beskidy* and the Czech association *Region Beskydy* on 9 June 2000 in Frýdek-Místek (Czech Republic). Its territory of operation has an area of almost 4,000 km<sup>2</sup> and a population of 990,000 (data from the Slovak office of the euroregion's secretariat).

Also operating on the Slovak-Czech border are Euroregion *Bílé-Biele Karpaty* and Euroregion *Pomoravie*.

**Euroregion Bílé-Biele Karpaty** was established when the Founding Agreement between the Slovak association *Región Biele Karpaty*, based in Trenčín, and the Czech association *Region Bílé Karpaty*, based in Zlín, was signed in Lubina on 30 July 2000. The euroregion's territory of operation has an area of around 8,600 km<sup>2</sup> and a population of more than 1,200,000 (data from the association *Región Biele Karpaty*).

**Euroregion Pomoravie**, another trilateral structure, operates on the territory of the Czech Republic, Austria and the Slovak Republic. It encompasses the Slovak geographic region of *Záhorie*, the Austrian region *Weinviertel* and the Czech region *Jižní Morava*. It was founded when the Agreement on the Establishment of the Transfrontier Association Euroregion *Pomoravie* was signed by the *Záhorie Regional Association*, the *Association of Municipalities and Cities of Jižní Morava*, and the Austrian regional association *Regionalverband Europaregion Weinviertel* on 23 June 1999 in Skalica (Slovakia). Its territory of operation has an area of 11,500 km<sup>2</sup> and a population of more than 1,000,000 (data from the *Záhorie Regional Association*).

On the Slovak-Austrian border, preparations are being made for the creation of the Euroregion *Bratislava-Brno-Győr-Vienna*. However, this idea has already been in development for many years.

Most of the euroregions operate on the Slovak-Hungarian border, including the largest, the *Carpathian Euroregion*, and the smallest, Euroregion *Kras*.

Going from west to east, the first euroregion on the Slovak-Hungarian border is **Euroregion Podunaský trojspolok**, which was founded on 25 January 2001 when the Founding Charter of the Podunajský-Dolnovážský Regional Association was signed by the General Meeting of the county Győr-Moson-Sopron. The euroregion's territory of operation has an area of 5,800 km<sup>2</sup> and a population of 640,000 (data from the Podunajský-Dolnovážský Regional Association). The territory comprises the county Győr-Moson-Sopron and the Slovak administrative districts of Dunajská Streda and Galanta.

Next there is **Euroregion Váh-Dunaj-Ipeľ**, which was formed when the Agreement on Co-operation was signed on 3 July 1999 in Neszmély (Hungary) by representatives of the Hungarian self-governing counties Komárom-Esztergom and Pest' and, on the Slovak side, the Nitra Regional Office.

Following changes to the legislative rules governing the creation and legal status of euroregions in Slovakia, there emerged on 3 November 1999 an independent association of legal persons – the Váh-Dunaj-Ipeľ Regional Association. This association assumed the role of the Nitra Regional Office and became the national member of the Euroregion *Váh-Dunaj-Ipeľ*. In 2000, the self-governing counties of Fejér and Veszprem also acceded to the Agreement on Co-operation.

The euroregion's territory of operation has an area of almost 24,000 km<sup>2</sup> and a population of more than 2,850,000 (data from the secretariat of the Váh-Dunaj-Ipeľ Regional Association).

**Ipeľ-Ipoly Euroregion** was founded in Šahy (Slovakia) on 2 October 2002 when the Founding Agreement on the Establishment of the Association of Legal Persons was signed by the Slovak association *Ipeľský Euroregión* and the Hungarian Ipoly Euroregió Határon Átnyúló Együttműködés. Its territory of operation has an area of more than 6,300 km<sup>2</sup> and a population of 550,000 (data from the secretariat of *Ipeľský Euroregión*).

**Euroregion Neogradensis** was established in Lučenec (Slovakia) on 25 March 2000 when the Founding Charter was signed by the Slovak association of legal persons Región Neogradiensis and the Hungarian Neogradiensis Régió Egyesület, thus fulfilling the Declaration signed by the founders on 29 September 1999. Its territory of operation has an area of 4,600 km<sup>2</sup> and a population of 360,000 (data from the euroregion's secretariat in Slovakia).

**Euroregion Slaná-Rimava** was established on 10 October 2000 with the signing of the Agreement on Co-operation between Slovakia's Union of Slaná and Rimava and Hungary's Sajó-Rima Eurégió. Its territory of operation has an area of 6,000 km<sup>2</sup> and a population of 650,000 (data from the euroregion's



office in Slovakia). Euroregion *Slaná-Rimava* takes in the Slovak districts Rimavská Sobota, Rožňava, and Revúca, the Hungarian statistical regions of Ózd, Kazincbarcika, Miskolc and Tiszaújváros.

**Euroregion Kras** is among the youngest of the euroregions and also has the smallest territory of operation (951 km<sup>2</sup> with a population of 74,000). It was established in Perkupa (Hungary) on 1 March 2001 when the Founding Charter of Euroregion *Kras* was signed by representatives of the members – on the Slovak side, the associations **Združenie** Bodvianska únia and Občianské združenie Mikroregión Domica, and, on the Hungarian side, the association Galyásági Településszövetség (data from the euroregion's secretariat in Slovakia). The euroregion's territory of operation includes the territory of the Slovenský Kras National Park in Slovakia and Aggteleki Nemzeti Park (the historical territory of Galyzság) in Hungary.

With regard to the operational territory of the euroregions, it is necessary to note that in most cases it is not possible to define exactly the territorial borders since the borders do not correspond with the borders of territorial and administrative units.

Maps of Slovakia's euroregions are provided in part 6 (page 119).

### **3.3 Legal status and fundamental documents of euroregions**

The legal situation governing the status of euroregions has been developing progressively along with increasing demands for the creation of a legal environment that provides for the emergence of such structures, and also with the accession of the Slovak Republic to European documents governing this area, as mentioned in chapter 2 of this publication.

The mission of transfrontier institutions is to support transfrontier relations of an organised type. The experience from instituting them in the Slovak Republic shows that there is no single model that is universally and generally applicable. When analysing these relations, it is necessary to take into account the difference between geographical, political, cultural and other aspects of the transfrontier region, but also to differentiate between the execution of powers by territorial communities at local, regional and nationwide levels on both sides of the border.

Mutual relations institutionalised by agreements, statutes, or codes fulfil the parameters by which the transfrontier region is defined. They have a demarcated geographical territory, the territorial-administrative units are divided by a

common border, and regional associations have powers corresponding to the area of co-operation.

Municipalities, cities and higher territorial communities of the Slovak Republic, in accordance with Act No. 369/1990 Coll. on Municipalities as amended and Act No. 302/2001 Coll. On Self-Governing Higher Territorial Communities, may within the remit of their competences co-operate with those territorial and administrative communities or authorities of other states that perform local and regional functions. They are entitled to become members of international associations of territorial communities or territorial authorities. The co-operation may be conducted only on the basis of an agreement on co-operation (see chapter 2 for further details).

The picture of a legal environment gradually being created for transfrontier co-operation – especially its institutionalised form through common transfrontier structures – may be seen in the emergence of the longest-operating euroregions: the *Carpathian Euroregion* and Euroregion *Tatry*.

### ***THE CARPATHIAN EUROREGION***

The Carpathian Euroregion Euroregional association (founded 14 February 1993 in Debrecin) and its Slovak counterpart, Regi3n Karpaty (founded in May 1992) have since their foundation included an extensive part of the territory of Slovakia – most of the municipalities and cities of nine districts in Eastern Slovakia, several counties in Hungary and regions in Poland, the entire Transcarpathia region in Ukraine and one region in Romania.

The aims and tasks of this association are, according to the statute of the euroregion, as follows:

- to organise and co-ordinate among members agreed activities for supporting economic, scientific, ecological and cultural co-operation and co-operation in the area of education;
- to provide assistance by drawing up specific projects of transfrontier co-operation between members of the association in areas of common interest;
- to support and facilitate contacts between people from the member parties, including contacts between experts in various areas;
- to support good neighbourly relations between its members;
- to support regional development in all of its members;
- to find potential areas of multilateral transfrontier co-operation between its members;

- to mediate and facilitate co-operation between its members and international organisations, institutions and agencies.

In the beginning, the work of the euroregion focused on organising various commercial-contracting and exhibitional fairs, seminars for business people and consultational meetings for representatives of industrial and commercial chambers.

On 14 February 1993, when the fundamental documents of the euroregion were due to be signed in Debrecín after a protracted period of preparation, the Ministry of Foreign Affairs of the Slovak Republic expressed its underlying support for Slovak cities and municipalities developing transfrontier co-operation and extending contacts with foreign partners but at the same time it pointed out certain problems arising from the legal rules applicable in the Slovak Republic, according to which the full legal participation in the euroregion was not possible.

Nevertheless, at the request of the Slovak parties, but without the consent of the Government of the Slovak Republic, the regular (legal) membership of all nine Slovak districts was approved unanimously at the 10<sup>th</sup> meeting of the euroregion council held in Debrecín from 27 to 29 January 1995.

It was in the interest of the Slovak Republic, as a newly established subject under international law, to support only such transfrontier co-operation that fully complied with domestic legal rules. For that reason, in accordance with Government resolution No. 78 of 7 February 1995 (Resolution point C. 1. B.), there was carried out a political and legal analysis of the agreement on the creation of the *Carpathian* Euroregion.

The Political and Legal Analysis of the Agreement on the *Carpathian* Euroregion was discussed by the Government of the Slovak Republic on 9 May 1995; in Resolution No. 307. Based on the analysis, the Government among other things stated the legal shortcomings found in documents on proceedings held at the District Office in Vranov nad Topľou regarding the entry of the regional association *Región Karpaty* (which associates Slovak parties to the *Carpathian* Euroregion) into the register of special-interest associations of legal persons, and it required the adoption of measures according to administrative proceedings.

The Ministry of the Interior of the Slovak Republic subsequently conducted an inspection at the District Office in Vranov nad Topľou, which confirmed that the registration had been accompanied by the violation of several provisions of

the Civil Code and the Act on Municipalities. In particular, the documents did not include resolutions of the municipal representatives on entry into the association. It was stated at this time that, from the view of the Slovak Republic, the establishment of the *Carpathian* Euroregion was premature.

The establishment of the *Carpathian* Euroregion in the Slovak Republic preceded the amendment of domestic legal rules, the concluding of the interstate agreement on transfrontier co-operation, and the accession of the Slovak Republic to the International Conventions of the Council of Europe.

In time, however, legal regulations were adopted to bring to completion the legal framework for transfrontier co-operation. In order to incorporate the Slovak part into the international association of the *Carpathian* Euroregion, Regi3n Karpaty made a request at the meeting of the international Council of the *Carpathian* Euroregion held on 6-7 July 1999 in Nyiregyh3za (Hungary) that full legal membership be renewed in accordance with the competences of the regional offices in the area of transfrontier co-operation, as defined by Act No. 222/1996 Coll. and in accordance with the Statutes of Regi3n Karpaty.

The request for the Slovak part to have full legal membership in the *Carpathian* Euroregion was received very positively by the parties to the Council of the *Carpathian* Euroregion. The Slovak part of the *Carpathian* Euroregion became a full legal member on 25 November 1999 at the 27<sup>th</sup> meeting of the Council of the *Carpathian* Euroregion. The mission of the *Carpathian* Euroregion is to support transfrontier co-operation between border regions – members of associations, and thus contribute to building mutual trust and good neighbourly relations between the communities and countries concerned as well as the full development of member regions for the benefit of their inhabitants.

Since each national part guarantees and finances one of the expert commissions of the *Carpathian* Euroregion, the Slovak side became guarantor for the activities of the International commission for the prevention of natural disasters and the removal of their consequences.

In order that the project could be successfully developed in the Slovak environment, a method was sought to build and materially provide for the secretariat and commission of the Slovak part of the *Carpathian* Euroregion. This activity, in accordance with agreed rules, cost not less than the equivalent of USD 35,000 per year.

Regarding support for the institutionalisation of euroregional activities in the Slovak Republic, the Government approved in Resolution No. 1131 of 16 December 1999 a one-off payment of SKK 660,000, made through the Prešov

Regional Office, for the operation of the *Carpathian* Euroregion's secretariat and for the Slovak part of the working commission.

The secretariat of the Región Karpaty and the Slovak office of the Euroregional Association of the Carpathian Euroregion were based in the Slovak city of Prešov from April 2001 to January 2003, and in the city of Košice from January 2003 up to the present day.

The *Carpathian* Euroregion is a member of the Association of European Border Regions (AEBR).

### ***EUROREGION TATRY***

The idea of closer relations and co-operation between Poland and Slovakia in the area of the Tatras arose during a conference held in Zakopane from 21-24 November 1991, when mayors of Polish and Slovak municipalities met to discuss mutual co-operation between cities and municipalities in border areas.

In March 1993, in Poprad (Slovakia), a project for a Slovak regional association was presented. On 27 May of that year and on 28 May, first in Poprad and then in Nowy Targ, meetings were held for representatives of local self-governments and the civil service. The outcome of these meetings was the adoption of a Declaration of Aims, which proposed that the idea of the euroregion be promoted by means of mass media. Also at these meetings, a border was proposed for the future, Euroregion *Tatry* and a group was set up to draft its statute. On the Slovak side, the cities and municipalities were from the districts Dolný Kubín, Liptovský Mikuláš, Poprad, Stará Ľubovňa, and on the Polish side, from the districts Nowotarski, Nowosadecki, and Tatrzański.

On 31 October 1993, by which time Slovakia was already an independent republic, the Declaration of territorial self-governments of the Republic of Poland and the Slovak Republic on the establishment of the Euroregion *Tatry* regional association was signed in Zakopane.

On 26 August 1994, at the founding conference in Nowy Targ, the Agreement between Local Authorities of the Republic of Poland and the Slovak Republic on the founding of the transfrontier association Euroregion *Tatry* was signed. In accordance with the integration process of European countries and on the basis of the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities, it set out to speed up the multilateral

development of neighbouring areas of Poland and the Slovak Republic in connection with the historical roots of these regions and their mutual relations.

On 15 December 1994, the Regional Court in Nowy Sącz decided as the respective registration body to allow the entry of Euroregion *Tatry* into the register of associations and confirmed its statute. The seats of Euroregion *Tatry* were established in Nowy Targ and Kežmarok (Slovakia).

In Slovakia, however, the “international border association Euroregion *Tatry*” could not be registered at the Interior Ministry, since the legal rules of the Slovak Republic did not recognise such a form.

The legal rules of the Slovak Republic did not at this time allow municipalities to conclude agreements on transfrontier co-operation, nor to establish associations authorised to enter into international relations. Nor did they address the legal identity of transfrontier co-operation bodies as associations, nor the legally binding character of decisions taken by such bodies. This situation applied also to associations of legal persons, namely, Región *Tatry* and the Slovak part of Euroregion *Tatry*.

Given the existing legal situation, the Euroregion *Tatry* association was, at the initiative of Slovak and Polish municipalities, set up as a joint co-ordination body having only an advisory-consultative character.

The registration of Región *Tatry*, with submitted abstracts from resolutions of each municipal (civic) representation on the approval of the membership of the municipality (city) in the association, took place at the District Office in Poprad on 23 July 1996 in accordance with Section 20(f)(2) of the Civil Code (No. Reg. 9/96).

Euroregion *Tatry* is made up of two associations: the Slovak association Región *Tatry*, based in Kežmarok, and the Polish association Euroregión *Tatry*, based in Nowy Targ. Euroregion *Tatry* operates in accordance with the principles of partnership, equality of member associations, good neighbourly relations between inhabitants, concordance of decision-making processes, and leadership rotation in its bodies. The euroregion is working for the development and cultivation of the Slovak-Polish transfrontier region.

In 1999, on the basis of an agreement with the implementation body of the PHARE CBC programme, Euroregion *Tatry* utilised a grant of EUR 120,000 from the CBC Small Projects Fund. This financial assistance provided for the realisation of 26 projects concerning co-operation between Slovak and Polish

youth associations, presentations of folklore, culture, sport, tourism, sciences and arts, and also co-operation in the socio-economic and promotional areas.

Euroregion *Tatry* is a member of the Association of European Border Regions (AEBR).

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By passing new laws and amending existing laws, as well as by ratifying European documents, the Slovak Republic has gradually adapted its legal rules for regulating the area of transfrontier co-operation (see chapter 2), and, as a result, the Ministry of the Interior of the Slovak Republic was able in 1999 to issue a methodological instruction for the registration of those special-interest associations of legal persons that were created for the purpose of developing transfrontier co-operation within the framework of euroregions. The establishment, legal status and dissolution of these special-interest associations is governed by Section 20 of the Civil Code and subsequent related provisions. An association is established upon its entry in the Register of Associations maintained by the Regional Office of the region in which the association is based. An appeal against a decision of the Regional Office in matters of registration will be decided by the Ministry of the Interior of the Slovak Republic.

To enter the regional association or euroregion in the register of associations of legal persons on the relevant regional office, it is necessary to submit:

- founding agreement or resolution and memorandum from the founding assembly of members,
- statute of the association,
- first name, family name, identification number, full address of the persons (persons) eligible to act on behalf of the association,
- voucher on payment of the administrative fee.

If the members of the association are municipalities (cities), it is necessary, pursuant to the para 11/4/h of Act No. 369/1990 Coll. on Municipalities as amended, to submit the extract from the resolution of the municipality council on approval of the membership of the municipality in the association.

In the following sheet, the founding documents adopted by euroregions and by their Slovak parts (founding agreements and statutes) as well as the place of their registration (decision on registration of the relevant regional office) are listed.

Name	Documents of Euroregion	Documents of the Slovak part
<b>Carpathian Euroregion</b>	Statute of the interregional association “Karpatský euroregión” Organisational order of the Council and Secretariat of the interregional association “Karpatský euroregión”	Statute of the association “Región Karpaty” (Slovak part of Euroregion)
<b>Euroregion Tatry</b>	Agreement between the self-governments of the Slovak Republic and the Republic of Poland on co-operation in the frame of the union EUROREGIÓN TATRY, concluded on 22 October 1999 in Nowy Targ between the associations “Zväzok Euroregión Tatry” in Nowy Targ and “Združenie Región Tatry” in Kežmarok  Statute of Euroregion Tatry	Decision of the District Office in Poprad (Č. j. Reg. 9/96 from 23 July 1996) on registration of the interest association of legal persons “Región Tatry”  Excerpt from the register of the interest associations of legal persons in Regional Office in Prešov, department VVS  Statute of the association „Región Tatry“ Rule of procedure of the association “Región Tatry”
<b>Euroregion Beskydy</b>	Agreement on Slovak-Polish-Czech community “Euroregión Beskydy” from 9 June 2000  Statute of Euroregion Beskydy	Founding agreement on establishment of the interest association “Región Beskydy” from 25 June 1999 Statute of the association “Región Beskydy” Decision of the Regional Office in Žilina (č. OVVS-99/08708-002/3MK from 29 July 1999) on registration of the interest association of legal persons “Región Beskydy” into the register of the interest association of legal persons
<b>Euroregion Bílé-Biele Karpaty</b>	Founding agreement of “Euroregión Bílé-Biele Karpaty” from 30 July 2000 Statute of the association of legal persons “Euroregión Bílé-Biele Karpaty” Decision of the Regional Office in Trenčín (č. 2000/05103-2 from 7 September 2000) on registration of “Euroregión Bílé-Biele Karpaty” into the register of the interest association of legal persons	Memorandum from the founding meeting of members of the interest association of legal persons “Región Biele Karpaty” from 7 December 1999 Statute of “Región Biele Karpaty” Decision of the Regional Office in Trenčín (č. 1999/06804-2 from 28 December 1999) on registration of “Región Biele Karpaty” into the register of the interest association of legal persons



<b>Euroregion Pomoravie</b>	Agreement on establishment of the transfrontier association “Euroregión Pomoravie” from 23 June 1999. Statute of the interest association of legal persons “Euroregión Pomoravie”. Decision of the Regional Office in Trnava (č. VVS/2000/04088-Oá from 28 April 2000) on registration of “Euroregión Pomoravie” into the register of the interest association of legal persons.	Founding agreement of the interest association of legal persons “Regionálne združenie Záhorie” from 16 May 1999 Statute of “Regionálne združenie Záhorie” Decision of the Regional Office in Trnava (č. VVS/99/04521/Oá from 21 June 1999) on registration of “Regionálne združenie Záhorie” into the register of the interest association of legal persons.
<b>Euroregion Podunajský Trojopolok</b>	Founding agreement of “Euroregion Podunajský Trojopolok”	Statute of the interest association of legal persons “Podunajsko-Dolnovažské združenie” Decision of the Regional Office in Trnava (č. VVS/2000/05769 from 16 June 2000) on registration of the interest association of legal persons “Podunajsko-Dolnovažské združenie” into the register of the interest association of legal persons
<b>Euroregion Váh - Dunaj - Ipeľ</b>	Agreement on co-operation to establish “Euroregión Váh - Dunaj – Ipeľ” from 3 July 1999	Founding agreement on establishment of “Regionálne združenie Váh - Dunaj – Ipeľ” from 27 October 1999 Statute of “Regionálne združenie Váh - Dunaj – Ipeľ” Decision of the Regional Office in Nitra (č. VVS 99/07752 from 3 November 1999) on registration of “Regionálne združenie Váh-Dunaj-Ipeľ” into the register of the interest association of legal persons
<b>Ipeľ - Ipoly Euroregion</b>	Founding agreement on establishment of the association of legal persons “Ipeľ - Ipoly Euroregion”. Statute of “Ipeľ - Ipoly Euroregion”. Decision of the Regional Office in Nitra (č. 2003/03102-1 from 16 April 2003) on registration of “Ipeľ-Ipoly Euroregion” into the register of the interest association of legal persons	Founding agreement on establishment of the association of legal persons “Ipeľský Euroregión” Statute of the association of legal persons “Ipeľský Euroregión” Decision of the Regional Office in Nitra (č. VVS99/07566 from 5 November 1999) on registration of “Ipeľský Euroregión” into the register of the interest association of legal persons

<b>Euroregion Neogradien-sis</b>	<p>Founding document of “Euroregión Neogradien-sis” from 25 March 2000</p> <p>Statute of “Euroregión Neogradien-sis”</p>	<p>Statute of the association of legal persons “Región Neogradien-sis”</p> <p>Decision of the Regional Office in Banská Bystrica (č. 2000/00803) on registration of the interest association of legal persons “Región Neogradien-sis” into the register of the interest association of legal persons</p>
<b>Euroregion Slaná-Rimava</b>	<p>Agreement on co-operation of “Euroregión Slaná – Rimava” from 10 October 2000</p> <p>Organisational and standing order of “Euroregión Slaná – Rimava”</p>	<p>Memorandum from the General Assembly of “Únia Slanej a Rimavy” from 20 March 2000</p> <p>Statute of “Únia Slanej a Rimavy”</p> <p>Decision of the Regional Office in Košice (č. 2000/127419 from 3 January 2001) on registration of the interest association of legal persons “Únia Slanej a Rimavy”</p>
<b>Euroregion Kras</b>	<p>Founding document of “Euroregión Kras” from 1 March 2001</p> <p>Statute of “Euroregión Kras”</p> <p>Decision of the Regional Office in Košice (č. 2001/04555 from 14 May 2001) on registration of “Euroregión Kras”</p>	

### 3.4 Institutional structure and membership of euroregions

The Council of Europe as well as the European Union consider border regions strictly as national territorial units sharing a border with one or more territorial units of the same nature in a neighbouring country.

In a widest possible meaning, each collective mutual relationship institutionalised by agreements, protocols, statutes or regular contacts of border regions is considered a “transfrontier institution”.

Transfrontier institution is indispensable for each region divided by a border. If the institutionalised relations become permanent, they can create a basis for such institutions.

Institutionalised transfrontier relations in Slovakia were established with the support of the Council of Europe and the Association of European Border Regions. The Council of Europe established legislation regulating transfrontier co-operation which was gradually ratified by Slovakia. The systematic approach has been fundamental to the decentralisation of state competences in the field of transfrontier co-operation to municipalities and higher territorial units (self-

governmental regions), thus fulfilling the principle of subsidiarity, including the transfrontier subsidiarity, in practice (see chapter 2).

The work of the transfrontier institutions of neighbouring countries differs according to their internal legislation for delegated responsibilities, competences, duties and the legal power of their decisions. The same is true of the situation on the borders between Slovakia and its neighbours.

### **3.4.1 Institutional structure of euroregions**

#### **International Association of CARPATHIAN EUROREGION**

##### ***Membership***

in Slovakia – the regions Košice and Prešov;

in Hungary – the regions Borsod-Abaúj-Zemplen, Heves, Hajdú-Bihar, Jász-Nagykun-Szolnok and Szabolcs-Szatmár-Bereg, and the regional towns of Debrecín, Eger, Miskolc and Nyiregyháza;

in Poland – the region Podkarpackie;

in Romania – the regions Botosáni, Maramures, Suceava, Harghita, Satu Mare and Zilah;

in Ukraine – the regions Transcarpathia, Ivano-Frankivsk, Lviv and Chernivtsi.

##### ***Organisational Structure***

**Council of Euroregion** (hereinafter the Council) is the highest body of the association. It consists of members representing the delegation of the national party of the *Carpathian* Euroregion with maximally 10 members. Each national party delegation has one vote. The Council meets at least twice a year.

**Chairman of the Council** is elected from the members of the Council, by the Council, for a term of two years, using the principle of rotation in English alphabetical order.

**Presidium of the Council** consists of the chairmen of each of the national delegations. The Chairman of the Presidium of the *Carpathian* Euroregion is the Chairman of the Council. His/her task is to co-operate with the International Secretariat and implement the strategic activities of the euroregion. Sessions are held at least four times a year using the principle of rotation in English alphabetical order.

**International Secretariat** is the executive administration body of the association. It consists of the Permanent National Representatives from each

national party of the euroregion and its sessions are held at least four times a year using the principle of rotation in English alphabetical order.

**National Offices** are established in each member state of the association. The Permanent National Representatives are members of the Council and of the International Secretariat. The operating costs of each National Office are covered by the respective national party of the *Carpathian* Euroregion.

**Working Commissions** are established by decision of the Council. Currently, the following commissions operate within the *Carpathian* Euroregion:

- **for tourism and environment** – chaired by Poland,
- **for regional development** – chaired by Hungary,
- **for social infrastructure** – chaired by Ukraine,
- **for foreign trade** – chaired by Rumania,
- **for prediction, prevention and providing of mutual assistance by natural disasters and catastrophes** – chaired by Slovakia.

### *Financing*

Financial resources necessary for the activities of the association are raised from the local resources.

### *Seat of the Secretariat of the Carpathian Euroregion*

**Košice** – Slovak Republic

**Nyiregyháza** – Republic of Hungary

**Rzeszów** – Republic of Poland

**Baia Mare** – Republic of Romania

**Užhorod** – Ukraine

## **Union of EUROREGION TATRY**

### *Membership*

The members of the Union of Euroregion *Tatry* (known hereinafter as the Union) are cities and municipalities in Slovakia and “gminy”, cities and municipalities in Poland in the territory of the regions of Spiš, Liptov, Orava, Podhale, Pieniny and Gorce.

### *Organisational Structure*

**The Congress** is the highest body of the Union. It consists of 70 representatives, 35 from each side and meets at least once a year.

**The Council**, elected by the Congress for a two-year term, is the highest executive body of the Union. It consists of 14 members, 7 from each side and meets quarterly. Keeping the rotation principle, the Council elects from its members for a two-year term the Chairman, who manages the work of the Council and represents the Union. At the same time, the Council elects the Vice-chairman representing the other party.

**The Audit Commission**, elected by Congress for a two-year term, is the audit body of the Union. It consists of 6 members, 3 from each party. It works according to the working order adopted by the Congress.

**Secretaries** are the executive bodies of the Council (one in the Union Office on the Slovak side and one in the Union Office on the Polish side). The Secretaries are appointed and dismissed by the Chairman of the Council. They work according to the working order adopted by the Council.

**The Commissions** established by the Council work within the Union:

- economic commission,
- environmental commission,
- cultural commission,
- information commission,
- sports and tourism commission.

Activities of the commissions are managed by its chairmen elected by the Council. They work pursuant to the working order adopted by the Council.

### ***Financing***

The activities of the Union are financed from the resources generated by members' entry and membership fees, voluntary contributions from the cities, "gminas" and municipalities and from other supporting funds, sponsors and gifts.

### ***Seat of the Secretariat of the Union of Euroregion Tatry***

**Kežmarok** – Slovak Republic

**Nowy Targ** – Republic of Poland

## **EUROREGION BESKYDY**

**Voluntary Slovak-Polish-Czech community of the Association "Región Beskydy" in the Slovak Republic, Association "Region Beskidy" in the Republic of Poland and Association "Region Beskydy" in the Czech Republic**

### ***Membership***

The members of the Euroregion *Beskydy* (hereinafter called the Euroregion) are the Association "Región Beskydy" with the seat in Žilina in the Slovak

Republic, the Association “Region Beskidy” with the seat in Bielsko-Biala in the Republic of Poland and the Association “Region Beskydy” with the seat in Frýdek-Místek in the Czech Republic.

### ***Organisational Structure***

**Presidium of Euroregion** (hereinafter called the Presidium) is the highest body of the Union. It consists of 5 representatives of the Board of Directors from the respective parties. The term of Presidium is equal to the term of the Boards of Directors of the associations of the respective parties. It works according to the adopted standing order.

**The Chairman of the Presidium** is elected from the members of the Presidium by the Presidium for a one year term, using the rotation principle. At the same time, the two Vice-chairmen of the Presidium are elected, and represent the other two parties.

**The Audit Commission** is the audit body of the Euroregion. It consists of 3 members from each audit commission of the member association. Its term is equal to the term of the audit commission of the member associations.

**The Working Commissions** draft common project proposals and fulfil the tasks entrusted to them by the Presidium. The following Working Commissions operate within the Euroregion:

- for economy, trade, industries, SME, transport infrastructure, and labour market (chaired by the Polish side),
- for post, telecommunications and information exchange system (chaired by the Slovak side),
- for agriculture, forestry and food industry (chaired by the Polish side),
- for education, schools, universities, health care (chaired by the Slovak side),
- for tourism, culture and sport (chaired by the Czech side),
- for environmental protection, spatial planning, construction industry, development strategy and outside marketing (chaired by the Czech side).

### ***Financing***

Financial resources comprise mainly membership fees, donations, gifts, interest from the accounts, financial and other claims from the activities of the Euroregion. The Euroregion works with the adopted budget. The amount of the membership fee and the way of its payment is adopted by the Presidium. Each member covers the costs of the activities on its territory and mutually covers the costs of the participants on this territory. Performance of the economic activities is regulated by the generally binding legal norms.

***Seat of the Secretariat of the Union of Euroregion Beskydy***

**Žilina** – Slovak Republic

**Bielsko-Biala** – Republic of Poland

**Frýdek-Místek** – Czech Republic

**Association of EUROREGION BÍLÉ-BIELE KARPATY**

***Membership***

The founding members of Euroregion *Bílé-Biele Karpaty* (hereinafter the Euroregion) are the Region Biele Karpaty in the Slovak Republic and Region Bílé Karpaty in the Czech Republic.

***Organisational Structure***

**The General Assembly** is the highest body of the Euroregion. It consists from 20 members delegated from each of the national party. It meets at least once a year. The General Assembly elect and dismiss the Chairman, the Vice-chairman, the members of the Board of Directors, and the members of the Supervisory Board.

**The Board of Directors** is the executive body of the Euroregion. Each of the parties propose 6 members to be elected by the General Assembly for a four-year term. The Chairman and the Vice-chairman are the statutory bodies of the Euroregion, acting on its behalf and managing its activities between the meetings of the General Assembly. Subordinate to the Chairman and the Vice-chairman is the Director of Secretariat, who is an employee of the Euroregion and who is responsible for administrative and economic information, propagation, translation and other activities.

**The Working Group** consisting from 4 members from each side works for the Board of Directors, preparing the sessions of the Board of Directors and General Assembly, common plans of activities and budgets, round tables on current Euroregion problems, as well as other professional meetings and conferences.

**The Supervisory Board** is the audit body of the Euroregion. It consists of 4 members elected by the General Assembly. Its term is equal to the term of the Board of Directors.

***Financing***

The activities of the Euroregion are financed from resources consisting of membership fees, donations, grants, and gifts, interest from accounts and other incomes arising from its own activities.

***Seat of the Secretariat of Euroregion Bílé-Biele Karpaty***  
**Trenčín – Slovak Republic**

## **Association of EUROREGION POMORAVIE**

### ***Membership***

The founding members of Euroregion *Pomoravie* (hereinafter called the Euroregion) are the Regional Association Pomoravie from the Slovak Republic, the Association of cities and municipalities of Jižní Morava from the Czech Republic and the Regional Union Euroregion Weinviertel from the Republic of Austria.

### ***Organisational Structure***

**The General Assembly** comprising all the members is the highest body of Euroregion. It meets at least once a year. The meeting is quorate if all members of the association take part.

**The Presidium of the Euroregion** (hereinafter the Presidium) consists of three members and is the statutory body of Euroregion. Members of Presidium are elected for a two-years term by the General Assembly. The Chairman and two Vice-chairmen of Presidium are elected by the members of Presidium. They are act on behalf of the association.

**The Supervisory Council** is the audit body of a Euroregion. It consists of 9 members and is elected by the General Assembly for a three years term.

**The Board of Advisors** is an independent advisory body of the association. Its composition is defined by the Presidium. It can consist of representatives of the members of the association as well as of independent experts.

### ***Financing***

The activities of the association are financed from the membership fees, monetary and other contributions of members, donations, gifts, income from the association's own activities, contributions from the state and municipal budgets or from the specialised support programs and others.

***Seat of the Secretariat of the Association of Euroregion Pomoravie***

**Skalica – Slovak Republic**

**Hollabrun – Republic of Austria**

**Brno – Czech Republic**



## Association of EUROREGION PODUNAJSKÝ TROJSPOLOK

### *Membership*

The founding members of the association of Euroregion *Podunajský Trojopolok* (hereinafter called the Euroregion) are the Podunajsko-Dolnavažské Regional Association from the Slovak Republic and the General Assembly of the Region Győr-Moson-Sopron from the Republic of Hungary.

### *Organisational Structure*

**The Council** is the highest decision body of the Euroregion. It consists of 14 members from each party

**The Presidium of the Euroregion** (hereinafter the Presidium) decides on the issues of the Euroregion between the sessions of the Council. The presidium consists of the Presidium Groups consisting of 5 members delegated from each party, including the acting Chairman of the founding General Assembly of the Region Győr-Moson-Sopronas as well as the acting Chairman of the Podunajsko-Dolnavažské Regional Association, for a maximum term of four years. The Presidium is led each year alternately by the Chairman, the Chairman of the founding General Assembly of the Region Győr-Moson-Sopronas and the Chairman of the Podunajsko-Dolnavažské Regional Association. The Presidium meets when necessary, and at least twice a year. The extraordinary meeting can be called at the request of one third of its members.

**The Secretariat** is the executive and administrative body of the Euroregion. Its activity is managed by the secretaries. The leading secretary is the secretary from the country of the acting Chairman.

**The Commissions of the Euroregion** assist the Presidium. Their members are delegated from both sides on the principle of parity. Currently, the following commissions operate within the Euroregion:

- economy and employment,
- education, youth and sport,
- social and health care,
- culture and tourism,
- regional development and transportation,
- nature and environment protection,
- emergencies commission.

### *Financing*

The activities of the Euroregion are financed in Euros by membership fees, gifts, wins, grants and other financial resources.

***Seat of the Secretariat of the Euroregion Podunajský Trojopolok***  
Győr – Republic of Hungary

## EUROREGION VÁH-DUNAJ-IPEL

### *Membership*

The members of the Euroregion *Váh-Dunaj-Ipel'* (hereinafter called the Euroregion) are the Regional Association *Váh-Dunaj-Ipel'* from the Slovak Republic and the Regions of Komárom-Esztergom, Pest, Fejér and Veszprém from the Republic of Hungary.

### *Organisational Structure*

**The Presidium of the Euroregion** is the highest body of the Euroregion. It consists of the Presidium Groups representing the respective parties, each consisting of three members. The mandate of the Presidium is four years. The **Chairman**, alternated yearly according to the rotation principle, acts on behalf of the Euroregion.

**The Independent Commission with a maximum membership of 10** is the advisory body for each Presidium Group. The Presidium can decide whether to set up ad hoc commissions or to appoint experts. Members of the **Wiseman Council of the Euroregion** are appointed from among highly regarded and experienced citizens from both sides of the border on the parity principle by the Presidium. This council reviews once a year the activities of the Euroregion and proposes further possible objectives.

**The Secretariat of the Euroregion** ensures the smooth running of the Euroregion. It consists of its employees and of the Secretaries of the Presidium Groups.

### *Financing*

The activities of the Euroregion are financed equally by contributions from both sides in Euros, defined contributions of members in Euros, financial means in the form of grants and donations, and by other financial means.

### *Seat of the Euroregion Váh-Dunaj-Ipel'*

Tatabánya – Republic of Hungary

## IPEL-IPOLY EUROREGION

### *Membership*

The members of *Ipel'-Ipoly* Euroregion (hereinafter called the Euroregion) are the Association *Ipel'ský* region from the Slovak Republic and Eurorégió Határom Átnyúló Együttműködés from the Republic of Hungary.

### ***Organisational Structure***

**The General Assembly** is the highest body of the Euroregion. It consists of 24 members from the Presidiums of the founding members with each party represented equally. It meets at least once a year.

**The Presidium of the Euroregion** is appointed by the General Assembly. It consists of 12 members with both parties represented equally. Generally, it meets twice a year. The extraordinary meeting may be called at the proposal of four members of the Presidium.

**The Chairman and the Vice-chairman** are the statutory bodies of the Euroregion. They are elected by the General Assembly for a four-year term.

The Euroregion established the **Directorate of the Euroregion** with the seat in the Slovak Republic and the Workstation of the Directorate with the seat in the Republic of Hungary. The Presidium appoints and dismisses the Director according to the results of a tender. A Slovak or Hungarian citizen may be appointed Director.

The Euroregion established the following **Common Working Groups** in order to draft the proposals, programmes, measures and plans:

- for strategy, EU integration and administrative regulation,
- for the economy, finance and source management,
- for spatial planning and environmental protection,
- for culture, education, sport, social care and informatics,

**The Supervisory Commission** is the audit body of the Euroregion. It is appointed by the General Assembly and consists of three members taken from the supervisory commissions of each party.

The General Assembly appoints the **Ethical Commission of the Euroregion**. Its task is to ensure respect for the association's internal rules, to monitor the implementation of ethical norms and to solve disciplinary issues.

### ***Financing***

The activities of Euroregion are financed by its founders from the membership fees, incomes from the activities of the Euroregion and incomes from projects and gifts.

### ***Seat of Ipeľ-Ipoly Euroregion***

**Šahy** – Slovak Republic

**Balassagyarmat** – Republic of Hungary

## EUROREGION NEOGRADIENSIS

### *Membership*

The members of Euroregion *Neogradiensis* (hereinafter called the Euroregion) are the Association of Region Neogradiensis from the Slovak Republic and the Association Régió Egyesület from the Republic of Hungary.

### *Organisational Structure*

**The General Assembly** is the highest body of the Euroregion. It consists of 15 members from each party. It meets at least once a year alternately on the territory of the respective parties.

Each party delegates 7 members to the **Presidium of the Euroregion**. It meets at least twice a year alternately on the territory of the respective parties. The chairmen of the member associations alternate as Chairman and Vice-chairman of the Euroregion, for two year periods.

**The Supervisory Board** is the audit body of the Euroregion. Five members of the Board from each party are elected by the General Assembly for a five-year term.

**The Secretariat** ensures the administration of the Euroregion. The Heads of Secretariats take part at the meetings of the General Assembly as well as Presidium with the advisory vote.

If necessary, the **Commissions**, consisting of ten members, could be established by the General Assembly. Their members and Chairmen are elected by the General Assembly for a five-year term, keeping the principle of parity.

### *Financing*

The operational costs are covered by the party, on the territory of which the meeting of the bodies of the Euroregion are organised.

### *Seat of the Euroregion Neogradiensis*

**Lučenec** – Slovak Republic

## EUROREGION SLANÁ-RIMAVA

### *Membership*

The members of Euroregion *Slaná-Rimava* (hereinafter called the Euroregion) are the Union of Slaná and Rimava from the Slovak Republic and Association Sajó-Rima Eurorégió from the Republic of Hungary.

### ***Organisational Structure***

**The General Assembly** is the highest body of the Euroregion. It consists of 24 members: 12 from the Slovak and 12 from the Hungarian party. Its members are appointed and dismissed by the member associations. It meets at least twice a year.

**The Board of Directors**, consisting of 6 members (3 from each party), is the executive body of the Euroregion. Its term is equal to the term of the General Assembly. Co-chairmen of the Euroregion from the Slovak and Hungarian party represent the Euroregion on the territory of their respective countries.

Following the decision of the General Assembly, the following **Professional Commissions** are established within Euroregion:

- for business development and employment,
- for spatial planning,
- for tourism,
- for environment,
- for culture,
- for health and social care,

Administration for the Euroregion is performed in each country by a person appointed by the respective party.

### ***Financing***

The financing of the events of the Euroregion is covered by the party, on the territory of which the respective events are organised. The administration of the Euroregion is covered in each country by the respective party.

### ***Seat of the Secretariat of Euroregion Slaná-Rimava***

**Putnok** – Republic of Hungary

## **EUROREGION KRAS**

### ***Membership***

The founding members of Euroregion *Kras* (hereinafter called the Euroregion) are the Association of Bodvianska únia and Association Microregion Domica from the Slovak Republic and the Association Galyasági Településszövetség from the Republic of Hungary.

### ***Organisational Structure***

**The Council** is the highest decision body of Euroregion. It consists of 8 members delegated from parties according to the parity principle. It has a three-year term and meets at least twice a year.

**The President** is the statutory body of the Euroregion. He/she is elected from its members by the Council for a one-year term, by the rotation principle.

**The Secretary**, appointed upon the decision of the Council by the President for a three-year term, is the administrative and executive body of the Euroregion. The Secretariat assists the Secretary in the fulfilment of his/her tasks.

**The Audit Working Commission** is the audit body of the Euroregion. Based on the resolution of the Council, other **Working Commissions** could be established by the Euroregion.

### *Financing*

The Financial resources for the activities of the Euroregion are covered by contributions from the parties, contributions from the associated members and finances from the different grants and projects.

### **BODIES OF EUROREGIONS**

	<b>Highest decision body</b>	<b>Statutory body</b>	<b>Executive body</b>	<b>Administrative body Secretariat</b>	<b>Commissions</b>	<b>Audit body</b>
<b>Carpathian Euroregion</b>	Council	Chairman	International Secretariat	National Offices	Working Commissions	
<b>Euroregion Tatra</b>	Congress	Chairman	Council	Secretaries in both parties	Commissions	Audit Commission
<b>Euroregion Beskydy</b>	Presidium	Chairman of the Presidium	Board of Directors of the Associations of the parties	Secretariats of all of the parties	Working Groups	Audit Commission
<b>Euroregion Bílé-Biele Karpaty</b>	General Assembly	Chairman and the Vice-chairman of the Board of Directors	Board of Directors	Director of Secretariat	Working Group	Supervisory Board
<b>Euroregion Pomoravie</b>	General Assembly	President	Presidium	Executive Secretariat	Board of Advisors	Supervisory Board
<b>Euroregion Podunajský Trojspolok</b>	Council	Chairman	Board of Directors	Secretariat Secretaries	Professional Commissions	
<b>Euroregion Váh - Dunaj - Ipel'</b>	Presidium	Chairman		Secretariat	Independent Commissions Ad hoc Commissions Wiseman Council	

<b>Ipeľ - Ipoly Euroregion</b>	General Assembly	Chairman Vice-chairman	Board of Directors	Directorate of the Association	Commissions	Supervisory Commission Ethical Commission
<b>Euroregion Neogradien sis</b>	General Assembly	Chairman Vice-chairman	Board of Directors	Secretariat	Commissions	Supervisory Board
<b>Euroregion Slaná-Rimava</b>	General Assembly	Co-chairmen	Board of Directors	Persons appointed by the respective parties	Professional Commissions	
Euroregion Kras	Council	President	Secretary	Secretary Secretariat	Possibility of establishing commissions	Audit Working Commission

### 3.4.2 Practical problems and starting points of the institutional organisation of euroregions

In order to improve the quality of transfrontier activity that focuses on the future, it is necessary to define the practical problems facing the euroregions of Slovakia and its neighbours.

In the transfrontier context, it may be stated that:

- in the process of integrating and shaping a transfrontier consciousness in Europe, it is important to develop friendly relations based upon healthy competition and competitiveness. In this connection, there appears to be a more pressing need for transfrontier institutions and their contracting parties to promote themselves by more effectively seeking solutions to local problems in economic, social, cultural and institutional terms. In addition, it is necessary to create optimal mutual activity by means of transfrontier co-operation in their territories.

The Council of Europe is working to **support** and reinforce the development of transfrontier co-operation in Europe at local and regional levels. The possibility of developing strategic transfrontier co-operation in the European area, especially by means of European Union Structural Funds, will require a **legal instrument** between Member States and also Non-Member States of the European Union. In establishing this, it is possible to use as a basis the existing euroregional structures and also the Memorandum of Euroregions adopted on the eve of the International Conference of the Council of Europe on transfrontier co-operation, "Slovakia and its neighbours", held in June 2003. Participants in the euroregions meeting gave impetus to the harmonisation of legal rules for

transfrontier co-operation and at the same time recommended the Council of Europe to draw up a “Euroregional model statute” as an Annex to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities or as a third protocol thereto<sup>10</sup>;

- transfrontier co-operation complicates disparities in competences between the respective regional associations of the contracting parties.

By its accession to the European Union on 1 May 2004, the Slovak Republic acquired the opportunity to draw financial resources from the Structural Funds and to do so within the framework of the programme INTERREG III A – a bridge with and successor to the pre-accession programme of transfrontier co-operation PHARE CBC, which created conditions for bringing people more closely together on the basis of common projects in the border regions of Slovakia.

On the basis of the available information, it is possible to state that almost all euroregions of the European Union are entrusted with a significant task in the Community Initiative Programme (CIP) INTERREG III A 2004 – 2006 for internal and external borders of the EU. For the borders of the Slovak Republic, however, the rules and structures of the programme are different. Regarding the Monitoring Committee for INTERREG III A Poland – the Slovak Republic, and the Slovak Republic – the Czech Republic, the Polish and Czech members are euroregions while the Slovak members represent Higher Territorial Communities (self-governing regions), which may delegate social and economic partners and the representatives thereof.

By their participation in the European Union programme PHARE CBC (Cross Border Co-operation), euroregions acquired experience in the active utilisation of domestic and foreign funds and in gradual preparation for the Community Initiative Programme INTERREG III A. Transfrontier associations have been successfully developed at the initiative of local authorities, with support from the Government of the Slovak Republic, through building a system of institutional capacities that expedites the preparation process for transfrontier structures and for the area of human resources. It is expected that after 2007, Slovak parts of euroregional associations will also be permitted to work within the common structures of INTERREG III A;

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<sup>10</sup> The Memorandum of Euroregions adopted on the eve of the International conference of the Council of Europe on transfrontier co-operation “Slovakia and its neighbours”, held in Piešťany in the Slovak Republic on 11 June 2003.



- From the view of the number of euroregions and self-governing regions in the territory of Slovakia, the membership of a self-governing region in a euroregion is problematic;

in the territory of **Trnava self-governing region**, there operate two euroregions: **Euroregion Pomoravie** and **Euroregion Podunajský trojspolok**;

in the territory of **Trenčín self-governing region**, there operates the **Euroregion Bílé-Biele Karpaty**;

in the territory of **Nitra self-governing region**, there operates the **Euroregion Váh-Dunaj-Ipeľ**;

in the territory of **Žilina self-governing region**, there operate two euroregions: **Euroregion Beskydy** and **Euroregion Tatry**;

in the territory of **Banská Bystrica self-governing region**, there operate two euroregions: **Ipeľ-Ipoly Euroregion** and **Euroregion Neogradiensis**;

in the territory of **Košice self-governing region**, there operate three euroregions: **the Carpathian Euroregion**, **Euroregion Slaná-Rimava** and **Euroregion Kras**;

in the territory of **Prešov self-governing region**, there operate two euroregions: **the Carpathian Euroregion** and **Euroregion Tatry**.

At the present time in Slovakia, **there operate 11 Euroregional associations in the territory of eight regions.**

The defined territory of the *Carpathian* Euroregion is spread over the territory of two self-governing regions – Prešov self-governing region and Košice self-governing region.

An integral part of the transfrontier region is its geography. According to the methodological instructions of the European Union for the Community Initiative Programme INTERREG III A, the defined territories considered to be suitable recipients are areas at the administrative level, namely, the territorial units for

statistics (NUTS III) corresponding to the territory of a region in the Slovak Republic.<sup>11</sup>

- There lacks a **common strategic plan for the development of euroregions** as well as an analysis of the problems, bases, strengths and weaknesses of euroregional associations.

Preparation of planning and development studies for euroregional associations has been assisted since 1999 by funding for transfrontier activities from the state budget of the Slovak Republic (for example, between 2002 and 2004, 82 projects were allocated SKK 35.5 million). It has been shown that not all euroregional associations utilised this possibility.

- It is necessary to work out rules for the financing of euroregions.

At euroregional level, associations should have the possibility, for example, of holding **joint bank accounts** from which they can pay for activities conducted on both sides of the border and provide mutual assistance in the co-financing of projects.

## 4 Conclusion

The Slovak Republic's integration into the European Union on 1 May 2004 significantly strengthens its international position and develops scope for foreign-political activities. In the changed conditions, there will be transfrontier communication with border regions of the European Union – the immediate neighbours (Czech, Hungarian, Polish, Austrian) but also border regions outside the European Union (Ukrainian) – in order to preserve the continuity of preceding contacts and assumed obligations.

In May 2005, the Council of Europe will commemorate 25 years since the signing of the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities. This fundamental document, ratified by all countries neighbouring the Slovak Republic, has significantly influenced the development of transfrontier co-operation for Slovakia and its neighbours. The first proposal to assess conditions for the accession of the Slovak Republic to the Outline Convention and Additional Protocol was submitted by the Interior Ministry and discussed by the Government of the

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<sup>11</sup> Article 3(2) of Regulation (EC) No. 1059/2003 of the European Parliament and of the Council on the establishment of a common classification of territorial units for statistics (NUTS).

Slovak Republic on 20 August 1996. The chronological process of this fundamental document's discussion by the Government of the Slovak Republic, the Parliament of the Slovak Republic, its ratification by the President of the Slovak Republic, the submission of the ratification instruments to the Council of Europe and then the date of its entry into force for the Slovak Republic is set out in the second chapter of the analytical study.

The Slovak Republic, in accordance with legal provisions of the state, has sought appropriate institutional mechanisms for the development of neighbourly relations through transfrontier co-operation. Core areas of co-operation have been set out in intergovernmental agreements on transfrontier co-operation concluded with all neighbouring countries, on which basis organisational structures have been established in the form of intergovernmental commissions. The areas are, in particular, economy and employment, transport, border crossings and tourism, culture and education, the health sector and social affairs, spatial planning and the environment. The intergovernmental commissions are also addressing additional tasks of a sectoral nature, for example, problematic border waters, common provision of fire service and civilian defence for a population such as that mentioned in the study.

The consequence of the Slovak Republic's history in the development of transfrontier co-operation is seen in the areas of its activities. A special role in improving neighbourly relations is played by transfrontier structures of a euroregional type – euroregions. The gradual process of creating a legal environment in the institutionalised form of euroregions is described in detail in the third chapter: The Legal Status and Fundamental Documents of Euroregions.

Bilateral conferences of the Council of Europe on transfrontier co-operation have been a significant landmark in the long-term process of mutual convergence between Slovakia and its neighbours, in terms of respecting their identity and the character of their bilateral co-operation, whether it concerns membership of the European Union or the application for its membership. The Council of Europe closing conference entitled “Slovakia and its neighbours” represented the culmination of several years of efforts by the Ministry of the Interior of the Slovak Republic in a series of bilateral conferences on transfrontier co-operation, which since 1999 had been held successively in all Slovakia's neighbours as part of the Council of Europe's programme for transfrontier co-operation and with its significant support. Proceeding from the conclusions of the conferences, set out in the analytical study, it may be stated that transfrontier co-operation is most effective at the regional and local levels; this is borne out by the existing bilateral and trilateral agreements and by agreements in practice. At the same time, satisfaction was expressed with the

level of transfrontier co-operation and with the possibility of further improving it through the supportive policy of the respective authorities at the European, state and regional level. In order that the new Member States of the European Union have a successful future, it is necessary to strengthen and further develop strategic transfrontier co-operation in regions by means of European Union funds, which will require a legal instrument between Member States and also Non-Member States of the European Union.

Notwithstanding the positive results achieved in the development of transfrontier co-operation between Slovakia and its neighbours, it must be stated that transfrontier institutions in whatever form are only an instrument of transfrontier relations. Their basis is the democratisation of transfrontier co-operation and the creation of de facto transfrontier subsidiarity through overcoming practical problems along the borders.

The stimulus for developing transfrontier co-operation which the European Union provided in 1991 with the Community Initiative Programme INTERREG I has had a positive effect in the border regions of Europe. With European Union funds, the addressing of problems in the social, economic, and cultural life of border region populations is an opportunity to gradually remove transfrontier disparities and to have economic, cultural and social co-operation co-ordinated by transfrontier institutions. In this area, Slovak euroregional associations expect to have a lot of work and, in co-operation with neighbours, to overcome existing differences within the framework of the Community Initiative Programme INTERREG III A.

The process of European integration, in which the Slovak Republic is a participant, will require increasing the trustworthiness of transfrontier institutions and their co-ordination authorities so that they are able to focus on solving local problems and achieving practical results.

An analysis of institutional aspects of transfrontier co-operation of the Slovak Republic was elaborated at the initiative of the Council of Europe and covers the current state of development in transfrontier co-operation, an area which Slovakia considers to be particularly important to the process of European integration.

## **5 Examples of the statutes of the euroregions**

### **5.1 Statute of the Euroregion Tatry**

#### **Euroregion Tatry**

association of legal persons in compliance with the article 20 sections f) to j) of the Civil Code of the Slovak Republic established in accordance with the civil law

#### **REGION TATRY**

association of legal persons representing the interests of the self-government with the seat in the Slovak Republic on Hlavné námestie No. 3, 060 01

Kežmarok

represented by Peter Burian

and

#### **EUROREGION TATRY**

association of legal persons representing the interests of the self-government with the seat in the Republic of Poland on ul. Tysiaclecia No. 37, Nowy Targ represented by Wendelin Haber from Nizne Lapsze

which has established, by concluding of the written founding agreement from 18 August 1994, the Slovak-Polish Euroregion Tatry (hereinafter as EUT), define this statute.

#### **STATUTE**

##### **Article 1**

1. Name of the Association : Euroregión Tatry
2. Address: Slovak Republic, Kežmarok  
Republic of Poland, Nowy Targ
3. Territory of operation: on the territory of the Slovak Republic –  
Districts of Dolný Kubín, Kežmarok,  
Liptovský Mikuláš, Námestovo, Poprad,  
Spišská Nová Ves, Stará Ľubovňa, Tvrdošín  
on the territory of the Republic of Poland –  
Districts of Nowy Targ, Nowy Sacz, Tatry

Both parties shall inform themselves continually about changes in membership including changes in territorial scope of operation of the respective territories of EUT.

4. Scope of activities:

a) to contribute to the creation of the appropriate condition to develop the co-operation between the border regions on Slovak and Polish side in order of economic and cultural development and nature protection,

b) to harmonise important activities in accordance with the aims of EUT.

5. Rules of activities:

- all bodies of EUT act in compliance with the legal systems of the Slovak Republic and the Republic of Poland respectively,

- competence, power and responsibility of the relevant territorial bodies of the state administration and self-government are not affected by the activities of EUT.

## **Article 2**

### **Membership**

1. Members of EUT are the Association Region Tatry (Slovak Republic) and the Union Euroregion Tatry (Republic of Poland).

2. Individual membership of cities and municipalities in associations is an internal issue of the respective associations.

## **Article 3**

### **Aims and tasks of the Union of Euro-region „Tatry“**

Support of transfrontier co-operation is the fundamental pre-requisite of the regional development, environmental protection, technical, economical, social, cultural and sport activities focused on development of the partner co-operation between the participants based on common projects.

Transfrontier co-operation on the territory of EUT is one of the forms of support of the development of the respective regions, strengthening of the mutual confidence and contributes to the development of the integration process and overall co-operation in Europe.

1. The aim of EUT is to create convenient conditions for development of collaboration of the border regions of the both countries using the sources of the programs as PHARE CBC, CREDO, Interreg, etc.

2. EUT support the development of transfrontier co-operation especially in the areas as follows:

- planning and territory management,
- communal management,
- industries,
- agriculture,
- nature and environment protection,
- transport and communications,
- tourism and transport across the borders,

- trade and services,
  - education and science inclusive mutual instruction of Slovak and Polish languages,
  - health protection,
  - culture and arts,
  - liaisons and youth exchange,
  - tourism, recreation and sports,
  - prevention of criminality,
  - mutual aid in case of natural catastrophes and disasters,
  - other areas of social interest.
3. EUT supports in the frame of its possibilities, the interests of the cities and municipalities, NGOs and natural persons which are in compliance with the development aims of the region.
  4. EUT supports on regional level all activities aiming in accession of the Slovak Republic and the Republic of Poland to European Union.
  5. EUT supports conclusion of the agreement in the field of transfrontier co-operation, especially in the field of establishment of the common companies, associations, unions and foundations.

#### **Article 4**

##### **Rights and Obligations of the Members**

Members of EUT

1.
  - are obliged to fulfil the adopted commitments voluntarily and to co-operate on implementation of the aims of EUT,
  - have the right to take part at the activities and to participate on the work of the bodies of EUT as well as to share the advantages of the membership,
  - have the right to express themselves concerning the proposed activities and programs as well as to submit their own proposals,
  - are obliged to contribute to financing of its activities in agreed amount and to fulfil tasks adopted voluntarily,
  - are obliged to consult mutually the auspices over the activities with the name of EUT, use of its logo, including published documents, press, electronic information and similar activities using the name or logo of EUT,
  - are obliged to secure the legal protection of the name and logo of EUT.
2. The Council of EUT grants the use of its name and logo.

#### **Article 5**

##### **Bodies**

The bodies of EUT are as follows:

- a) Congress
- b) Council

- c) Secretariat
- d) Audit Commission
- e) Professional Working Commissions

## **Article 6**

### **Congress of EUT**

1. Congress of EUT is the highest body of EUT
2. The members of the Congress of EUT are the statutory representatives of the Association Region Tatry (35 delegates from the Slovak side) and of the Union Euroregion Tatry (35 delegates from the Polish side).  
In the case of non-participation of the statutory representative, the authorised representative can participate at the Congress.  
The statutory or authorised representatives have the decisive vote at the meeting of the Congress of EUT, while the unauthorised representatives have only advisory vote.  
The delegates are elected by the members of EUT separately on each side. The way of election is defined by each side independently.
3. The powers of the Congress of EUT are as follows:
  - to adopt the basic program and organisational documents,
  - to adopt the basic lines of activities for the respective calendar year,
  - to elect and revoke the members of the Council,
  - to discuss and adopt the reports on activities of the Council of EUT,
  - to adopt the amount of membership fees,
  - to adopt the budget and its yearly balance,
  - to decide on conditions of use of the common financial sources,
  - to decide on way of dissolution of the bodies and on the way of clearance of all liabilities and claims as well as on the way of dealing with its property,
  - to elect and revoke the members of the Audit Commission.
4. Congress meets at least once a year. The meetings are convoked by the Council of EUT, in at least 15 day notice. The invitation includes the programme as well as other written documents.
5. Extraordinary meetings are convoked by the Council of EUT if asked by one third of members of EUT.
6. Congress can invite Members of Parliament, representatives of governments, ministries and bodies of public administration. The Secretary of EUT has the advisory vote at the meetings.
7. Resolution is adopted by a majority of all members of EUT.



**Article 7**  
**Council of EUT**

1. Council of EUT consists of 14 members, 7 of them delegated from Slovak and 7 from Polish side for a two years term. Council elects in a secret ballot its chairman for a two years term. The chairman is elected on a rotation principle from Polish and Slovak side. First chairman shall be from Polish side. Chairman is the statutory body, managing the activities of EUT and acting on its behalf.
2. Convoques the Congress of EUT.
3. Establishes and dissolves the Professional Working Commissions of EUT and elects their chairmen.
4. Implements the resolutions of the Congress of EUT.
5. Appoints and revokes the Secretary of EUT.
6. Council meets when needed, at least quarterly.

**Article 8**  
**Secretariat of EUT**

1. Secretariat is the executive body of EUT.
2. Performs the administrative activities of EUT.
3. Prepares the meetings of the Congress, Council and Professional Working Commissions.
4. The activities of the Secretariat is managed by the Secretary of EUT, appointed and revoked by the Council of EUT.

**Article 9**  
**Audit Commission of EUT**

1. Audit Commission is the audit body of EUT.
2. It consists from 6 members elected by the Congress of EUT – 3 from each side.
3. The Audit Commission has the right to control each body of EUT.
4. The Audit Commission elects and revokes its Chairman and Vice-chairman

**Article 10**  
**Professional Working Commissions**

1. Professional Working Commissions are established if necessary by the Council of EUT.

They elaborate the drafts of the common programs and fulfil the tasks ordered by the Council of EUT.

2. The following working commissions operate in EUT:
  - for economic co-operation,
  - for environment protection,
  - cultural,

- information commission,
- for sport and tourism.

## **Article 11**

### **Financing**

1. The resources for the activities of EUT are gathered on independent accounts of the parties, and can consist of following:
  - entry fees,
  - membership fees,
  - voluntary contributions of cities and municipalities,
  - grants and gifts.
2. EUT works in accordance with the adopted budget.
3. The amount of membership fee as well as the way of their payment is defined by the Congress of EUT.
4. Each member of EUT covers the costs of the activities on its territory as well as the costs of the participant on this territory.
5. EUT does not perform business activities aimed at making profit. Its economic activities are focused on covering of the operating costs of EUT. The performance of the economic activities is managed in accordance with the valid legal norms.

## **Article 12**

### **Cessation of membership**

1. The membership in EUT ceases to exist if one of the parties announces the termination of its membership in a written form to the Congress of EUT in at least 6 months notice before the considered date of termination.
2. The way of dissolution of the bodies, property clearance and on the way of clearance of all liabilities and claims is decided by the Congress of EUT.

## **Article 13**

### **Final Provisions**

1. The Congress of EUT decides on amendments of this statute exclusively.
  2. Two thirds majority of all members of EUT is necessary to amend this statute.
- The statute was adopted by the Congress of EUT on  
Done in two copies, each in Slovak and Polish languages, while both texts are equally valid.

## 5.2 Statute of the Euroregion Bílé – Biele Karpaty

### **Euroregion Bílé - Biele Karpaty Statute of the Association of Legal Persons**

#### **Article I**

##### **General Provisions**

Euroregión Bílé – Biele Karpaty (The Bílé - Biele Karpaty Euroregion) (ER BBK) is an association of legal entities in compliance with the article 20 sections f) to j) of the Civil Code of the Slovak Republic established by the Memorandum of Association dated on July 30, 2000.

It has been established for an indefinite period of time.

#### **Article II**

##### **Name and Address**

Name of the Association : **Euroregión Bílé - Biele Karpaty (The Bílé – Biele Karpaty Euroregion)**

Abbreviation : **ER BBK**

Address : **Mierové nám. 2, 911 64 Trenčín**

#### **Article III**

##### **Scope of Business**

Universal development of a transfrontier region consisting of the territory of operation of the association Región Biele Karpaty (The Biele Karpaty Region), with its offices in Trenčín, the Slovak Republic, and the territory of operation of the association Región Bílé Karpaty (The Bílé Karpaty Region), with its offices in Zlín, the Czech Republic. Aimed at creating conditions for getting to know each other, co-operation and co-ordination of the activities, to co-operate in the following areas and activities:

- a) Environment and spatial planning;
- b) Agriculture and forest management;
- c) Transport, communications and technical infrastructure;
- d) Economy, employment, human resources;
- e) Health and social care;
- f) Education, research, culture;
- g) Educational, information and publishing activities;
- h) Organising of seminars and conferences;
- i) Co-operation with other Euroregions;
- j) Civil defence, fire prevention and emergency services;
- k) Civil society.

**Article IV**  
**Proprietary Conditions**

1. The operation of ER BBK is financed from the resources consisting of the following:
  - a) Membership fees;
  - b) Subsidies, grants and donations;
  - c) Interest on the funds put in a bank account;
  - d) Other revenues coming from its operation.
2. Financial management is controlled by the approved budget.
3. The amount of membership fees and a method of payment thereof is determined by the General Assembly of ER BBK.
4. ER BBK does not perform business activities aimed at making profit.

**Article V**  
**Creation and Cessation of Membership**

1. The founder physical entities, Region Bilé Karpaty (The Bilé Karpaty Region) and Región Biele Karpaty (The Biele Karpaty Region), are the members of ER BBK.
2. Membership in ER BBK ceases by:
  - a) the member's written notice on resignation from ER BBK;
  - b) termination of ER BBK.

**Article VI**  
**Rights and Obligations of the Members**

The members of ER BBK delegate their representatives in the bodies and through their representatives they have:

1. The right to:
  - a) Propose, vote and be elected to the bodies;
  - b) Actively participate in operation of ER BBK, make use of its information services;
  - c) Receive information on operation of the bodies of ER BBK and management.
2. The obligation to:
  - a) Follow the Rules of Association; actively participate in meeting the goals of ER BBK and its presentation at an international level;
  - b) Pay membership fees in the specified amount and on specified dates;
  - c) Inform in writing about personal changes in delegation of representation in the bodies of ER BBK;
  - d) Abstain from such behaviour which might damage interests and goals of ER BBK.

## **Article VII**

### **Bodies and Their Responsibilities**

The following are the bodies of ER BBK:

1. The General Assembly;
2. The Board of Directors;
3. The Board of Supervisors.

#### **1. The General Assembly**

- a) The General Assembly is the supreme body of Euroregion Bílé-Biele Karpaty.
- b) Both the founder members delegate the same number of members – 20 – to the General Assembly, who are also the members of national associations.
- c) When delegating the members of the General Assembly, each Contract Party proceeds on its own.
- d) Meetings of the General Assembly may be regular or extra ones.
- e) The regular meeting is called by the chairperson or the vice-chairperson of the Board of Directors at least once in a year.
- f) An extra meeting of the General Assembly may be called based on a decision by the Board of Directors or on the instigation of a statutory representative of the national association with a predefined subject of negotiation, exclusively in the case of necessity to make urgent decisions by ER BBK. The extra meeting of the General Assembly must be called by the chairperson or the vice-chairperson no later than within thirty (30) days from the decision by the Board of Directors or receipt of a written instigation from a statutory representative of the national association.
- g) The General Assembly has a quorum if an absolute majority of members delegated for every member of a national association is present. The General Assembly makes decisions by a simple majority of present members. Every member of the General Assembly has one vote.
- h) Minutes of the meeting of the General Assembly are prepared and signed by the chairperson, the vice-chairperson and the minutes clerk. The minutes are archived for the whole period of existence of ER BBK.
- i) The following belongs to the exclusive competency of the General Assembly:
  - Make decisions on the number of members of the General Assembly;
  - Approve the Rules of Association and changes and amendments thereto;
  - Vote for and recall the chairperson, the vice-chairperson and the members of the Board of Directors and the members of the Board of Supervisors;
  - Negotiate and approve a report on activities and meeting the budget of ER BBK for the last year;

- Determine the amount of member fees and dates of payment;
- Approve the plan of activities and the budget of ER BBK;
- Make decisions on cessation and the method of liquidation of the property of ER BBK;
- Make decisions on the issues reserved by the General Assembly;
- Delegate the powers of the General Assembly to the Board of Directors.

## **2. The Board of Directors**

a) The Board of Directors is an executive body of ER BBK.

b) The Board of Directors controls the operation of ER BBK, especially but not limited to:

- Executes the resolutions made by the General Assembly;
- Prepares the drafts of the plan of activities and the budget and submits them to the General Assembly for approval;
- Prepares a report on activities and meeting the budget for the last year;
- Appoints and recalls the director of a secretariat;
- Approves internal standards (e.g. the organisation rules, the premium policy, regulations, economy, etc.);
- Fulfils other tasks based on the resolution by the General Assembly;
- Is responsible for the contents and organisation of the meeting of the General Assembly;
- Appoints representatives of ER BBK in international institutions;
- Appoints the liquidator.

c) The Board of Directors consists of twelve (12) members proposed by the Contract Parties and elected by the General Assembly. Every Contract Party proposes six (6) members. The term of office of a member of the Board of Directors is three (3) years and expires on a day of election of new members.

d) The Board of Directors consists of the chairman, the vice-chairman and members.

e) Membership in the Board of Directors is determined by:

- Recalling the member of the Board of Directors by the General Assembly;
- Written resignation from the Board of Directors;
- Recalling the member by the respective national association;
- Expiration of the term of office.

f) Only a physical entity can be a member of the Board of Directors.

g) The Board of Directors is called and chaired by the chairperson as necessary, however once in a year-half at least. The meeting of the

Board of Directors is also attended by the chairperson of the Board of Supervisors, if requested by her/him to do so, however without the right to vote. The director of the secretariat is usually invited for the meeting of the Board of Directors as a non-voting member.

h) The Board of Directors makes decisions by an absolute majority of the votes of the members present in the meeting. It has a quorum if an absolute majority, i.e. minimum seven (7) members, is present. A substitute member with the right to vote, delegated from among the members of the General Assembly by the national association based on a written power of attorney, can take part in the meeting for a missing member of the Board of Directors. Minutes, signed by the chairperson and the vice-chairperson of the Board of Directors and the minutes clerk, are prepared of the meeting of the Board of Directors.

i) Important documents of ER BBK, establishing rights and obligations, including the documents concerning the management and property of ER BBK, are always signed by the chairperson or the vice-chairperson and one member of the Board of Directors of the other national association. The documents of international character are signed by the chairperson and the vice-chairperson exclusively.

j) The chairperson and the vice-chairperson are a statutory body of ER BBK who control its activity and act on its behalf in public between meetings of the General Assembly.

k) The chairperson of the Board of Directors:

- Controls the activity;
- Chairs and calls regular and extra meetings of the General Assembly and the Board of Directors;
- Signs resolutions of the General Assembly, resolutions of the Board of Supervisors and other documents in compliance with these Rules.

l) The vice-chairperson of the Board of Directors acts in public on behalf of the chairperson if the chairperson is absent for a long period of time or based on agreement or if the chairperson does not act for a long period of time. If the chairperson is from one national association, the vice-chairperson is from the other national association.

m) The term of office of the chairperson and the vice-chairperson expires upon:

- Expiration of the term of office;
- Resignation from the post;
- Recalling from the post by the General Assembly or the national association by which s/he was delegated.

n) Disputes, if any, in the operation of ER BBK are solved together by the chairperson and the vice-chairperson with the right of a final decision in the dispute.

o) The director of secretariat is subordinated to the chairperson or the vice-chairperson of the Board of Directors. The director of secretariat is an employee of ER BBK, the labour relation of whom comes into existence and ceases to exist based on a contract of employment. S/he is responsible for timely and professional realisation of all administrative, economic, information, promotion, translation, and other activities and services both for public and in relation to the members of ER BBK. With respect to the collective bodies, s/he is a non-voting member. S/he has the right to sign common correspondence exclusively in relation to both the members of ER BBK and other legal and physical entities.

### **3. The Board of Supervisors**

a) The Board of Supervisors is a control body of ER BBK.

b) The Board of Supervisors controls compliance of the activities with the Business Plan of ER BBK, meeting the resolutions of the General Assembly by the Board of Directors and keeping records in compliance with regulations.

c) The Board of Supervisors consists of four (4) members elected by the General Assembly. The term of office and the method of cessation of membership in the Board of Supervisors are identical to those in the Board of Directors.

d) The Board of Supervisors elects its chairperson.

e) Meetings of the Board of Supervisors are held once a year at least. The chairperson and the vice-chairperson of the Board of Directors take part in the meeting, if they request to do so. Minutes, signed by all the present members of the Board of Supervisors, are prepared of the meetings of the Board of Supervisors. The minutes are valid if signed by three members of the Board of Supervisors at least.

## **Article VIII**

### **Dissolution and Deletion**

1. ER BBK is deleted by:

a) Decision by the General Assembly;

b) Agreement of the members on deletion;

c) Member's written notice on membership termination.

2. ER BBK is deleted on a day of erasure from the companies register.

3. Upon liquidation of ER BBK, all the liabilities are covered first. The liquidator is appointed by the Board of Directors. The General Assembly makes a decision on a method of use of the property. If the General Assembly does not work for a long period of time (two (2) years at least), the Board of Directors has the right to make a decision on a method of use of the property being liquidated.



4. Upon resignation or cancellation of membership in ER BBK, no right for returning the deposit and membership fees is created.
5. The membership national association must inform the General Assembly in writing six (6) months before the planned date of termination of membership in the Association.

### **Article IX Final Provisions**

1. The General Assembly makes decisions on amendments and modifications to the Rules of ER BBK in a form of amendments. Proposals for amendments and modifications to the Rules can be made by any number of the General Assembly in writing.
2. Both the national languages are equivalent and their linguistic translation is not required in mutual communication of members of ER BBK.
3. ER BBK uses a common logo, the graphical presentation of which is shown in the Annex to these Rules.

These Rules were discussed and approved by the founders on 30 July 2000.

For Regi3n Biele Karpaty <b>JOZEF Ž I Š K A,</b> Chairperson of the Board of Directors	For Region B3lé Karpaty <b>ZDENĚK D O S T Ā L,</b> Chairperson of the Board of Directors
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### **5.3 Statute of the Euroregion Neogradiensis**

#### **Charter of the EUROREGION NEOGRADIENSIS**

##### **I**

- 1) Name of institution:** Euroregi3n NEOGRADIENSIS (hereinafter referred to as „EUROREGION“)
- 2) Registered address:** Reduta, Vajansk3ho 2., Lu3enec, Slovak Republic
- 3) Founders:** NEOGRADIENSIS Regi3 Egyses3let, 3100 Salg3tarj3n R3k3czi 3t 36., Regi3n NEOGRADIENSIS, 984 01 Lu3enec Novohradsk3 1.

##### **II**

#### **Tasks and competencies of Euroregion**

The tasks and competencies of the institutions, the rights and responsibilities of the Founder Parties, the financing as well as possibilities of accepting new members are all defined in the Memorandum of Association.

### III Bodies of Euroregion

#### a) General Assembly:

General Assembly is the supreme body of Euroregion that always comprises the same numbers of representatives of both Founder Parties (15 members each upon the founding). General Assembly shall be convened at least once a year, alternatively in the territory of both Contracting Parties; the venue and the time of the Assembly shall be determined by Presidium.

– The meetings shall be public. Closed meetings shall be ordered upon reviewing personality rights or matters of business secrecy.

– General Assemblies shall be convened by Presidium. Notices and written reports will have to be served to the invited persons at least 30 days prior to the meeting, in Slovak and/or Hungarian language.

– Extraordinary General Assembly shall be convened within 30 days if requested so in writing by at least 10% of the members, identifying the topics to be reviewed.

– General Assembly shall be quorate if a simple majority of representatives of both Founder Parties are present. If this is not the case:

a) Presidium shall convene the Assembly to start one hour later than the originally convened meeting, with the General Assembly thus convened being quorate even if less than a simple majority of the representatives are present.

b) Presidium may convene General Assembly to take place 15 days after the originally convened meeting.

– Decisions shall be made by General Assembly:

- by simple majority of the vote,
- by qualified majority of the vote, or
- unanimously (consensus).

– For a decision to be adopted by simple majority of the vote more than 50% of the representatives have to vote in favour.

– For a decision to be adopted by qualified majority more than 50% of all members have to vote in favour. If the vote fails, voting shall be repeated after a discussion. If the vote fails for the second time, motions may be adopted by simple majority of all members voting in favour.

– Resolutions of General Assembly shall be adopted by public vote.

– Qualified majority shall be needed to:

- adopt decisions on the use of funds that General Assembly has the competence to make decisions on,
- approve joining other international institutions,
- adopt regional development programs.

- If no decision can be arrived at by voting, the issue concerned shall be presented for repeated review within the period of time determined by a resolution.
- For the Charter to be adopted, unanimous vote (consensus) of General Assembly shall be needed. Upon failure of the vote, voting shall be repeated after a discussion. Upon a second failure of the vote, draft Charter may be adopted by qualified majority of all members.
- Any suggestion shall be presented together with the outcome of preliminary negotiations on draft decision of General Assembly.
- Minutes shall be drafted from General Assembly that shall show data on venue and time of the meeting, report on the number of attendees and quorum, interventions presented and resolutions. The minutes shall be signed by the chairperson, by two additional members chosen by the General Assembly, and the recorder.

#### **b) Presidium:**

- Contracting Parties shall be represented on Presidium by equal numbers of persons, with each of the Contracting Parties delegating the same number of persons (7 each upon the founding).
- Presidium shall be meeting at least twice a year, alternatively in the territories of the Contracting Parties.
- Chairperson and co-chairperson shall be presidents of the Contracting Parties; they shall be alternating their offices after two years.
- Through 31 March, 2002, Euroregion shall be chaired by President of the Slovak Contracting Party, President of the Hungarian Contracting Party holding the office of the co-chair.
- Presidium meetings shall not be public. The meetings shall be convened by Chairperson. Invitations and reports in writing shall be delivered to the invited persons at least 15 days prior to the scheduled time of the meeting, in Slovak and/or Hungarian language.
- Presidium meetings shall be quorate if a simple majority of the representatives of both Founder Parties are present. If the meeting is not quorate the Chairperson shall convene a meeting of the Presidium for 15 days later.
- Decisions shall be made by Presidium:
  - by simple majority of the vote,
  - by qualified majority of the vote, or
  - unanimously (consensus).
- For a decision to be adopted by simple majority of the vote more than 50% of the persons present have to vote in favour.
- For a decision to be adopted by qualified majority more than 50% of all members have to vote in favour.

- For a decision to be adopted unanimously, all the members have to vote in favour. If the vote fails, voting shall be repeated after a discussion. If the vote fails for the second time, motions may be adopted by simple majority of all members voting in favour.
- Resolutions of Presidium shall be adopted by public vote.
- Simple majority of the vote shall be needed to:
  - make decisions on the use of funds that Presidium has the competence to make decisions on,
  - approve joining other international institutions,
  - adopt regional development programs.
- If no decision could be arrived at by voting, the issue concerned shall be presented for repeated review 15 days later.
- For the Charter to be adopted, the Presidium must vote unanimously in favour (consensus). Upon failure of the vote, voting shall be repeated after a discussion. Upon the vote failing for a second time, the draft may be adopted by a simple majority of all the members voting in favour.
- Any suggestion shall be presented together with the outcome of preliminary negotiations on draft decision of Presidium.
- Minutes shall be drafted from Presidium meetings that shall show data on venue and time of the meeting, report on the number of attendees and quorum, interventions presented and resolutions. The minutes shall be signed by the Chairperson and a member appointed by the Presidium.

### **c) Supervisory Board:**

- Supervisory Board shall be in charge of exercising supervision of the regular functioning of Euroregion, shall be checking the fulfilment of tasks and the spending of funds.
- Supervisory Board shall be presenting yearly reports of their experiences to General Assembly.
- Contracting Parties shall be represented on the Supervisory Board by equal numbers of persons, both parties shall appoint 3 members each to be elected by General Assembly for a 5-year term.
- Supervisory Board member's mandate may be extended.
- Presidium members may not be members of Supervisory Board.
- Supervisory Board shall elect its chairman from among its members for a two-year term; the first chairman shall be nominated by the Hungarian party, the second chairman shall be nominated by the Slovak party.
- Supervisory Board shall draft its own constitution to be approved by General Assembly.

**d) Secretariat of Euroregion:**

- Euroregion activities shall be assisted by secretariats. The responsibilities of the secretariats shall be taken care of by institutions to be chosen by the Contracting Parties.
- Heads of the secretariats (1 + 1 members) shall participate in General Assembly sessions and Presidium meetings with advisory vote.
- Activities of the secretariats shall be regulated by a directive to be approved by Presidium.

**e) Commissions of Euroregion:**

- General Assembly may establish ad-hoc commissions.
- Commissions shall comprise 10 members, with the Founders delegating equal numbers of members.
- Members and heads of commissions shall be elected by General Assembly for a 5-year term.
- Commissions shall adopt their own constitutions to be approved by General Assembly.

## IV

### General provisions

**1. Principle of bilinguality:**

- In its activities, Euroregion shall be using both *Slovak and Hungarian* language for written and oral communication. Both languages shall be used during the meetings. Official documents of Euroregion shall be bilingual and shall be used in both countries identically.
- Correspondence with the European Union institutions shall be in English language.

**2. Principle of establishment and dissolution of membership:**

- Persons from both countries may join Euroregion provided they support the objectives and the regulations contained in the Memorandum of Association, as needed.
- Membership may be applied for in writing, decisions on adoption shall be made by General Assembly at Presidium's suggestion.
- Upon making decisions on new members, General Assembly shall respect the principle of equal representation.
- Membership in Euroregion may be relinquished by written notice addressed to Presidium, given 90 days prior to the end of the caonlydar year.

## V

### **Euroregion activities**

**Euroregion activities:** the bodies shall work according to yearly meeting and working schedules.

- General Assembly shall approve its own working schedule as well as working schedules of Presidium and Supervisory Board.
- Sessions of Euroregion bodies shall require personal participation. Proxies may be delegated by written authorisation, the authorised proxy only having the right to vote.
- Secretariats of Contracting Parties shall carry out tasks according to their own yearly working schedules that shall lay down their specific tasks.
- Working schedules shall be adopted by simple majority of the vote.

## VI

### **Final provisions:**

This Charter shall take effect as determined by General Assembly.

### **Conclusion:**

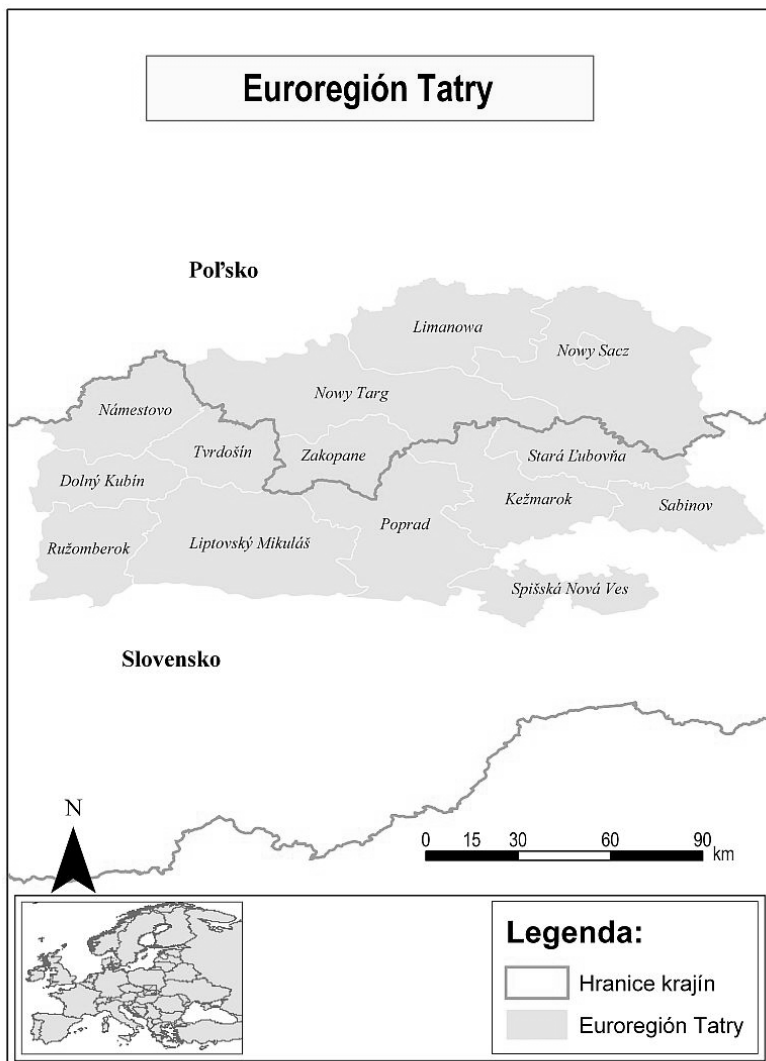
Charter of Euroregion was adopted by the resolution No. /2000 of the General Assembly

## 6 Maps of Euroregions

### 6.1 Carpathian Euroregion



## 6.2 Euroregion Tatry





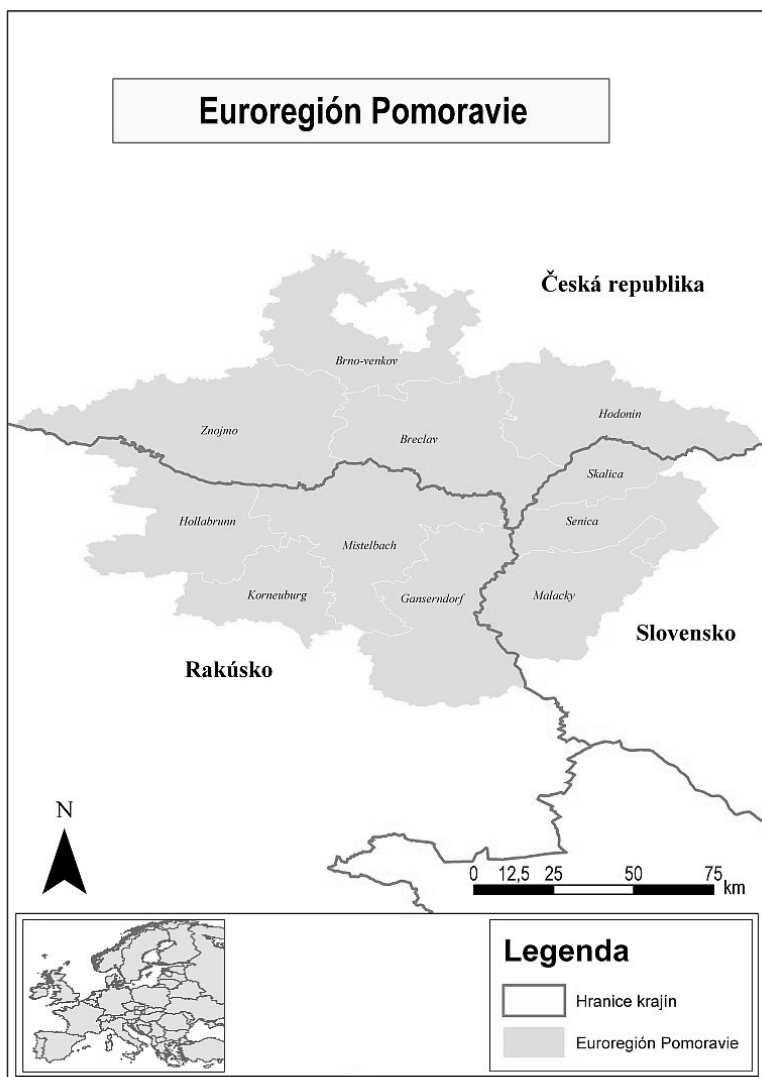
### 6.3 Euroregion Beskydy



## 6.4 Euroregion Bílé-Biele Karpaty



## 6.5 Euroregion Pomoravie



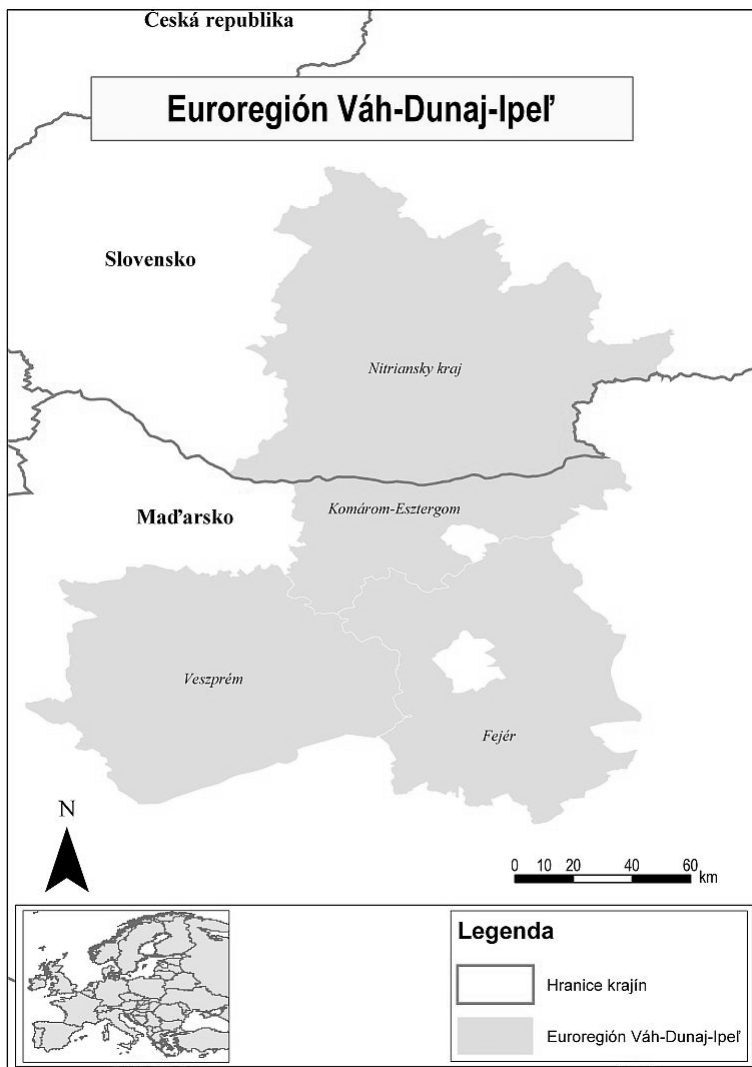
## 6.6 Euroregion Podunajský Trojspolok



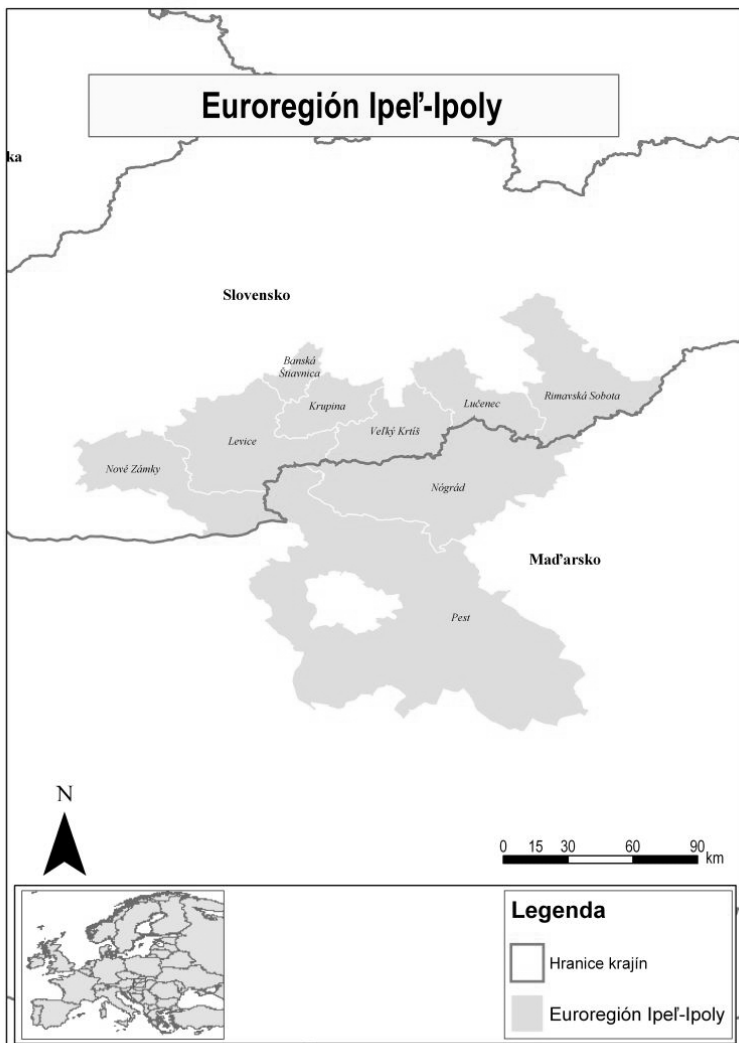
## 6.7 Euroregion Váh-Dunaj-Ipeľ



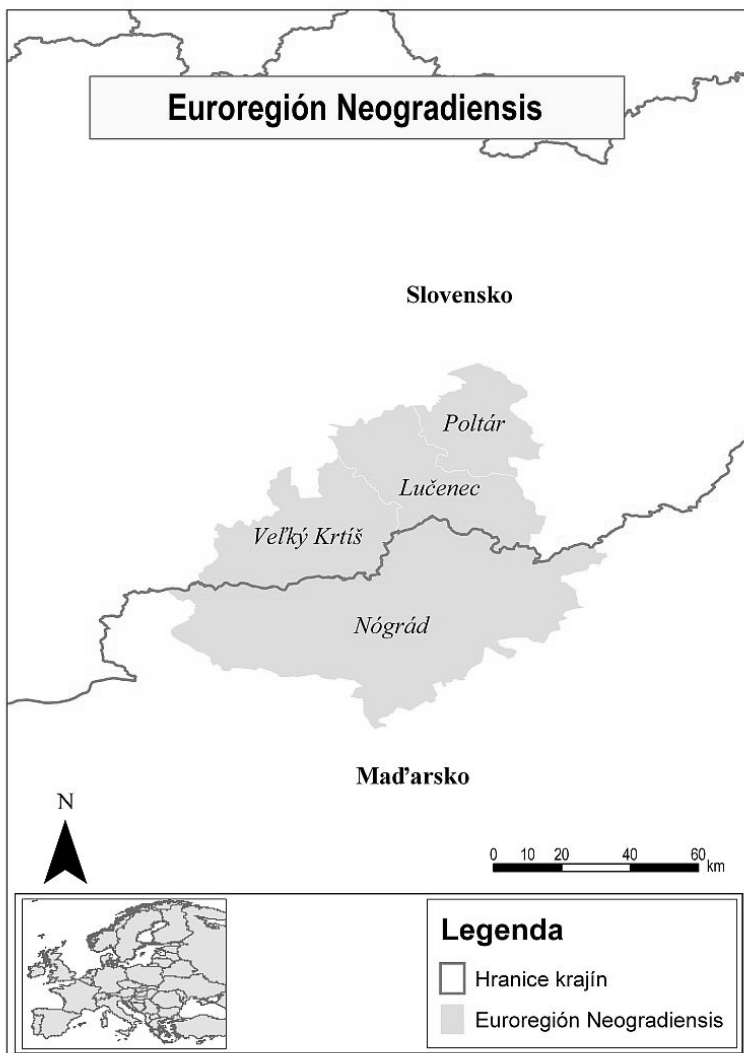
## 6.8 Euroregion Váh-Dunaj-Ipeľ



## 6.9 Ipeľ-Ipoly Euroregion

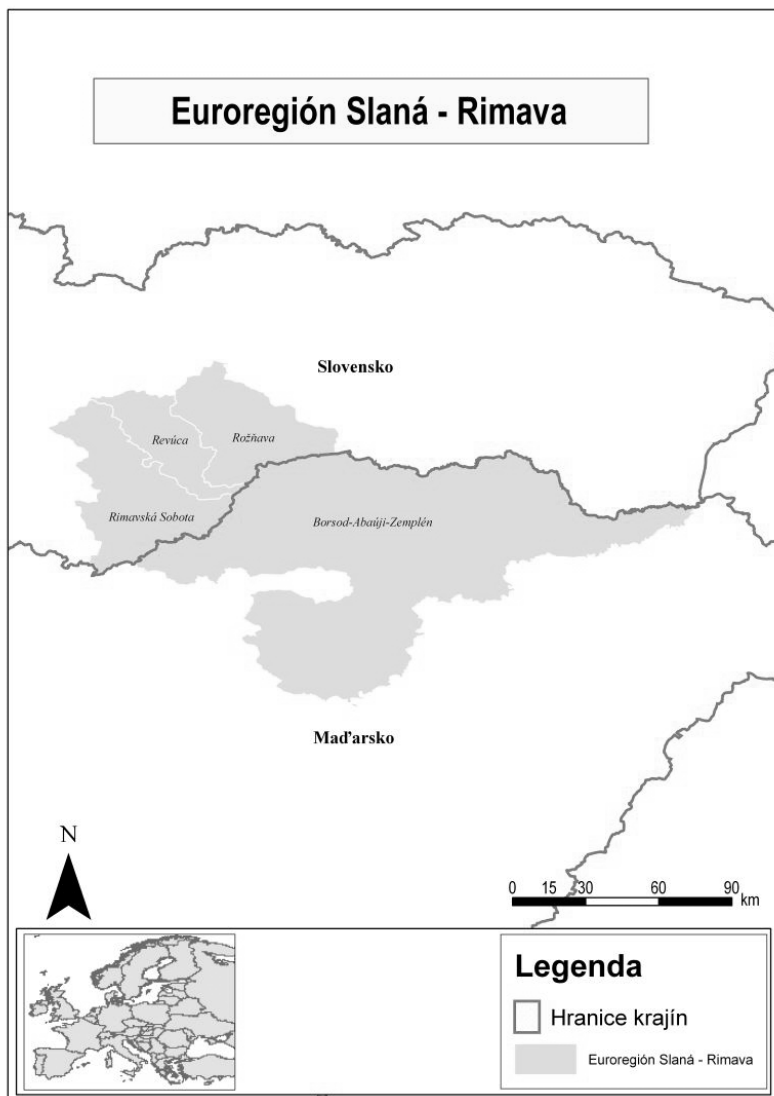


## 6.10 Euroregion Neogradiensis

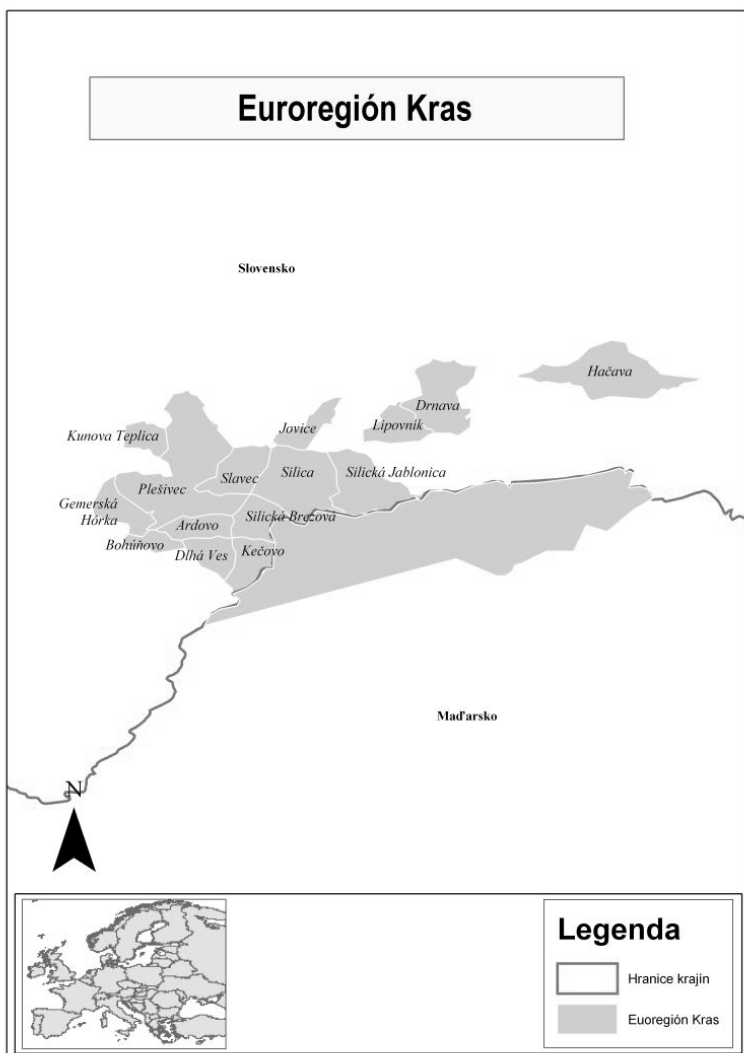




## 6.11 Euroregion Slaná-Rimava



## 6.12 Euroregion Kras



## **PART II**

### **COMPARATIVE ANALYSIS OF EUROREGIONS ON THE TERRITORY OF LITHUANIA**

Jolita Piliutyte  
Kaunas University of Technology, Lithuania

Sarunas Radvilavicius  
Law University of Lithuania



## I. Introduction

### *1.1. BACKGROUND FOR THE STUDY*

The two World Wars in the first part of the 20<sup>th</sup> century caused dramatic geopolitical changes in Europe. A range of old and new national states appeared, and a political map of a new Europe with new national state borders took shape. The post-war political situation unfortunately created not only interstate borders but also a new ideological dividing line, an Iron Curtain, between Western Europe and Socialist Eastern Europe.

At the same time, the need to increase co-operation between neighbouring states in order to avoid conflicts and to eliminate the possibility of future wars was obvious. The long term result of this was the creation of the single market and the European Union in Western Europe, where borders gradually lost their military importance and, in the process, provided ground for closer co-operation between countries across national, regional and local levels. Territories situated close to the new national borders became a kind of testing ground for this kind of co-operation, which in time led to the new phenomena of *cross-border co-operation (CBC)*.

Here we need to make a clear definition of the term *cross-border co-operation* as there are many similar terms and expressions in current usage. We can therefore divide this kind of trans-European co-operation into three groups:

- *Cross-border co-operation*: co-operation at regional and local level between territories which are situated close to the national borders;
- *Trans-regional or inter-regional co-operation*: implying co-operation between regions, which do not necessarily have to be placed in continuous territories;
- *Trans-national co-operation*: implying co-operation between national states which may or may not have a common border.<sup>12</sup>

In the context of the Council of Europe a more general term used is *transfrontier co-operation* which usually then refers to all three of the above listed types.<sup>13</sup> However for the sake of clarity, the authors of this study prefer to use the term *cross-border co-operation (CBC)*, implying co-operation of local and regional authorities situated directly at the border, or close to it, in a wide

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<sup>12</sup> This model is, for example, used in the EU INTERREG programme defining three programme strands: A, B and C.

<sup>13</sup> *Promoting transfrontier co-operation: an important factor of democratic stability in Europe*. Report by Hans-Martin Tschudi, CLRAE, Council of Europe, 2002.

spectre of different sectors: economy, culture, social and health policies, transport, education etc.

In the 1970s, cross-border co-operation received a new tag-line in the form of what were called *euoregions*. The name originates from the still-existing CBC region *Euregio* (Germany – The Netherlands), and it gradually became a general term defining a certain form of cross-border co-operation in the whole of Europe.<sup>14</sup>

*Euroregion* usually implies a long-term (as opposed to an *ad hoc*) integrated structure with a developed level of organisational and financial capacity and with a scope of co-operation covering all the important aspects of cross-border co-operation issues.<sup>15</sup> This does not mean the creation of a new type of government at cross-border level. In fact, euroregions do not have political powers and their work is limited by the competences of the local and regional authorities which constitute them.

The most important common features distinguishing euroregions from other forms of CBC can be described as follows:

- Formalised permanent co-operation between local or regional authorities (usually by a treaty or an agreement of some kind between the partners);
- Joint political and administrative structures (Council, Board, Secretariat etc.);
- Broad field of collective actions;
- Cross-border oriented activities<sup>16</sup>;

In Europe there are many different organisational structures that could match these characteristics and that choose to call themselves *euregio*, *euoregio*, *euoregion*, *region council*, or similar.<sup>17</sup> However, once again for the sake of clarity, the authors of this study will use the term *euoregion* as a general name for this form of cross-border co-operation, especially as almost all six CBC structures working on the territory of Lithuania call themselves *euoregions*.

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<sup>14</sup> The concept of euoregions was especially promoted by the Association of European Border Regions (AEBR) established in 1971.

<sup>15</sup> [http://www.coe.int/T/E/Legal\\_Affairs/Local\\_and\\_regional\\_Democracy/Transfrontier\\_co-operation/](http://www.coe.int/T/E/Legal_Affairs/Local_and_regional_Democracy/Transfrontier_co-operation/)

<sup>16</sup> A more extended definition of the euoregion is provided by the AEBR in *Practical Guide to Cross-border Cooperation*. Gronau. Third edition, 2000. P.34

<sup>17</sup> Information about different CBC organisations can be obtained from the website of the AEBR [www.aebr.net](http://www.aebr.net) or from the report *The Current State of the Administrative and Legal Framework of Transfrontier co-operation in Europe*, adopted by the CDLR in 2001.

The current study was initiated by the Council of Europe. It focuses on all six euroregions: *Baltic*, *Bartuva*<sup>18</sup>, *Country of Lakes*, *Neman*<sup>19</sup>, *Saule*, *Sesupe*.

### 1.2. PROBLEM STATEMENT

Cross-border structures called *euoregions* have been in operation in Europe for several decades, and in Lithuania, as well as in other Central and Eastern European countries, for between five and eight years. From one side this allows us to speak about certain experiences, tendencies and achievements gathered during these years. Some advantages of this instrument for co-operation have been emphasised, and some problems or challenges were unfolded.

From the other side, both the term and the concept of euroregions still need clearer definition. Structures, size and working methods of euroregions differ considerably, and this creates a problem of definition of this specific form of cross-border co-operation. One of the main problems is that euroregions are set up and function in different ways and on different legal bases. Both European and national legislations still lack a clearer legal framework for joint cross-border structures.

The enlargement of the European Union will bring new challenges and new opportunities for the development of cross-border co-operation, both between the member states and even at a greater extent at the external EU borders. Lithuania, having two borders with new EU members, and two borders with non-EU countries, will stand in the middle of these changes and developments. Therefore the current study of euroregions acting on the territory of Lithuania will hopefully contribute to some new insights into discussions about the future of euroregions and cross-border co-operation in general.

### 1.3. RESEARCH OBJECTIVES

The general aim of the survey is to perform a comparative analysis of the organisational mechanisms of euroregions, which Lithuania participates in, to define which institutional, financial and legal arrangements are more efficient and practical, and to formulate recommendations for a more efficient means of euroregional operation.

Objectives of the survey:

- To systematically analyse the organisational basis of euroregions acting on the territory of Lithuania;
- To find common points and major differences,
- To identify institutional, financial and legal weaknesses and strengths,

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<sup>18</sup> Bartuva has a status of microeuroregion

<sup>19</sup> In this study, the name *Neman* will be used for euroregion Neman/Niemen/Neman

- To propose changes in the organisational framework of euroregions, and, if needed, in the national or European legislation in order to create a set of improved legal conditions for future euroregional co-operation.

#### 1.4. METHODOLOGY

The following research methodology was used to obtain data and information required for the survey:

Literature Review - in order to base the research topic, namely the legal, financial and institutional basis of the euroregions, some background information was necessary for the familiarisation of all previous, and also the most recent, developments in the subject area. Legal documents, laws, rules, agreements, strategic documents, government programmes affecting cross-border co-operation and related issues were reviewed.

Reference documents for this survey are the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities of the Council of Europe (and its two protocols); national legislation of Lithuania and its neighbour states regulating the establishment and functioning of euroregions; the statutes of euroregions *Sesupe, Nemunas, Baltija, Country of Lakes, Bartuva, Saule*; research studies produced by different national and international institutions; official statistics; conference and workshop materials; articles in local and international press as well as Internet data.

Interviews - a number of comprehensive interviews have been held to bring together first-hand information on the organisational arrangements of the euroregions in this survey and major issues affecting the effectiveness of cross-border organisations. Interviews were carried out on two levels:

Level I -Representatives of the State institutions,

Level II -Representatives of secretariats of the euroregions,

Level I interviewees included key representatives of the Ministry of Interior of the Republic of Lithuania (Department of Regional Policy, Department of Public Administration) and the Ministry of Foreign Affairs of the Republic of Lithuania – institutions responsible for development of cross-border co-operation and regional policy issues. Special questionnaires (*Annex 1*) were used to collect information from Level I interviewees.



Level II interviewees included heads of national secretariats of each member of the euroregion in which Lithuania participates. The required information for level II was collected in two stages:

- 1) primary information with the help of a special questionnaire (*Annex 2*);
- 2) additional information by phone interviews and visits to national secretariats.

Before summing-up the questionnaire data, the survey team held additional semi-structured interviews with representatives of each of the euroregions to help develop a deeper understanding of euroregion activities. In order to achieve this, particularly in the effectiveness of the activity of euroregions, the individual perspectives of independent actors were assessed and included in the survey as well.

### *1.5. EXPECTED OUTCOMES, AND RESULTS*

Once all the material was collected and investigated (including all interviews), and the statutes of euroregions were compared against each other and against the national legislation, recommendations could be made on institutional structures, legal status, financial basis and other issues relevant to the activities of euroregions.

We used the analysis to help to identify the most effective institutional arrangement and thus establish best-practice examples, and to highlight those euroregions that require legal assistance in strengthening their organisational framework. Based on the finding of the survey, a framework of the euroregion model statute has been suggested.

## **II. Development of euroregions in Lithuania due to political changes in the Baltic Sea Region**

### *2.1 POLITICAL AND HISTORICAL BACKGROUND FOR THE ESTABLISHMENT OF EUROREGIONS IN LITHUANIA*

Lithuania (along with its Baltic neighbours, Latvia and Estonia) was an independent country between 1918 and the Soviet occupation of 1939. As a result of the Soviet occupation, the Baltic States were included in an artificially created common politico-economical-cultural space within the USSR, making external relations with traditional western neighbours very limited. In the CBC context, it could be described as a situation where there was a lot of co-operation and no borders to the East, and strict borders and almost no co-operation to the West.

After the collapse of the Soviet Union, and the regaining of independence in 1990, the situation changed radically. For Lithuania, borders to the West opened, and co-operation with the Nordic Countries, Germany and Poland increased rapidly. On the other hand, co-operation between Lithuania and Russia/Belarus was impeded by the appearance of new borders and an increasingly complicated political situation. In practice, this replicates the current situation with real borders, passport controls, border-crossing points along the entire state border, and, in addition, a visa regime between Lithuania and Russia and Belarus.

Despite these difficulties, a lot of cross-border activity was, and is, taking place on the borders between Lithuania and its neighbours. Co-operation first started on the basis of town-twinning activities. *Town-twinning* can be described as formalised co-operation, usually between two local/regional authorities in different countries, not necessarily situated on the common border. Some of the twinning agreements were already signed in the Soviet era (usually between municipalities in neighbouring Soviet Republics) but contact with Western partners increased significantly only in the early 1990's.<sup>20</sup>

The next step in the development of cross-border co-operation was a consolidation of certain town-twinning partnerships into larger co-operation structures – cross-border regions or euroregions. This development was influenced by two main factors:

- the adoption of the Madrid Outline Convention by Central and East European countries thereby providing a legal framework for the signing of agreements between regions and municipalities;
- the process of a transfer of experience and competence from Western European countries, which had a long history of using a euroregion as a tool for CBC.

This know-how was transmitted through active contacts of Lithuanian authorities with the Council of Europe, AEBR, and different EU institutions, and various bilateral contacts especially with the Nordic countries and Germany. Most of these organisations or states declared cross-border co-operation as a priority in their activities within post-soviet countries.

As a result of the active promotion of cross-border co-operation in 1997, *Neman* - the first euroregion on the territory of Lithuania - was established, unifying the

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<sup>20</sup> Information about the present twinning arrangements of Lithuanian local authorities can be found on the website of the Association of Local Authorities of Lithuania [http://www.lsa.lt/english/relations/twin\\_db.html](http://www.lsa.lt/english/relations/twin_db.html)

regions and municipalities of Belarus, Lithuania, Poland and Russia (Kaliningrad region) alongside the river of Neman (Nemunas, Niemen). The next to follow were the *Baltic* and *Country of Lakes* euroregions in 1998, then *Saule* in 1999, *Bartuva* in 2000 and finally *Sesupe* in 2003. Almost all the border areas between Lithuania and Poland, Belarus and Russia are included in one or another euroregion. Only the border between Lithuania and Latvia still has some large areas of inactivity where no euroregions have been created.

About 40 Lithuanian municipalities (from a total of 60) and 7 out of 10 counties are members of euroregions, some of them are members in more than one, all of which shows that the development and the concept of euroregions became very popular in Lithuania over a very short period of time. One may even speak about a certain “euroregional trend”, where the title of euroregion was considered as an attractive brand for cross-border co-operation.

Cross-border co-operation in Lithuania, as well as in other Central and East European countries, is, and will still be, an important political issue. Euroregions will face new challenges in relation to the EU enlargement. Firstly, the borders will gradually disappear when new member states enter the Schengen treaty arrangements (in the case of Lithuania, this being most likely to happen by 2007). Thereafter, the emergent possibilities will be similar to the situation on the internal EU borders – local and regional authorities will be able to discuss practical problems, for example common public services, joint employment strategies, commuting or other issues that are difficult to solve when there are border control procedures. Secondly, Lithuania, Latvia and Poland after EU enlargement in 2004 have the ability to draw on EU structural funds (especially INTERREG programmes), which will increase the financial possibilities for co-operation significantly.

The situation is, however, rather different on the borders between the Baltic States and Russia/Belarus, as this became the external EU border, where border control procedures are likely to become even more stringent. This will, to a certain extent, also affect cross-border co-operation, making it more difficult to work on the same practical level as on the internal EU borders. The financing of joint projects will remain complicated, as two different financial instruments, INTERREG and TACIS, will be used on different sides of the border. This situation will hopefully be improved by the introduction of the New Neighbourhood Instrument presented by the European Commission in 2003.<sup>21</sup> This Instrument targets the better coordination of the different EU financial programmes for external borders. On the other hand, all of these obstacles will

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<sup>21</sup> More information about the European Neighbourhood Policy on [http://europa.eu.int/comm/world/enp/overview\\_en.htm](http://europa.eu.int/comm/world/enp/overview_en.htm)

only serve to increase even more the importance of CBC as a tool for the public good and for peaceful relations between countries. The role of euroregions will inevitably increase as they remain one of the major forums for co-operation designed to counter the re-appearance of any new iron curtain.

## 2.2. EUROPEAN AND NATIONAL LEGISLATION REGULATING CROSS-BORDER CO-OPERATION

### 2.2.1 European Legislation

The main legal act for the development of cross-border co-operation in Europe is the *European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities*<sup>22</sup> adopted by the Council of Europe in Madrid on May 21, 1980 (further referred to as the Outline Convention) and its two protocols.

The Council of Europe (CoE) with the adoption of the Outline Convention has aimed to facilitate, develop and promote transfrontier co-operation between territorial communities or authorities in Europe and in doing so, to contribute to the economic and social progress of frontier regions. The Convention seeks to fill a legal gap by offering forms of transfrontier co-operation particularly suited to the needs of territorial communities.

The Convention describes two main instruments which together aim to contribute to the continuing development of cross-border co-operation:

- inter-state agreements between neighbouring countries on CBC
- outline agreements, statutes and contracts between local or regional authorities.

Models of such agreements or contracts are appended to the Convention, and may be used by the states or territorial communities.

The Additional Protocol adopted on 9 November 1995<sup>23</sup> (further referred to as the Additional Protocol) is especially important as taking a step forward to complement the Convention and ensures legal value to the CBC agreements drawn up by the local authorities. Experience has shown that "...the major obstacle to the effective application of the convention is that the acts

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<sup>22</sup> *European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities* (ETS no.106), Madrid, 21 May 1980.

<sup>23</sup> *Additional Protocol to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities* (ETS no. 159), Strasbourg 9.11.1995.

accomplished in this way by local and regional authorities have no legal value within their respective States".<sup>24</sup>

The most important contribution of the Protocol is the presentation of two different concepts of the functioning of the co-operation body endowed with legal personality (articles 4 and 5).

Protocol No.2 adopted on 5 May 1998<sup>25</sup> (further referred to as Protocol No.2) aimed to expand co-operation between non-adjacent areas. It introduced the term *inter-territorial co-operation*, enabling the co-operation between non-neighbouring authorities with common interests. Using this protocol, the articles of the Outline Convention and the Additional Protocol could be applied to the *inter-territorial co-operation* in much the same way as to *trans-frontier co-operation*.

Most of the member states of the Council of Europe have signed and ratified the Outline Convention and its protocols, including Lithuania and its border neighbours Latvia, Poland and Russia (*Table 1*). However, Belarus is not a member of the Council of Europe and has not signed the Convention. The signing of the Convention in post-Soviet countries was an important step for the legitimisation of cross-border co-operation at local level, since co-operation when relations between newly independent countries were established just after the collapse of the Soviet Union was mostly regulated by institutions at a centralised national level.

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<sup>24</sup> Resolution 227 of Standing Conference of Local and Regional Authorities of Europe (CLRAE), Strasbourg, March 1991.

<sup>25</sup> Protocol No. 2 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning interterritorial co-operation (ETS no. 169), Strasbourg, 5.5.1998.

Table 1

**Signature of the European Outline Convention on Trans-frontier Co-operation between Territorial Communities or Authorities, its two Protocols and the European Charter of Local Self-Government**<sup>26</sup>

Country	European Outline Convention	Additional Protocol	Protocol No.2	European Charter on Local Self-Gov.
<b>Lithuania</b>	07.06.96 - a (signed) 13.06.97 - b (ratified) 14.09.97 - c (enforced)	30.03.01 - a 26.11.02 - b 27.02.03 - c	30.03.01 - a 26.11.02 - b 27.02.03 - c	26.11.96 - a 22.06.99 - b 01.10.99 - c
<b>Belarus</b>	-	-	-	-
<b>Latvia</b>	28.05.98 - a 01.12.98 - b 02.03.99 - c	28/05/98 - a 01/12/98 - b 02/03/99 - c	-	05/12/96 - a 05/12/96 - b 01/04/97 - c
<b>Poland</b>	19.01.93 - a 19.03.93 - b 20.06.93 - c	-	-	19/02/93 - a 22/11/93 - b 01/03/94 - c
<b>Russian Federation</b>	03.11.99 - a 04.10.02 - b 05.01.03 - c	-	-	28/02/96 - a 05/05/98 - b 01/09/98 - c

Another important European legal act in this context is the *European Charter of Local Self-Government* (further referred as *The European Charter*) adopted by the Council of Europe on 15 October 1985. Article 10, Part 3, in this Charter states that “Local authorities shall be entitled, under such conditions as may be provided for by the law, to co-operate with their counterparts in other States”. This article was especially important for the building of new democratic systems of local self-government in Central and Eastern Europe. Local authorities in the countries where the Charter was adopted were now conferred with a legal instrument, giving them a solid argument in discussions with the central governments concerning rights and responsibilities of the local governments. The Charter has been signed by the most of the Council of Europe member countries and, after ratification, has to be considered as part of their national legislation (see *Table 1*).

<sup>26</sup> Information from the database of the Council of Europe: <http://conventions.coe.int/>

The Association of European Border Regions (AEBR)<sup>27</sup> has, on 20 November 1981, adopted the *European Charter of Border and Cross-Border Regions*.<sup>28</sup> In this Charter the history, politics, objectives, main principles and forms of cross-border co-operation in Europe are outlined. This document has a status of recommendation for cross-border co-operation in Europe as it is based on the long experience of border regions - members of the AEBR.

### 2.2.2 National Lithuanian legislation

In those countries where the Outline Convention was adopted, it appears to have received the status of national legislation, judging by the description of European legislation relating to CBC issues, although it carries a mostly advisory status especially in its description of forms and content of cross-border co-operation. Lithuania does not have any legal acts regulating CBC activities on its own territory although these issues are nevertheless indirectly mentioned in a number of legal acts concerning the rights of local and regional authorities - traditionally the main implementing bodies of CBC.

*The Constitution of the Republic of Lithuania* was adopted on 25 October 1992. The main provisions regulating the activity of local authorities are provided for in Chapter 10 of the Constitution (Art. 119-122) and in Article 47. Article 120 states that “Municipalities shall act freely and independently within their competence, which shall be established by the Constitution and laws”.<sup>29</sup>

*The Law on Local Self-Government* adopted on 7 July 1994 is the main legal act stipulating local self-government in Lithuania. Article 15 in this law states that one of the autonomous competences of the municipal council is to “...adopt decisions to join the local authority unions and international self-government organisations”.<sup>30</sup> This article provides the Lithuanian local authorities with autonomy and independence in their relations with foreign partners.

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<sup>27</sup> The Association of European Border Regions (AEBR) is an interest organisation of cross-border regions in Europe, established in 1971, and unifying at the moment about 90 CBC regions in the whole of Europe. The main aims of the AEBR are:

- to represent members' overall interests to national and international parliaments, organs, authorities and institutions;
- to make members' particular problems, opportunities, tasks and projects intelligible;
- to exchange know-how and information in order to formulate and co-ordinate common interests on the basis of the various cross-border problems and opportunities, and to offer adequate solutions. (Information from [www.aebr.net](http://www.aebr.net))

<sup>28</sup> *European Charter of Border and Cross-Border Regions*: <http://www.aebr.net/>

<sup>29</sup> *Constitution of the Republic of Lithuania*: <http://www.lrkt.lt/konst/eng/constitution.htm>

<sup>30</sup> Chapter III, Article 13, part 27, Law on Local Self-Government, Vilnius, 7.7.1994 (No.I-533), as amended 24.11.1998 (VIII-937).

*The Law on County Administration* adopted on 15 December 1994, is the main legal act stipulating the administration at county level.<sup>31</sup> Article 13 in chapter 2 of this law declares that the County Governor in accordance with his authority has the right to maintain relations with relevant foreign regional institutions and international organisations.<sup>32</sup>

For the establishment of different CBC structures and bodies in Lithuania, the national legislation on public institutions is valid and the two main legal acts applicable are: *The Law on Charity and Support Foundations*<sup>33</sup> and *Law on Associations of the Republic of Lithuania*.<sup>34</sup>

### **2.2.3 Legislation of neighbouring countries**

The legal systems of Poland, Latvia, Russia and Belarus do not include any special legislation concerning the right of local or regional municipalities to perform cross-border co-operation.<sup>35</sup> The rights of local authorities are similar to Lithuania, which means that in general, local and regional authorities have the right to establish relations with foreign parties. However there are two exceptions that should be mentioned:

- A democratic local self-government system in Belarus is not yet developed, and activities of local authorities, especially in relation to their contacts with foreign partners are, in practice, controlled to a large extent by central government.
- In Poland, according to “The act on participation of local-government units in international associations of local or regional communities”, the local and regional authorities planning to establish or enter some international body should inform the Ministry of Foreign Affairs about these plans, and obtain permission from the minister. In practice this

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<sup>31</sup> It is important to underline that Lithuania has a single-tier system of local self-government. Only a municipality can be considered as a local government, and which is governed by institutions elected by the local community. Counties are not considered to be local governments as they do not have elected councils and are financed from the state budget. County governors are appointed by the central government. To co-ordinate issues of importance for the whole county/region, Regional Development Councils exist in each county. They consist of representatives from all municipalities within the county along with the County Governor. It serves as an advisory body responsible for regional development issues. There are 60 municipalities and 10 counties/regions in Lithuania.

<sup>32</sup> *Law on County Administration*, Vilnius, adopted 15.12.1994, as amended 17.04.2003 (I-707).

<sup>33</sup> *Law of the Republic of Lithuania on Charity and Support Foundations*. Vilnius. 15.11.2001

<sup>34</sup> *Law on Associations of the Republic of Lithuania*. Vilnius. 14.02. 2004.

<sup>35</sup> The Federal Council of Russian Duma is at the moment discussing a draft of new federal law “On cross-border cooperation in Russian Federation”, which has an aim to define a legal framework for cross-border cooperation in Russia. But it is not clear when and whether this law will be adopted.



means that the establishment of euroregions has to be approved by central government.<sup>36</sup>

#### 2.2.4 Bilateral agreements

The collapse of the Soviet Union triggered the emergence of newly independent states within the Soviet Union territory and the need to establish a whole new set of political and economic relations between them. One important step in the normalisation of these relations was (and still is) the acknowledgment of state borders and the signing of border treaties. The signing and ratification of treaties and the demarcation of borders aims to prevent territorial claims from any side, and provide a better legal ground for stable and friendly co-operation between neighbours. In this way, the border treaties are important for the activities of euroregions as well. As *Table 2* shows, although Lithuania has signed border treaties with all its neighbours, this is not the case between other neighbouring countries.

*Table 2*

#### **Border treaties between Lithuania and its neighbouring countries<sup>37</sup>**

LT - BY	Border treaty entered into force 26 April 1996. Demarcation is finished on the Lithuanian side but not on Belarusian.
LT - LV	Border treaty entered into force 5 July 1995 Demarcation is finished
LT - PL	Border treaty entered into force 23 December 1998 Demarcation is finished
LT - RUS	Border treaty entered into force 12 August 2003. Demarcation is finished
BY - LV	Border treaty entered into force 19 May 1995 Demarcation is finished on Latvian side but not on Belarusian
BY - PL	Border treaty signed between Poland and Soviet Union on 17 August 1945 No separate treaty exists yet with the Republic of Belarus.
LV - RUS	Border treaty is not signed, Demarcation not yet done.
PL - RUS	Border treaty signed between Poland and Soviet Union 16 August 1945 No separate treaty exists yet with the Russian Federation

<sup>36</sup> *Ustawa o zasanach przystepowania jednostek samorzodadu terytorialnego do miedzynarodowych zrzeszen spolecznosci lokalnych i regionalnych*//Dz.U. 2000, Nr. 91, poz. 1009, article 4.

<sup>37</sup> The border between Belarus and Russia is not examined here, as it does not affect the content of this study.

In addition to its border agreements, Lithuania has signed different bilateral agreements with neighbouring countries on various issues, CBC being one of them. The European Outline Convention has positively affected this process and agreements between Lithuania and its neighbours, directly or indirectly related to cross-border co-operation issues, are as follows:

- *Agreement between the Government of the Republic of Lithuania and the Government of the Republic of Latvia on transfrontier co-operation*, Panevezys, signed 10 September 1999, entered into force 20 December 1999;
- *Agreement between the Government of the Republic of Lithuania and the Government of the Republic of Poland on the Transfrontier Co-operation*, Vilnius, signed 16 September 1995, entered into force 14 May 1996;
- *Agreement between the Government of the Republic of Lithuania and the Government of the Russian Federation on the Long-term Co-operation between the Regions of the Republic of Lithuania and the Kaliningrad Region of the Russian Federation*, Moscow, signed 29 June 1999, entered into force 26 January 2000;
- *Agreement between the Republic of Lithuania and the Republic of Belarus on Good Neighbourhood and Co-operation*. Vilnius, signed 6 February 1995, entered into force 26 April 1996;

These agreements usually declare the general support of the development of cross-border co-operation activities between the countries, including at local and regional level. As a result of these agreements, various bilateral inter-governmental commissions and councils were established:

- An inter-governmental commission on cross-border co-operation between the Republic of Lithuania and the Republic of Latvia. The Commission consists of representatives from ministries and regional and local governments and meets 1-2 times per year. 3 working groups have been established: on spatial and strategic planning; social-economic development, and the co-operation of local authorities in solving border crossing issues.
- An inter-governmental commission on cross-border co-operation between Republic of Lithuania and Republic of Poland.
- A council of long-term co-operation of local and regional authorities between the Republic of Lithuania and the Kaliningrad region of the Russian Federation. The Commission meets usually once a year but it has established 8 working commissions, one of them for CBC and euroregions.

- A commission on trade and economic co-operation between the Republic of Lithuania and the Republic of Belarus. This Commission was established on 16 December 1994 as a result of the *Agreement between the Government of the Republic of Lithuania and the Cabinet of Ministers of the Republic of Belarus on Trade and Economic Co-operation* signed in Vilnius on 13 December 1994.<sup>38</sup> The Commission meets once in a year and discusses all questions of Lithuanian – Belarusian co-operation.

The establishment of these commissions was and still is an important instrument for the development of euroregions and cross-border co-operation in general between Lithuania and its neighbours.

### III Analysis of organisational aspects of the euroregions

#### 3.1 LEGAL STATUS

The question of the legal status of euroregions in Lithuania is closely related to the broad discussions taking place at the moment in different European organisations.<sup>39</sup> Despite the wide use of term *euroregions*, neither the term nor the phenomena has a legal significance. “Euroregions are not a type of new authority at transfrontier level: they do not assume new powers and their activities do not extend beyond the powers and responsibilities of the local and regional authorities that make them up”.<sup>40</sup> Therefore there are no legal acts designed specially for this form of CBC, neither in international nor in national legislation.

In chapter 2.2 we have shown that in international law the establishment of cross-border co-operation bodies is mainly described by the European Outline Convention and its two protocols. Those documents are not directly applicable, and they are mainly declaring the principles under which the states may “facilitate and foster transfrontier co-operation” and to grant local and regional authorities the same facilities for co-operation as at national level.<sup>41</sup> The Additional Protocol was the first attempt at formulating possible legal solutions. In articles 4 and 5 it presents two different concepts of co-operation body:

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<sup>38</sup> *Agreement between the Government of the Republic of Lithuania and the Cabinet of Ministers of the Republic of Belarus on trade and economic co-operation*, Vilnius, 1994.12.13, entered into force 23.02.1995, "V.Ž." - 1995 Nr.22.

<sup>39</sup> Both the Council of Europe, the Committee of the Regions, the European Commission and AEBR has recently expressed concerns about the lack of legal instruments, which could standardise the legal status of CBC bodies.

<sup>40</sup> *Legal Framework for Euroregional Co-operation Preliminary Discussion*. Memorandum of the Secretariat, LR-CT, Council of Europe, 15 January 2004. P.4

<sup>41</sup> The same applies to the Charter on Local Self-Government.

- Article 4 follows a “double” legal logic, where it suggests the establishment of a CBC body governed solely by the national law of the state where it has its headquarters;
- Article 5 follows the logic of legal pluralism, laying down that the body’s measures have the same legal validity, wherever they are applied.

Countries signing the protocol were enabled to declare if they accept the two types or only one provided in article 4 or in article 5.

Bilateral agreements between Lithuania and its neighbours follow the model agreements attached to the Outline Convention but they do not specify which legal status those co-operation bodies established on regional /local level may have. For example, the *Agreement between Republic of Lithuania and Republic of Poland on Cross-border Co-operation* states that “Countries will try to create favourable conditions for local and regional authorities to implement cross-border co-operation” (article 2, part 2) and that “regional and local authorities may in conformity with their competencies to make public, legal or other agreements in cross-border co-operation areas” (article 5, part 1).

Of all the neighbouring countries, only Lithuania has ratified the Outline Convention and both protocols (*Table 2*). Lithuania, by adopting the Additional Protocol, declared that it will apply both to the articles 4 and 5 of this protocol.<sup>42</sup>

Latvia has signed the Convention and the Additional Protocol but has declared that it will apply only to provisions of article 4 and not 5. In this situation, for the euroregions in Lithuania, it is practically impossible to be established on the basis of the legal pluralism and to have joint co-operation bodies with a real cross-border impact. It may happen only after the authorities of Poland, Latvia, Russia and Belarus sign the Additional Protocol or provide other legal instruments for the establishment of cross-border institutions. Even if all countries sign the Additional Protocol, it is still difficult to imagine how this mechanism will work in practice, especially in respect of co-operation with Russia and Belarus (the legal systems of Lithuania, Poland and Latvia may gradually become more integrated after they join the European Union).

So far there have been no serious discussions in Lithuania about the implementation of the model described in article 5. Euroregions themselves have yet not expressed any clear wish to change the national legislation in order

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<sup>42</sup> *Law on Ratification of Additional Protocol to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities and Protocol No. 2 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities Concerning interterritorial Co-operation. 22.10.2002.*

to improve the legal status of euroregions.<sup>43</sup> This means that probably they have not yet faced any serious problems connected to the legal status. An explanation could be that as far as euroregions are working only at project level and are not involved in the management of EU CBC programmes (the exception is *Neman*'s Polish secretariat, which has been involved in the administration of PHARE CBC Small Project Fund), the present legal situation does not create any specific problems.

As a result of the above-mentioned reasons, the legal status of all “Lithuanian” euroregions is based on the model described by the provisions of article 4 of the Outline Convention. Different concepts are demonstrated in *Table 3*.

Euroregions are established on the basis of agreements between local and/or regional authorities of neighbouring countries (the agreement usually refers to the Outline Convention and follows model agreements presented therein). The legal status of euroregions as international cross-border structures is not clearly defined.

Euroregions establish their administrative bodies - bureaus or secretariats governed by the law of the country where they are situated. The administrative body can be the permanent national secretariat, where the official common secretariat is rotated from year to year (as in *Neman*) or it may be that no permanent secretariat is established and the member municipalities take this role in the rotating order (as in *Bartuva*). Only these permanent institutions/secretariats have legal personality, usually in the form of private-law based non-profit organisations or foundations. The establishment and activities of these bodies are regulated by specific national legislation; for example in Lithuania *The Law on Charity and Support Foundations* or the newly adopted *Law on Associations*.

*Table 3*

**Legal status of euroregions based in Lithuania and their administrative bodies**

Euroregion	Legal status of euroregion	Legal status of CBC bodies
<i>Baltic</i>	Not identified	National secretariats: <b>LT:</b> Klaipeda County Governor's Administration <b>LV:</b> Kurzeme Region Development Agency: non-profit organisation (public association) <b>PL:</b> Association of Polish Municipalities within Euroregion Baltic (non-profit organisation) <b>DK:</b> Regional Municipality of Bornholm

<sup>43</sup> From the interview with a representative of the Ministry of Interior of Lithuania and the euroregions studied.

		<p><b>RUS:</b> Municipality of Baltijsk</p> <p><b>SE:</b> Kronoberg County Association of Local Authorities</p> <p>International secretariat: Association of Polish Municipalities within Euroregion Baltic (non-profit organization)</p>
<b><i>Bartuva</i></b>	Association of municipalities	<p>National secretariats:</p> <p>LT: Secretariat of the euroregion change every year, as the President (who has the right to form the Secretariat) changes every year. Municipalities – members of the euroregion play the role of the secretariat.</p> <p>LV: Function of the Latvian secretariat is performed by the Open Society Center for Environment management Bartava – non-profit organisation.</p>
<b><i>Country of Lakes</i></b>	Council for transfrontier cooperation of border regions	<p>National offices:</p> <p>LT: Lithuanian Office of Euroregion “Country of Lakes” (in Ignalina District Municipality) – non-profit organisation,</p> <p>LV: Latvian Office of Euroregion “Country of Lakes” (Kraslava District Municipality) – public association;</p> <p>BY: Braslav district municipality.</p> <p>Separate secretariat is not yet established.</p>
<b><i>Neman</i></b>	Euroregion “Neman” - union of border regions of Lithuania, Poland, Russia and Belarus	<p>National bureaux:</p> <p>LT: Neman Euroregion Marijampole bureau – public association,</p> <p>PL: “Neman Euroregion” Suwalki Bureau – public organization</p> <p>BY: Neman euroregion Grodno bureau (Grodno Oblast Executing Committee)</p> <p>RUS: Neman euroregion Chernyakhovsk bureau (Chernyakhovsk Municipality)</p>
<b><i>Saule</i></b>	Not identified	<p>National bureaux:</p> <p>LT: Function of Saule Euroregion Bureau is performed by the Siauliai Regional Development Agency - public institution.</p> <p>LV: Zemgale Development Agency - public institution</p> <p>RUS: all member municipalities have equal role, a special country bureau does not exist</p> <p>SE: Skane region administration</p>
<b><i>Sesupe</i></b>	Union based on agreement between member-municipalities	<p>Legal status of country offices:</p> <p>LT: Sesupe Euroregion Sakiai Office - Charity and relief fund,</p> <p>RUS: Non-commercial partnership Kaliningrad Regional Bureau of Euroregion Sesupe - non profit organisation</p> <p>PL: Administration of Goldap Powiat (intentions to register an NGO),</p> <p>SE: Carrefour South Sweden eurobureau</p>

This situation is not exceptional for Lithuania; it reflects the general problem of the legal personality of euroregions as subjects of international law. In Europe,

where legal integration is more far-reaching, there are a variety of legal agreements and frameworks for the promotion of cross-border co-operation, but there are still only few examples of CBC bodies with legal personality based on the public law.<sup>44</sup>

In Central and Eastern Europe where the legal framework has been created quite recently, and where traditions of local and regional self-government are young, the question of the legal status of cross-border structures is starting to be raised. If euroregions will in the future be more involved in the programming of, for example, INTERREG III or IV A programmes, the problem of the establishment of a single CBC body will become more obvious, as partners in euroregion will need to solve such problems as single bank accounts, a single recruitment policy etc. It is nevertheless obvious that the question of the legal status of euroregions and other structures of CBC should be solved at European level, as it is a common problem for the whole of Europe.

The European Union has recently addressed this problem in a proposal for a new *Regulation of European Groupings of Cross-Border cooperation*,<sup>45</sup> which targets the creation of a new legal body – European Groupings of Cross-Border cooperation (EGCC) – responsible for implementation of CBC policies and having a recognised legal status across the border. This regulation will mainly concern bodies involved in the administration of EU programmes, and it will not solve the problem of euroregions established on the borders between EU and non-EU countries, so it is still difficult to evaluate the real impact of this regulation.

The Council of Europe taking into account the fact that the legal circumstances for transfrontier cooperation bodies in Europe is still not satisfactory, has started a process of preparations for the Protocol no.3 to the European Outline Convention. This process has resulted in preparation of the new document - *Draft European Convention containing a Uniform Law on Transfrontier groupings of territorial co-operation (TGTCs)*,<sup>46</sup> which is at the moment being actively discussed among member countries of the Council of Europe.

It is at the moment difficult to say what will be the result of all these discussions, and what form the discussed legal documents will have at the end

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<sup>44</sup> Presentation of different legal frameworks for CBC is reviewed in *Practical Guide to Cross-border Cooperation*. Gronau. Third edition, 2000. P.34

<sup>45</sup> Proposal for a regulation of the European Parliament and of the Council establishing a European grouping of cross-border cooperation, of 14 July 2004, COM (2004) 496 final.

<sup>46</sup> Preliminary draft European Convention containing a uniform law on transfrontier groupings of territorial co-operation, CDLR (2005) 45.

but, if adopted, they should mark one important step towards the solution of the problems connected to the legal status of euroregions.

### 3.2 MEMBERSHIP

Euroregions existing on the territory of Lithuania are different both in the sense of size and structure of their membership. In relation to geographical size and population count, the largest by far is Euroregion *Baltic*, covering a territory of over 100.000 square kilometres and with a population of some 6 million; the smallest is Euroregion *Bartuva* at around 3.000 km<sup>2</sup> and with about 120,000 people.<sup>47</sup> Membership within euroregions also differs, and can be based on two main forms:

- agreement between municipalities (*Bartuva, Sesupe*);
- agreement between regional and/or local authorities (*Neman, Saule, Baltic, Country of Lakes*<sup>48</sup>).

The first group of euroregions has quite a simple structure of membership. A group of local authorities from bordering areas sign the agreement and create a joint CBC body – euroregion. In the case of *Country of Lakes* there are for example 6 Latvian, 5 Lithuanian and 5 Belarusian local authorities that are the members. In some cases, municipalities on one side of the border come together to form an association of municipalities (like the Latvian partner in *Bartuva*). These euroregions are usually quite small both in size and in population, and have a clear cross-border element in that municipalities are situated on the border, or are just a short distance from it.

The second group of euroregions has a more complicated structure. It is first of all related to the fact that in most Central and Eastern European countries, the formation of the administrative system of the state is not complete and is still under development. Especially problematic is regional reform. In both Lithuania and Latvia this reform remains ongoing, with the existing regions/counties not always constituting a second tier of local self-government. For example, in Lithuania the counties are not considered to be local governments as they do not have elected councils and are financed from the state budget. County governors are appointed by the central government.

Latvia is the only Baltic state with a two-tier system of self-government but regional reform here is still under development. In 1999, Poland completed its governmental administrative reform and in the process created a three-tier

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<sup>47</sup> The combined territory of all members on all sides of the borders is summed..

<sup>48</sup> Before the recent inclusion of Utena county administration as a new member of the euroregion, this euroregion consisted only from municipalities.



system consisting of *gmina's* (smallest local government units), *poviat's* (counties, second level of local governments) and *voivodships* (regional authorities). Russia and Belarus have an even more complicated system of local and regional government, which all in all make it sometimes difficult to compare different actors in different parties of the euroregion. The new administrative reform in the Russian Federation, which will be implemented in 2006-2009, will establish a new system of local government and will create new challenges for the involvement of Russian partners in euroregions.

Membership of the euroregion is usually determined by two documents – agreement between the parties about the establishment of a euroregion, and in the statute of the euroregion. Certain confusion may appear in the use of terms *parties* and *members* of the euroregion. Agreements are usually signed between Parties, and the parties may be represented by a mayor of municipality or by a governor of the county. The definition of the *members* of the euroregion is slightly different, for example in terms of paying the membership fee.

The example of euroregion *Neman* can illustrate how complex and complicated the structure of membership may be. It is comprised of: two Polish voivodships, two Lithuanian counties, one Belarusian region/oblast and 5 municipalities of the Kaliningrad region/oblast. This membership group represents a mixture of regional and local authorities constituting the CBC body. It is worth bearing in mind also that Poland, after its administrative reform process, now has its part of the euroregion divided between the territories of two new voivodships, consisting of a total of 108 self-governments, whereas the real members are actually the 35 municipalities collectively known as the *Association of Self-Governments Euroregion Neman*. In this case we are dealing with two different concepts: real members of the euroregion, fulfilling the obligations of paying the membership fee, and the territory of the activities of the euroregion *Neman* that covers the territory of two voivodships.

A similar complicated structure exists within the Euroregion *Baltic*, which in general differs quite a lot from the rest of euroregions situated around Lithuania. The Euroregion operates in 6 countries, which in some cases do not even have a common border. It also has different levels of government (counties, regions, associations of municipalities).

In *Saule*, membership also consists of a mixture of regional and local authorities. In the agreement, the Lithuanian party is, for example, represented by the governors of two counties and the mayors of the 10 municipalities which geographically constitute these counties. The Russian party covers three mayors of municipalities. The main idea behind this Euroregion was to have a CBC body following a transport corridor, the so-called *Via Hanseatica*, which should

go through the territories of Germany, Poland, Russia, Lithuania and Latvia. The structure of the Euroregion therefore follows the road - members are situated along a line; where, for example, Latvian members do not have a common border with Russian partners. When the euroregion was established, the Skåne region from South Sweden also signed the agreement as a member, but during recent years it has not been active in the euroregion, and is no longer considered a member

Each model of membership, both in size and in the administrative level of its members, can have both positive and negative attributes. Those euroregions consisting only of municipalities are smaller and therefore easier to administrate. Members of the CBC body are situated directly at the border and they deal with obvious everyday problems and challenges of this “life at the border”. It is easier to formulate the needs and goals of co-operation; different members have closer contacts and they know each other better. Local authorities have all legal and financial powers (at least in Lithuania, Poland and Latvia) to execute international co-operation across the border. A distinct disadvantage of this co-operation is that local authorities are rather small and in some cases they lack both the administrative capacity and the finances to implement CBC activities. Their common voice can be too weak to influence the decisions of national authorities, not to mention international organisations.

In euroregions where regions or counties are the driving force the problems are opposite. Regions are bigger, their influence is stronger, they have their own administration, which has a greater capacity to deal with international co-operation, but on the other hand, they often lack a real need for co-operation as cross-border problems are not equally important to all municipalities in the region. In addition, regions are often too dependant on the good-will of central government as they are financially dependant on subsidies from the state budget (eg: counties in Lithuania are directly financed from the state budget).

A question to pose here is whether it is possible to define the optimal size of a euroregion? The diversity of CBC regions in Europe shows that this may not be possible. However, let us look below at some of the issues raised when a euroregion is going to be established or reorganised.

Disparities between euroregions in Lithuania reveal a difference in the thinking of their founders and in the history of their establishment. There is sometimes no clear logic behind the size of different euroregions. We can see that some euroregions were established on the basis of common geographical factors like rivers (*Sesupe* and *Neman*), sea (*Baltic*) or quantity of lakes (*Country of Lakes*), others on common infrastructure (the road in *Saule*) and some on the joint ethno-historical background (like *Bartuva*).

But the identity of the CBC region was not always a main factor for the creation of a region. This process could sometimes be led only by the enthusiasm of certain individuals, sometimes by political factors, and sometimes by the idea that the popular name “euroregion” would attract to the region new investments from EU or other financial instruments. The creation of euroregions was not always driven by a real need to have cross-border co-operation, but quite often by a top-down initiative reflecting a popular trend in Europe. That is why the questions “how large should a Euroregion be?” and “what kind of membership structure should it have?” have never always been the primary question.

Over time we can see that the actual establishment of a euroregion has not been the most important thing, rather it is the ability to maintain its activities at a sustainable high level. This in turn highlights the issue of clarifying the obligations of its members. The activities of each euroregion have to be financed, and this does not always come from external sources. The financial and administrative capacities of the members at this stage become an important issue of the sustainable activities of the euroregions. On the other hand, practical experience shows that if the financial capability of the partner was the only criteria for involvement and co-operation, the end result would simply not be achievable due to a lack of interest and ownership. Therefore the question of who should become the members of euroregion and what will be the responsibilities and obligations of partners should be taken very seriously.

Another issue is connected to the flexibility of the membership. In the statutes of most of the euroregions there is an article stating that the membership and the territory of the euroregion are open and can be changed, based on the decision of a certain euroregion institution (usually the Council). The territories of Lithuanian euroregions have had a tendency to increase (*Saule* has expanded in Latvia, *Neman* included a whole Vilnius county in Lithuania etc.). The question should be raised as to how far this enlargement may continue? From one point of view, it is certainly tempting to include new members, as this increases the political and financial weight of the euroregion. However, from another point of view, it makes the steering and administration of the euroregion much more complicated. The political bodies of euroregions should take into account the effectiveness of the euroregion when new authorities ask for membership. Here the question of the identity of a CBC region comes up again.

Issues of the size and membership are closely linked to an understanding of the real meaning of the term “cross-border co-operation”. Should it really mean only the co-operation of contiguous territories? How far can the authority be situated from the border and still be considered as “border area”? Should maritime borders have the same status as land borders? There are no unambiguous answers to those questions, and the practical implementation so

far of the largest CBC instrument in Europe – EU INTERREG programme - demonstrates that this issue is not easy to define. The EU INTERREG programme has tried to divide the co-operation into three strands, where only the ‘A strand’ includes “cross-border co-operation” in a more narrow understanding of this term. However, this does not solve the problem of co-operation across maritime borders, which for the Baltic Sea region remains an important issue.

The case with Euroregion *Baltic* is a practical example of this discussion. *Baltic* differs clearly from all other euroregions in Lithuania as it looks much more like an example of transnational co-operation, where the co-operation across real land borders receives less interest compared to the co-operation across the sea. So far the European Commission has made only a few exceptions in cases where co-operation across maritime borders is recognised as ‘A strand’ co-operation (e.g.: in the case of, co-operation between Sweden and Finland in the Kvarken Council or co-operation between South Finland and Estonia).

### 3.3. STATUTES

Typically two documents are the basis for governing the activity of euroregions operating on the territory of Lithuania:

- the agreement of establishment of the euroregion
- the statute of the euroregion

The agreement states who the founders are; the grounds and purpose of establishment; the date of coming into force; and outlines specific terms of the agreement that will help to establish a cross-border organisation such as a union or association. It also states that the aims, objectives, organisational structure and other key provision of the established union/association should be defined in the Statute and it is signed by representatives of all founders of the euroregion.

The statutes of the euroregions studied here have been developed by different authors and over different time periods, yet a similar framework of statements is clear (see *Table 4*). *The Model Inter-state Agreement on Organs of Transfrontier Co-operation between Local Authorities* (from the Outline Convention) provides a general guidance for the content of the Statutes of associations (euroregions) and in particular the 4<sup>th</sup> article of the Model Agreement which indicates those key aspects that should be defined in the Statute.

Table 4

**Chapters and titles of statutes of studied euroregions**

Chap No.	<i>Baltic</i> (establ.1998)	<i>Bartuva</i> (2000)	<i>Country of Lakes</i> (2005)	<i>Neman</i> (1997)	<i>Saule</i> (1999)	<i>Sesupe</i> (2003)
<b>I</b>	Aims and forms of co-operation	Ways and forms of co-operation;	General provisions	General provisions	Aims and forms of cooperation	Goals, spheres and forms of euroregion activities
<b>II</b>	Rights and duties of parties	Rights and duties of parties	Methods and main directions of work	Aims and objectives of the union	Rights and duties of parties	Rights and duties of parties
<b>III</b>	The euroregion bodies	The euroregion bodies	Institutions of management	Membership in the union	The euroregion bodies	The euroregion bodies
<b>IV</b>	Financing	Financing	Enlargement, re-organisation and liquidation of euroregion	Management institutions	Financing	Financing
<b>V</b>		End		Union council		Discontinuance of euroregion activities
<b>VI</b>				Union council presidium		
<b>VII</b>				Union secretariat		
<b>VII I</b>				Audit committee		
<b>IX</b>				Working groups		
<b>X</b>				Financial sources		
<b>XI</b>				Union dissolution		
<b>XII</b>				Final provisions		

Being the first euroregion to be established on the territory of Lithuania (in 1997), *Neman* served as a good example for other euroregions when developing their own documents and Statute. The statute for *Baltic* (1997) was derived from a Polish initiative to create a euroregion in the southeast Baltic Sea area. Its

statutes were revised as a result of a discussion during 2001 on how to make the euroregion *Baltic* more up-to-date<sup>49</sup>.

The *Saule* statute (1998) very much reflects the *Baltic* statute in that they both consist of the same chapter headings although they include different statements according to each euroregion's own specifics. Also, the *Saule* Statute is perhaps more detailed, whereas the *Baltic* is much more general in its terms of reference. According to *Saule* representatives, there are intentions to review and, if necessary, amend its statute once it has clearly decided on its euroregion strategy.

The Statutes of *Bartuva* (2000) and *Sesupe* (2003) have a structure of five chapters with more or less the same aspects of euroregion activity (*Table 4*), yet they have slightly different titles and are different in their degrees of specification. Due in part to the fact the *Bartuva* statute was put together from elements of statutes from other Lithuanian euroregions, and although it clearly defines all the main principles of its activity in detail, the representatives of *Bartuva* are considering a review of their statute in order to make it simpler, shorter and more general.

The *Sesupe* statute was developed through the common efforts and involvement of all parties within the agreement along with additional external consultants. Compared to the statutes of *Baltic* and *Saule*, *Sesupe* has an additional part (Chapter 5), describing the procedure for the discontinuation of euroregion activities (for other Statutes, this is covered under the chapter 'Financing'). The *Bartuva* statute also has a fifth chapter outlining the fact that the Statute is an integral part of the Agreement of the establishment of its euroregion.

In principle, the *Neman* statute covers the same areas as the statutes of other euroregions, although its sub-topics are not integrated into larger units. For the euroregion *Country of Lakes*, although established through the '*Regulations for the Governing Body of a Euroregion*' adopted in 2001, its initiation goes back a few years before this. In 1998, a *Regulation on Cross-border Cooperation of Border Regions* was developed, based on an initiative of Latvian local authorities (Kraslava, Daugpils, Rezekne) and in co-operation with the Belarusian consulate in Daugavpils. Later, a working group put together a document - the equivalent of a Statute - called the '*Order of Council of Cross-border Cooperation of Border Regions*'. For this process, the experience of cross-border co-operation between Russia, Estonia, and Latvia regions was used. In October 2005 the *Order of Directorate of Euroregion Country of Lakes*

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<sup>49</sup> Statutes of euroregion *Baltic*, Liepaja, 12 March 2002

was replaced by a new *Statute of the Euroregion Country of Lakes*. This statute consists of four chapters and covers very similar aspects to the statutes of other euroregions.

All of our six euroregions except of *Country of lakes*<sup>50</sup> use the two key legal documents mentioned at the beginning of this chapter: the Agreement of establishment of the euroregion, and the Statute. As our brief analysis shows, the statutes all consist of a very similar structure, and basically follow the provisions as laid down in the *Model Inter-state Agreement on Organs of Transfrontier Co-operation between Local Authorities* (1.5) of the European Outline Convention on Trans-frontier Co-operation between Territorial Communities or Authorities. However, it must be remembered that details of the documents very much depend on the organisational structure of each euroregion which of course vary from area to area. Accordingly, each euroregion's Statute reflects these differences and takes into account other individual organisational aspects such as financial management, dissolution of the association and so on.

The copycat approach to establishing a euroregion statute is in most cases clearly evident although it should not be, due to the sheer scale of differences between euroregions in their geographical aspects; size, number of members, legal specifics of the countries represented and other such issues. It should be a pre-requisite for all euroregions that they look at developing their own organisational structure and effective working principles. Only this way can the statute properly reflect the function of the euroregion – and not the other way around.

### 3.4. INSTITUTIONS

The institutional structures of all the euroregions in Lithuania are quite similar, and reflect the widely spread pattern seen in other European cross-border regions. All institutions of euroregions can be divided into 5 following groups (*Table 5*), showing certain differences and variations:

#### 1 Highest decision-making bodies

In almost all cases this is called the Council and usually consists of politicians and civil servants from each member of euroregion. They meet up to four times per year (ordinary and extraordinary meetings), and make the most important decisions relating to the activities of the euroregion such as: inclusion/exclusion

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<sup>50</sup> Euroregion *Country of lakes* is at the moment preparing the *Agreement on cross-border cooperation between municipalities of Euroregion Country of Lakes* because this document was lacking from the very beginning.

of members; composition of other institutions (President, Board or Audit Commission); approval of changes in organisational structure; changes to statute; approval of the common budget (if it exists); approval of action plans and joint projects; and the formation of working groups.

Decisions are usually adopted on the basis of broad consensus (*Baltic, Saule, Bartuva, Neman*) or majority voting (*Sesupe*). The statutes regulate the procedures of establishment, working and decision-taking within a Council and it is usually the Council that elects the Chairman or President of the euroregion. All euroregions acting in Lithuania, with the exception of euroregion *Country of Lakes*, have an institution consisting of a President or Chairman of the Council, the Presidency is always a rotating role between the members of the euroregions, and its term of office may vary between one to three years.

## **2 Executive bodies**

These include the names Board, Executive Board or Council Presidium, but all would have functions that are quite similar. An executive body consists of members of the Council (usually one representative from each party of the agreement) but are primarily smaller groups responsible for managing and directing the activities of euroregions during the periods between the sessions of the Council. The most usual tasks of executive bodies are: practical implementation of the Council's decisions; calling Council meetings and preparing the agenda for them; preparing all decisions for the Council's approval; establishing working groups; submitting annual reports on behalf of the presidency or the secretariat for the Council's approval.

However in the case of *Country of Lakes* the situation is a little different. This euroregion does not have a Board but has instead a Secretariat, which consists of representatives of all three countries in the euroregion. The Secretariat implements all the decisions of the Council, takes decisions, consults and follows the work of the Directorate.

## **3 Administrative bodies / secretariats**

These are the only institutions permanently dealing with the activities of euroregions and CBC structures. All the other groups usually meet only on specific set occasions – Council, Board or working group meetings. Administrative bodies are called bureaus, offices or most commonly secretariats and their main functions include: the implementation of all the decisions of the Council; the preparation of concrete projects; the support of the work of other



institutions of the euroregion; the preparation of the meetings of the Council and Board, the preparation of the annual reports etc.

However, a clear distinction should be made between the role of joint secretariat and that of the national office. The joint secretariats of the euroregions rotate and are usually linked to the institution of the President of the euroregion. This means that the euroregion with the presidency is also responsible for the establishment of the joint secretariat of the euroregion and for financing it during the full period of presidency. When the presidency is transferred to the new member, the joint secretariat function moves with it and the secretariat is then incorporated into the existing administrative structure of the county or municipality in the country of the new holder (this is the case with *Baltic*, *Sesupe*, *Saule*).

Of all the euroregions currently acting on the territory of Lithuania, only Euroregion *Baltic* has a permanent international secretariat, but so far it has only Polish employees. We believe that the most obvious reason for the lack of joint administrative bodies in euroregions could be the lack of a permanent source of self-financing coming from the members, something necessary for such a permanent structure. In addition, the legal and administrative systems in the member countries vary far too much, which in turn makes it difficult to have joint rules in areas such as employment and finance. Therefore all the activities of the euroregions are directed from a secretariat within the national offices.

These secretariats may be established as permanent institutions with a legal status (such as a public organisation, association or foundation) working specifically on euroregions tasks, as in the case of the Polish and Lithuanian offices of *Neman*; the Lithuanian office of *Sesupe*; and the Latvian and Lithuanian offices of *Country of Lakes*. Financial support for these secretariats has to come from the financial contributions of members from the country where the secretariat is based.

For example, the Lithuanian bureau of euroregion *Neman* is financed by the membership fees of the Lithuanian municipalities participating in the euroregion. This bureau has a permanent staff working specifically for the euroregion. In some other cases, the function of the national secretariat is transferred to an existing administrative structure, and an existing employee with other non-euroregion tasks, perhaps within the municipal or county administration. Although this allows the members of a euroregion to save money (no new employee or new offices are needed) the euroregion can lose out in the long run by not having a dedicated member of staff assigned to a specific activity in the euroregion.

The meetings of the directors of national secretariats sometimes constitute another body of the euroregion, like the Secretariat in *Neman*.. In *Country of Lakes* the administrative body, the Directorate, consists of three independent bureaus in Belarus, Latvia and Lithuania

#### **4 Working groups**

All statutes of the euroregions stipulate that the working groups can be established to cover specific sectors of activities. In some cases the working groups or commissions are permanent (*Neman* or *Baltic*) or sometimes they are organised just for a one-off project implemented in the euroregion (*Sesupe*). Working groups usually consist of civil servants coming from different members of the euroregion. Our observation is that the working groups seldom play an active role in activities; euroregions have problems in getting them established and managing them once they are up and running; and also there is a problem that the concept is still relatively new.

#### **5 Control-auditing bodies**

The Control-Audit Commission is mentioned in the statutes of three of the euroregions, and its function is to look after the financial control of the euroregion's activities. One of the reasons why this is not the case for all euroregions may be that there are only a few euroregions with joint financial flows. Money is usually circulating on only one side of the border, and in this case the audit would be carried out by the national institutions or, in the case of projects, by institutions appointed by the donors.

Most of the institutions in euroregions are not permanent, and perform their tasks only during meetings. Even the secretariats, who are all supposed to carry out a steady stream of daily activities on behalf of their euroregions, are mobile, and their activities more directed sometimes to serve the national interests of their members instead of the collective interests of the euroregion. This may clearly affect the efficiency and sustainability of the activities of any CBC structure.

A general conclusion about the institutional framework of euroregions acting on the territory of Lithuania is that there are large similarities between the euroregions, and this may be the result of "copying" elements of the regulations from other euroregions. However, in general, the institutional structures are quite logical although there remains the question of how to use these structures in the most efficient way. In some cases too little attention has been paid to the

peculiarities of different euroregions, and as result, some of the bodies appear to be merely perfunctory rather than readily and actively involved in the work of developing and promoting the euroregion.

Table 5

**Institutional structures of euroregions in Lithuania**

<b>Euro-region</b>	<b>Highest decision making bodies</b>	<b>Executive bodies</b>	<b>Administrative bodies</b>	<b>Working groups</b>	<b>Controlling/auditing bodies</b>	<b>Official languages of Council meetings</b>
<i>Baltic</i>	Council (up to 8 representatives from each member region)	Executive Board (1 representative from each member region)	President (rotates every year) Presidents Secretariat – rotates together with presidency. National bureaus Permanent international secretariat	3 permanent working groups: environment, transport; social.	-	English Russian
<i>Bartuva</i>	Council (up to 4 representatives of each Party)	Executive Council (from members of Council, 1 representative from each Party)	President – rotates every year; Secretariat – rotates together with presidency	Temporary working groups for projects	Audit group	English Russian
<i>Country of Lakes</i>	Council (2 representatives from each member)	Secretariat (made up of Lithuanian, Latvian, Belarusian representatives)	Directorate (consists of three national bureaus)	7 working groups: spatial planning; education, NGO and sports; social sphere; culture; tourism and environment protection; business and infrastructure development; solving of border crossing problems).	-	Russian and/or other languages

<i>Neman</i>	Council (6 representatives of each country)	Council Presidium (3 representatives from each country)	Secretariat (consists of 4 directors of national bureaus); National bureaus.	6 permanent working groups: economic development; social affairs and medicine; culture and education; environmental protection; territorial planning; tourism. Temporary groups for concrete projects	Audit commission	Lithuanian Polish Russian English
<i>Saule</i>	Council (total 12; 3 representatives from each member region)	Board (1 representative from each member region + President)	President (elected for 3 years, rotates) – Secretariat – rotates together with presidency	Temporary working groups for projects	Control-audit commission (has not been set up yet)	English and Russian
<i>Sesupe</i>	Council (total 14: 1 representative from each member of the Agreement)	Board (total 14: 1 representative from each Member)	Rotating presidency National bureaus	Temporary working groups for projects	Control-audit commission	English Russian Polish Lithuanian

### 3.5. FINANCING

The key pre-condition for the successful functioning of a euroregion is the ability to harness and gradually increase the steady flow of financial support. Euroregions studied in this survey have different sources of funds to ensure that they can achieve the aims of the organisation. For all six of the studied euroregions, there are two primary sources of funding:

1. budgets of euroregion members
2. external donor organisations.

The other main financial sources are the EU programmes of INTERREG, PHARE, TACIS, CREDO and ACCESS, with some initiatives supported by international donor programmes such as the World Environmental Fund, Soros Foundation, and the Norwegian Association of Local Authorities.

In 2003, the Ministry of the Interior of the Republic of Lithuania started to support euroregions in Lithuania from the national budget. According to the *Regional development plan for 2003-2005* certain resources were planned providing financial support to cover the membership fees to the Association of European Border Regions (AEBR) for all Lithuanian members of this organisation, and for the organisation of seminars, training and some publications.<sup>51</sup> Despite the small amount allocated to each of the euroregions, this initiative is a positive example of national support for euroregions.

The holding of funds differs between euroregions; some euroregions have a joint account where all member parties pay annual fees (*Bartuva*) whereas others have individual accounts in each member organisation (*Baltic, Country of Lakes, Neman, Saule, Sesupe*).

The practice of *Bartuva* differs from other “Lithuanian” euroregions in that the Lithuanian members (Palanga town, Skuodas and Kretinga regions) pay an annual membership fee of €500, as do the Latvian members (Liepaja region municipalities’ association). The fees go directly to the budget of the euroregion within the municipality that is holding the presidency of the euroregion. All decisions on budget expenditure for *Bartuva* are taken on a parity principle (Lithuanian and Latvian members have 1+1 vote) and are distributed as follows: 50% of the total annual budget towards joint projects and 50% towards culture, sports and other similar events.

For the *Country of Lakes*, the euroregion authorities provide financing for the country offices and small CBC projects (mostly cultural). All the administrative costs are covered by the municipalities of the euroregion members (although earlier there was a possibility to receive support from donor organisations). For individual projects other financial sources are clearly needed to be found.

For *Neman*, each country member’s controlling body finances the activities implemented in their area under the coordination of the national Bureaux. For example, in 2003 almost 6 % of the *Neman* euroregion Marijampole Bureau (Lithuania) budget was made up from municipalities’ contributions with the rest coming from the implementation of projects and other activities.

The funds for *Saule* (as stipulated in the Statute for the euroregion) are allowed to come from subsidies, donations, financial contributions of parties and other sources. The cost of sending delegates to the Council, Board and/or working

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<sup>51</sup> Lietuvos Respublikos Vyriausybės 2002 m. gruodžio 5 d. nutarimas Nr. 1905 “Dėl Lietuvos Respublikos regionų plėtros programos ir jos įgyvendinimo 2003-2005 metų priemonių”//Valstybės žinios, 2002, Nr.117-5859.

group meetings should be covered by each party of the Agreement. Upon election of the President, a bank account is opened in the country of the President and all financial operations are conducted through this account. Secretariat costs are covered by the institution, the representative of which was elected as the President of the euroregion.

The main sources of funding for *Sesupe* come from current programmes and projects being implemented; EU and other funds; programmes supporting regional development and cross-border co-operation; target funds of the euroregion members; target subsidies; donations; and other sources.

One of the biggest problems, as our analysis showed, is that most euroregions do not have joint financial resources, which can be considered a main precondition for the successful functioning of a cross-border organisation. This automatically causes problems in co-financing joint projects, support activities of common institutions (secretariats) and the implementation of other initiatives. The absence of common finances in the budgets of the euroregions means that the activities of these organisations depend almost solely on external sources. Therefore, very often, one is presented with the situation whereby only once a project is approved and finances delivered can a euroregion (or at least part of it) work, with the alternative being that with no projects approved, and therefore no income, the activity of the euroregion grinds to a halt. Of all current approaches to deal with this issue, none have been effective in the cases studied.

### 3.6. STRATEGIC PLANS

In order to achieve the aims and objectives of the euroregion and to develop its activities successfully, further application of the principles of strategic planning is crucial. Since strategic planning practice is a rather new phenomenon in the post-soviet societies, many organisations still lack knowledge and skills in this field. However, as the study showed, the euroregions analysed in this study are actively working in this field and are beginning to show results.

The *Country of Lakes* strategy was formed in 2002 within the framework of the project “Working out a strategy for euroregion *Country of Lakes*” with the support from the Norwegian Association of Local and Regional Authorities. The document describes what the euroregion *Country of Lakes* is, its vision, the main strategic goals for key sectors, its main objectives and concludes with a plan of action for 2002-2007 outlining specific projects, responsibilities within the organisation, resources needed and a time frame for the achievement of each goal. The document also defines the methods of working and the content of cross-border co-operation, and indicates the structure of the euroregion including details of the representatives in each member country.

A strategy for *Bartuva* euroregion has not yet been formulated, although there was a preliminary analysis of the situation in the euroregion carried out in Kaleti (Latvia) in November 2000. The document describing the results of this analysis contains a large number of ideas and suggestions on possible activities in the region in the spheres of tourism, ecology, youth and cultural exchanges, and sports. The ideas need to be further developed as they do not currently include aims, objectives, or a list of future concrete activities. Instead, *Bartuva* appears at the moment to be concentrating on the development of joint projects and an exchange of experience.

The development of the strategy for *Baltic* is currently is under implementation (project Seagull-DevERB) and is being supported by INTERREG/PHARE/TACIS programmes.

For *Neman* there is nothing tangible as yet although the Council annually approves a list of events and measures planned for each year. There is a separate strategy on tourism development currently being prepared. There are plans to develop a comprehensive long-term strategy for the whole euroregion in the near future once the new relationships between current- and accession-EU members become clear.

The *Saule* strategy was prepared in the framework of the PHARE CBC SPF project "Elaboration of a Strategy for the Euroregion *Saule*" and was adopted by the Council in 2004. The strategy has underlined 7 priorities of the euroregion: development of human resources; entrepreneurship; infrastructure; environment; tourism; education, culture and sports; and the creation of the euroregion's image.<sup>52</sup>

*Sesupe*'s preparation of a strategy started in February 2004. A Lithuanian consultancy company has been invited to facilitate the process.

The survey showed that all six studied euroregions, to a different extent, have attempted to apply the principles of strategic management in their organisations. Some of them worked on the strategies themselves, some used the assistance of external consultants, and some are planning to start working on their long-term strategic development plans once the EU enlargement process has 'quietened' down a little. In most cases, financial support for the implementation of the initiative was received from external sources, most often international donor organisations.

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<sup>52</sup> *Development strategy of the Euroregion Saule* <http://www.eureg-saule.jrp.lv/sauleE/documents/strategy.htm>

Interviews with representatives of the national bureaus indicate that there is still a definite lack of internal *know-how* on strategic management issues. Methodological assistance from national authorities, academic institutions or just the straight forward exchange of practical experience with colleagues from other euroregions would be a great help.

#### **IV Recommendations**

In the earlier chapters, the existing conditions on how euroregions in Lithuania function in terms of institutional, legal and financial frameworks, as well as their overall long-term development were discussed. Based on the key findings of the analysis, we make the following recommendations that will increase the effectiveness of CBCs and certainly go some way towards ensuring that the future method of establishing CBC structures - the euroregions – in Lithuania are legally and systematically strengthened.

1. On an international (European) level, further debates on the legal framework of CBC bodies have to be promoted and the legal status of euroregions - unique subjects of international law - has to be clearly defined. To achieve this aim, the efforts of the Council of Europe and other relevant European organisations must be united.
2. Those member states of the Council of Europe which have not yet ratified the Madrid Convention and its two Protocols must be encouraged to do so and thus create conditions for closer cross-border co-operation of European states.
3. Through bilateral or multilateral negotiations, the governments of Lithuania and its neighbouring states have to define a clear legal status of the euroregion as an integral subject of international law. Already existing inter-state commissions on CBC must be actively involved in this process.
4. National governments and euroregions should start discussions on the future legal status of the euroregion. Euroregions should decide if they want to create more integrated structures, decisions and measures which should have an equal power and impact on all members of the euroregion.
5. When establishing new, or reforming existing, euroregions the aims of the euroregion should be considered and formulated more clearly. Greater attention should be paid to the identity of the euroregion. Members of the euroregion should decide if they want to create a joint “umbrella organisation” to implement projects, or if they jointly seek an overall social-economic development of the territory of the euroregion.



6. In order to make membership more effective, the aim of the euroregions should be more strictly defined. Joint institutions of the euroregion should decide on further institutional development of the euroregion and on a strategy for accepting new members. Closer attention should be paid to the legal and institutional equality of the members of the euroregion (representation of the same level of authority)
7. A clear connection between the parties signing the co-operation agreement and the actual members of the euroregion should be defined. The responsibilities and obligations of members must be clearly stated. The fulfilment of the obligations should be permanently monitored and evaluated. Statutes should provide legal measures against members regularly failing to meet the requirements of the membership.
8. Membership in the euroregion should be linked to the common agreement between the members on the meaning of the term “cross-border co-operation”.
9. The statutes of the euroregion should be adapted to the specifics of each euroregion; the verbatim copying of the content of statutes from other CBC structures should not be a common practice.
10. The existing statutes of euroregions acting on the territory of Lithuania provide a good basis for their functioning. The following basic template structure for a euroregional Statute is suggested:
  1. Aims and forms of co-operation
  2. Membership
  3. Rights and duties of the Members
  4. Management Bodies
  5. Financing
  6. Dissolution of the euroregion
11. A system and a set of procedures for the periodical revision and possible amendments of the Statute should be created.
12. Institutional arrangements should be applied to concrete needs and specific features of a particular euroregion. For smaller euroregions it may not be necessary to adopt the whole set of institutions functioning in larger euroregions or CBC bodies.
13. The establishment of secretariats as main bodies responsible for daily activities of the euroregion should be carefully discussed. A system of constant coordination of the activities of national secretariats should be created in order to secure a real cross-border impact of the activities of euroregions. Where possible, the foundation of permanent secretariats consisting of representatives from different parties of the euroregion should be considered. This may become increasingly important for

euoregions that in the future may be planning to take an active part in the management of EU INTERREG programmes.

14. In order to ensure the sustainability of activities and the financial independence of a euroregion, the share of a euroregion's own financial resources should be significant. Collection of membership fees would be an effective solution.
15. All members of a euroregion should be actively involved in the development of a strategic plan of its organisation. Concrete plans of the implementation of strategies should be formulated and financial, human and technical resources foreseen. The exchange of experience with other euroregions and external institutions (universities, national and international agencies) should be actively encouraged and promoted.
16. There must be a greater emphasis on communication with client groups and the public within euroregions. Any euroregion's controlling or management body or institution should be obliged to publish, and actively promote, regular records of activities for public scrutiny and be held accountable if they fail to do so.

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## ***VI. APPENDICES***

### ***APPENDIX I***

#### **Questionnaire 1**

Dear Colleague,

A group of researches of Kaunas University of Technology (Lithuania) have been asked by the Council of Europe to conduct a survey in order to ascertain the effectiveness of euroregions, which Lithuania participates in. Your help in completing the following questionnaire would be of great help. Based on information provided in the questionnaire, the survey team will identify the most effective institutional arrangement of euroregions and thus will try to develop a model statute for existing and future euroregions.

We would greatly appreciate if you could send the completed forms back no later than December 14, 2003 to one of the addresses:

E-mail:

Fax:

Mail:

Title of the Euroregion that you represent :

Your name

Surname

Position

Organization (not Euroregion)

Contact phone No.

Contact e-mail address

When was your Euroregion established? (YY/MM/DD)

Where was your Euroregion established  
.....city .....country

Who were the main initiators of the creation of your Euroregion?

Which are the members of your Euroregion?

Which are the most active members of your Euroregion?

Which are the least active members of your Euroregion?

What are the main reasons for weak involvement of these members?

Please describe the legal status of your Euroregion as such, if it has one.

Please specify the legal status of secretariat/s of your Euroregion in each member country (*Please specify a case of each member-country individually*).

Please mention, which international and/or national legal act is the basis for the Euroregion, and for each of the secretariats.

What kind of changes in the legal status of the Euroregion/secretariat would you like to implement in order to improve the cooperation?

What is the full name of organization, which plays the role of secretariat of your Euroregion? (*In English*)

What is the decision-making process within your Euroregion?

What are the working languages of your Euroregion used in the meetings and in the documentation?

What are the most important activities that your Euroregion has implemented so far? (*Please indicate full titles of the initiatives, maximum 7*)

What are the main sources of financing of your Euroregion? (*Please indicate each source according to their importance starting from the most important one*)

What projects/programmes/initiatives is your Euroregion currently implementing? (*Please indicate full titles and participants of the key initiatives, maximum 5*)

What are the main problems affecting the functioning of your Euroregion, if any?

Should you have any questions or suggestions to the survey group, please do not hesitate to contact us at the addresses provided above.

We very much appreciate your time and cooperation.

## ***APPENDIX II***

### **Questionnaire 2**

*Gerb. Pone/-ia,*

Europos Tarybos prašymu, Kauno technologijos universiteto atstovai atlieka Euroregionų, kuriuose dalyvauja Lietuvos apskritys ar savivaldybės, efektyvumo tyrimą. Pagrindinis šios Europos Tarybos iniciatyvos tikslas - remiantis atskirose Europos šalyse vykdomo tyrimo rezultatais, pamėginti sukurti pavyzdinį Euroregiono statutą bei suformuluoti kitas Euroregionų efektyvumą skatinančias rekomendacijas.

Jūsų asmeninė patirtis ir nuomonė labai padėtų tiksliau nustatyti Lietuvoje veikiančių Euroregionų veiklos efektyvumo prielaidas ir ateities perspektyvas. Būtume Jums labai dėkingi, jei maloniai sutiktumėte atsakyti į šios anketos klausimus.

Užpildytą anketą prašome atsiųsti iki 2003 gruodžio 14 d. vienu iš šių adresų:

El.paštu:

Faksu:

Paštu:

Jūsų vardas

Pavardė

Pareigos

Organizacija

Tel. Nr.

El. pašto adresas

Kiek metų dirbate bendradarbiavimo abipus sienos (BAS) srityje

Kokiu būdu Jūs/Jūsų organizacija yra susijusi su bendradarbiavimo abipus sienos problematika?

Kokie, Jūsų nuomone yra, euroregiono, kaip vienos iš BAS priemonių, privalumai

ir trūkūmai?

Kurie iš Jums žinomų Lietuvos teritorijoje veikiančių euroregionų, Jūsų nuomone, yra patys aktyviausi?

Kurie iš Jums žinomų Lietuvos teritorijoje veikiančių euroregionų yra mažiausiai aktyvūs?

Dėl kurių priežasčių paminėti euroregionai, Jūsų nuomone, yra neaktyvūs?

Ar Lietuvos teisinėje bazėje, Jūsų nuomone, egzistuoja teisinių kliūčių ar trūkumų, trukdančių sėkmingai euroregionų plėtrai?

Kokios, Jūsų nuomone, yra kitos svarbiausios priežastys ar problemos, trukdančios sėkmingai euroregionų plėtrai?

*Nuoširdžiai dėkojame už Jūsų laiką ir mintis, išreikštas šioje anketoje.*

Jei turite klausimų ar pasiūlymų tyrimo autoriams, maloniai prašome kreiptis aukščiau nurodytais adresais.



### APPENDIX III

#### **Euroregions in Lithuania: fact sheets**

In 2004, six Euroregions existed on the territory of Lithuania:

Euroregion *Baltic* (LV, LT, RUS, SE, DK, PL).

Microeuroregion *Bartuva* (LV, LT);

Euroregion *Country of Lakes* (LV, LT, BY);

Euroregion *Neman* (LT, RUS, PL, BY);

Euroregion *Sesupe* (LT, PL, RUS);

Euroregion *Saule* (LV, LT, RUS);

The following tables contain detailed information about each euroregion:

<b>EUROREGION “BALTIC”</b>	
<b>Members</b>	<b>Basic statistics</b>
<p><b>Lithuania - LT:</b> Klaipda County: Klaipeda city municipalities, Palanga city, Neringa city, Klaipeda district, Kretinga district, Silute district, Skuodas district;</p> <p><b>Latvia - LV:</b> Kurzeme planning region: Municipalities of Liepaja city and region, Ventspils, Kuldiga, Talsu and Saldus districts;</p> <p><b>Poland - PL:</b> Pomeranian and Warmia-Mazurian regions, Association of Municipalities of Poland;</p> <p><b>Russian Federation - RUS:</b> Association of Municipalities of the Kaliningrad region, Kaliningrad oblast; Administration of Kaliningrad Oblast; Regional Duma of Kaliningrad Oblast</p> <p><b>Denmark - DK:</b> Regional Municipality of Bornholm;</p> <p><b>Sweden - SE:</b> Regional Council of Kalmar County, County Council and Communes of Smaland (SSKL), Kronberg County Council, Blekinge region</p>	<p>Total population: 5 939 970 inhabitants, Total area: 101 034 sq.km</p>
<b>Background</b>	<b>Aims</b>
<p>On February 22, 1998, the regional and local authorities of six countries – Denmark, Latvia, Lithuania, Poland, Russia and Sweden signed the agreement of establishment of Euroregion “Baltic”. This was the first euroregion with</p>	<ul style="list-style-type: none"> <li>– To improve the quality of life for people inhabiting the area of euroregion Baltic</li> <li>– To promote mutual contacts,</li> <li>– To strengthen bonds between local</li> </ul>

<p>Russian membership.</p>	<p>communities,</p> <ul style="list-style-type: none"> <li>– To eliminate historical prejudices,</li> <li>– To plan activities aimed at providing sustainable development among the members of ERB,</li> <li>– To promote actions aimed at co-operation between regional and local authorities.</li> </ul>
<p><b>Organisational structure</b></p> <p>Management bodies:</p> <ul style="list-style-type: none"> <li>– Council</li> <li>– Executive Board</li> <li>– President /Secretariat</li> <li>– National secretariats (administrative bodies)</li> <li>– Working groups (permanent; Environmental, Transport (currently inactive), Social)</li> </ul> <p>ERB presidency is rotating each year.  ERB Council consisting of not more than 8 representatives from each member region is the highest decision making body.  The ERB Board has executive power. It consists of a representative elected from the members of the Council of each member region. For specific common interest – the ERB working groups are established by the decision of the Board. On daily basis – the International Permanent Secretariat is in charge for common matters and co-operation with the bureaux from each member region.  Each member country has an organisation working as a national bureau.</p>	<p><b>Legal status</b></p> <p>Legal status of national secretariats:</p> <p><b>LT:</b>Klaipeda County Governor's Administration</p> <p><b>LV:</b> Kurzeme Region Development Agency: non-profit organisation (public association)</p> <p><b>PL:</b> International Permanent Secretariat is placed at the Association of Polish Municipalities within Euroregion Baltic (non-for-profit organization)</p> <p><b>DK:</b> Regional Municipality of Bornholm</p> <p><b>RUS:</b> Municipality of Baltijsk</p> <p><b>SE:</b> each of the local county council in Sweden takes a yearly rotating representation of the Swedish Party in ERB</p>
<p><b>Financing</b></p> <p>Members provide financing for the euroregion  Each Party of the Agreement covers the costs of delegating to the meeting of the Council, the Board, secretariats and the working groups.  Financing of some activities for joint projects comes from INTERREG/TACIS/PHARE.  Most Polish projects are financed by a special fund of euroregional microprojects.</p>	<p><b>Activities</b></p> <p>International fairs in Gdynia (Poland) and Klaipeda (Lithuania), international summer camps for children and youth, annual competition of children drawings “From the Sea We Are”, project “Good governance”, ecology project “Green Schools”;</p> <p>Interreg project “The Baltic Gateway”;</p> <p>Interreg project “Seb Trans Link”;</p> <p>PHARE CBC project for Latvian side ‘Seagull Latvia’;</p>

	<p>Seagull-DevERB – development of strategy of ERB supported by INTERREG/PHARE/TACIS;</p> <p>Seagull II – supported by the BSR INTERREG III B program.</p> <p>PHARE project “The 1<sup>st</sup> Euroregion <i>Baltic</i> Youth Games”</p> <p>Establishment of the Youth Council in ERB supported by a PHARE project;</p> <p>Trade fairs of SMEs to be held in 2006</p> <p>Supporting BSR property fair in 2006</p>
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<b>MICROEUROREGION “BARTUVA”</b>	
<b>Members</b>	<b>Basic statistics</b>
<p><b>LT:</b> Municipalities of Skuodas district, Kretinga district, Palanga town,</p> <p><b>LV:</b> association of 8 Liepaja region municipalities “BARTAVA” (municipalities of Virga, Barta, Dunikos, Kaleti, Nica, Otankiai, Rucava)</p>	<p>Total population: 120 000</p> <p>Total area: 3000 sq.km</p>
<b>Background</b>	<b>Aims</b>
<p>Euroregion “Bartuva” was established on September 15, 2000 in Kaleti, Latvia.</p> <p>The main reason of establishment was to improve co-operation for development and implementation of joint initiatives.</p> <p>Before establishment of the euroregion, Kretinga, Palanga and Rucava municipalities jointly implemented an ecological project. There are strong partnership relations between Palanga, Skuodas, Kretinga municipalities. Over 11 000 Lithuanians live in Liepaja region of Latvia and a few thousand Latvians live in Palanga and Skuodas region of Lithuania. This served as a background to initiate the establishment of euroregion “Bartuva”</p>	<ul style="list-style-type: none"> <li>- To improve the quality of life for people inhabiting the area of the Euroregion,</li> <li>- To promote mutual contacts,</li> <li>- To tighten bonds among local communities,</li> <li>- To eliminate historical prejudices,</li> <li>- To plan activities aimed at providing sustainable development among the members of the agreement, with respect to their economic status,</li> <li>- To develop activities enabling co-operation between regional and local authorities.</li> </ul>
<b>Organisational structure</b>	<b>Legal status</b>
<p>Management bodies:</p> <ul style="list-style-type: none"> <li>– Council (up to 4 representatives of each Party of the Agreement - active)</li> <li>– Executive Council (from members of the Council, 1 representative of each Party of Agreement)</li> <li>– President /Secretariat (active)</li> </ul>	<p>Frontier association – euroregion “Bartuva”</p> <p>Legal status of national secretariats:</p> <p><b>LT:</b> Secretariat of the euroregion changes every year due to the President (who has the right to form the</p>

<ul style="list-style-type: none"> <li>– Working groups (temporary, for development of joint projects - active)</li> <li>– Audit group</li> </ul> <p>The Presidency rotates. The president appoints secretariat of the Euroregion. The party of the agreement which holds the presidency covers the costs of Secretariat.</p>	<p>Secretariat) changing every year. Municipalities – members of the euroregion play the role of the secretariat.</p> <p><b>LV:</b> The Open Society Centre for Environment Management “Bartava” – non-governmental organisation.</p>
<p><b>Financing</b></p>	<p><b>Activities</b></p>
<p>Palanga town, Skuodas and Kretinga regions pay an annual membership fee of 500 Euro; Liepaja region municipalities’ association “BARTAVA” pays annual membership fee of total 500 Euro.</p> <p>The fees go towards the budget of the euroregion, which is held by the Presidency municipality. Decisions on expenditures of the budget are taken on parity principle (Lithuanian and Latvian members have 1+1 vote).</p> <p>50% of the total annual budget goes as a financial contribution to joint projects, 50% - to finance cultural, sports and other events.</p>	<p>The main areas of activities: co-operation in tourism, cultural events and sports, exchange of delegations, development of common projects.</p> <p>The projects aim at development of tourism and IT in the territory of the euroregion. Cultural and sports events are organised every year.</p>

<b>EUROREGION “COUNTRY OF LAKES”</b>	
<p><b>Members</b></p>	<p><b>Basic statistics</b></p>
<p><b>LT:</b> Municipalities of Ignalina district, Svencionys district, Utena district, Visaginas city, Zarasai district, Anyksciai district and Utena county..</p> <p><b>LV:</b> Municipalities of Daugavpils district, Daugavpils city, Kraslava district, Kraslava city, Preili district, Rezekne district, Rezekne city and Ludza city council.</p> <p><b>BY:</b> Municipalities of Braslav district, Glubokoje district, Miori district, Postavi district, Verhnedvinsk district.</p>	<p>Total population: 595 000 Total area: 21 916 km<sup>2</sup></p>
<p><b>Background</b></p>	<p><b>Aims</b></p>
<p>On 16 May 1998, based on General European Convention on Cross-Border Co-operation Between Communities and National Governments accepted on May 21, as well as taking into consideration that cross border co-operation will contribute to establishing closer links between</p>	<ul style="list-style-type: none"> <li>– To manage and develop staff as a key organisational resource.</li> <li>– Co-operation in the Euroregion is a long-term partnership based on internal recourses.</li> <li>– To ensure and stimulate co-operation of Euroregion partners and other European</li> </ul>

<p>Republic of Latvia and Republic of Belarus, and achievement of higher economical and social regional progress in both countries, the Co-operation agreement of basic co-operation principles was signed by governments of Latvia and Republic of Belarus. The agreement consists of 11 chapters.</p> <p>On 21 May 1998 the first cross border co-operation conference “Latvia – Belarus, possibilities for co-operation of municipalities in border area” was organised in Krāslava, Latvia. The conference was successful with one of the final decisions taken being to offer participation in the work group to local authorities in the Lithuanian border area and Vitebsk Oblast, Belarus.</p> <p>In 1998 in Braslav, Belarus, the first documents – Regalement and Regulations of Council cross border co-operation in border areas of Latvia, Lithuania and Republic of Belarus are signed setting that Council, Secretariat and Directorate with national offices are established for operation in Latvian-Lithuanian-Belarusian border area territories.</p> <p>Municipalities founded the national offices of Euroregion “Country of lakes” Directorate as official representative bodies of Latvian, Lithuanian and Belarusian border areas.</p> <p>In 2002, strategy of the euroregion “Country of Lakes” was elaborated.</p> <p>Official languages: Lithuanian, Latvian, Russian.</p>	<p>regions.</p> <ul style="list-style-type: none"> <li>– To contribute to further promotion of cultural and historical identity of each region within Euroregion “Country of lakes”.</li> <li>– To put common efforts to ensure sustainable balance between tourism development, business and environment protection.</li> </ul> <p><i>Main areas of co-operation:</i> education, NGO sector, sport, social sphere, tourism and environment protection sector, entrepreneurship and infrastructure development sector, culture and sector of border crossing problems solving.</p>
<p><b>Organisational structure</b></p>	<p><b>Legal status</b></p>
<p>Management bodies:</p> <ul style="list-style-type: none"> <li>– Council (2 representatives from each Member of the Agreement)</li> <li>– Secretariats (co-ordinating structures in all countries)</li> <li>– Directorate (made up of Lithuanian, Latvian, Belarusian country offices)</li> <li>– Working groups (spatial planning;</li> </ul>	<p>Euroregion “Country of Lakes” - council for transborder co-operation of border regions of the Republic of Belarus, the Republic of Latvia and the Republic of Lithuania.</p> <p>Legal status of country offices:  <b>LT:</b> Lithuanian Office of Euroregion “Country of Lakes” (Ignalina District Municipality) – non – profit organization,</p>

education, NGO, and sports; Social sphere; Culture; Tourism and environment protection; Business and Infrastructure Development; Solving of Border Crossing Problems).	<b>LV:</b> Latvian Office of Euroregion “Country of Lakes” (Kraslava District Municipality) – public association; <b>BY:</b> (Braslav district municipality) – legal status has yet to be defined.
<b>Financing</b>	<b>Main activities</b>
<p>Euroregion’s authorities provide financing for country offices and small CBC projects (mostly cultural).</p> <p>Financing from EU programmes to individual projects.</p> <p>All administrative costs are paid by municipalities-members of the euroregion (earlier there was a possibility to get support from donor organisations).</p> <p>Projects are partly financed by municipalities (PHARE projects - 20-25%, national - 50%, and others).</p>	<p>PHARE CREDO project - “Formation of Latvian –Belarusian information centre”. (1999-2000).</p> <p>Norwegian Association of Local Authorities supported a project „Strategy elaboration of Euroregion “Country of Lakes” (2001)</p> <p>PHARE 2000 CBC project “Promotion of SME Development in the Territory of Euroregion “Country of Lakes” (2001)</p> <p>TACIS CBC project "Country of Lakes" - Management and Marketing of Rural Tourism" (2002-2003)</p> <p>PHARE 2001 project “Culinary Service Improvement in Latgale (Latgale CUISINE) based on Culinary Heritage concept” implementation (2003-2004)</p> <p>INTERREG IIIA project “Development of Culinary heritage as a network and method for regional tourism development in the context of Euroregion “Country of lakes” (2004-2005)</p> <p>INTERREG IIIA project “Exciting cycling net in the Baltic country of lakes” (2006-2007)</p>

<b>EUROREGION “NEMAN-NIEMEN-NEMAN”</b>	
<b>Members</b>	<b>Basic statistics</b>
<p><b>LT:</b> Alytus County: municipalities of Alytus city, Alytus district, Druskininkai, Lazdijai district, Varena district, Marijampole County: municipalities of Marijampole, Kalvarija, Kazlu Ruda, Sakiai district, Vilkaviskis district, Vilnius County: municipalities of Vilnius district, Svencionys district, Salcininkai district, Sirvintos district, Trakai district,</p> <p><b>PL:</b> Old Suwalki County, Old Bialystok County</p> <p><b>BLR:</b> Grodno County</p>	<p>Total population: 4 842 300</p> <p>Total area: 89 085 sq.km.</p>

<p><b>RUS:</b> Kaliningrad Oblast: municipalities of Tchernyachovsk, Krasnoznamensk district, Gusev district, Oziorsk district, Nesterov district.</p>	
<p><b>Background</b></p> <p>On 6 June 1997, the cross-border regions of Lithuania, Poland and Belarus established the union of cross border regions, named Neman Euroregion. Later on, the municipalities of Vilnius and Bialystok Counties and in 2002 eastern regions of Kaliningrad oblast joined this union.</p> <p>The main aim being to raise the living standards in the borderland local communities through exploitation of the advantageous social, political and geographical situation, the area where four countries: Lithuania, Poland, Belarus, Russia (Kaliningrad County) come together. The river Nemunas geographically and historically unites these nations.</p> <p>Official languages of communication are: Lithuanian, Russian, Polish, English (most common).</p>	<p><b>Aims</b></p> <p>The main aim - to establish better conditions for socio-economical development of the regions in order co-operation among cross-border regions and institutions could be improved.</p> <p>The union has been established to promote co-operation of border regions in the following areas:</p> <ul style="list-style-type: none"> <li>- Versatile economic development,</li> <li>- Territory planning,</li> <li>- Infrastructure,</li> <li>- Education, health care, culture, sports, tourism,</li> <li>- Environmental protection</li> <li>- Facilitation and development of relations among residents, institutions and businesses from the border regions.</li> </ul>
<p><b>Organisational structure</b></p> <p>Management bodies:</p> <ul style="list-style-type: none"> <li>- Council (6 representatives of each country)</li> <li>- Council presidium (3 representatives of each country)</li> <li>- Secretariat (total 4 members - directors of National Secretariats)</li> <li>- Audit commission (intentions to stop its activity)</li> <li>- 6 permanent working groups (Economic development, social affairs &amp; medicine, culture &amp; education, environmental protection, spatial planning, tourism. Consists of specialists from all members). Currently 2 temporary working groups implement two projects.</li> </ul> <p>The strategy of the Euroregion is still currently in the process of preparation.</p>	<p><b>Legal status</b></p> <p>Euroregion “Nemunas” - union of border regions of Lithuania, Poland, Russia and Belarus</p> <p>Legal status of national bureaux:</p> <p><b>LT:</b> Nemunas Euroregion Marijampole bureau – public association,</p> <p><b>PL:</b> “Nemunas Euroregion” Suwalki Bureau – public organization</p> <p><b>BY:</b> Nemunas euroregion Grodno bureau (Grodno Oblast Executing Committee)</p> <p><b>RUS:</b> Nemunas euroregion Chernyakhovsk bureau (Chernyakhovsk Municipality)</p>

<b>Financing</b>	<b>Main activities</b>
<p>Every country member-body finances the activities implemented in their area under the coordination of the national Bureau. In 2003 almost 6 % of the Nemunas Euroregion Marijampole Bureau budget was made of municipalities' contributions. The rest came from implementation of the projects and other activities.</p>	<p>Co-ordinating Bureaus of this Euroregion prepare and implement projects of strategic planning, business, tourism, human resources, cultural exchange, environmental development, which cover Neman Euroregion area; consult local authorities and other organisations, existing in EN area, on project preparation, implementation and international co-operation issues.</p> <p>Main projects 2004 - 2005:</p> <p>PHARE CBC project "A Developing Region in the Centre of the Enlarged Europe: Socio-Economical Co-operation of Cross-border Regions".</p> <p>INTERREG III C project "Exchange of know-how and Transferring Experience among Border Regions in Europe".</p> <p>Project "Development of camping-sites in the Lithuanian-Polish border area" (PHARE 2002)</p> <p>Project "Possibilities for development of infrastructure in the Lithuanian-Polish border area" (PHARE 2002)</p>

<b>EUROREGION "SAULE"</b>	
<b>Members</b>	<b>Basic statistics</b>
<p><b>LT:</b> Šiauliai county: municipalities of Akmene, Joniskis, Pakruojis, Radviliskis, Kelme, Šiauliai districts and Šiauliai city. Taurage county: municipalities of Taurage, Silale, Jurbarkas districts and Pagegiai municipality.</p> <p><b>RUS:</b> Kaliningrad Oblast: municipalities of Sovietsk town, Neman and Slavsk districts.</p> <p><b>LV:</b> Zemgale county: municipalities of Dobeles, Bauska, Aizkraukle, Ekabpils, Jelgava regions and Jelgava city;</p> <p><b>SE:</b> Skane county governor's administration (not functioning as member anymore)</p>	<p>Total population: 900 500</p> <p>Total area: 25 000 sq.km</p>



<b>Background</b>	<b>Aims</b>
<p>Established on 2 July 1999 The official languages of euroregion "Saule" are English and Russian</p>	<ul style="list-style-type: none"> <li>- To improve the quality of life for people inhabiting the area of the Euroregion; promote mutual contacts;</li> <li>- Tighten bonds among local communities; eliminate possible historical and other prejudices;</li> <li>- Plan the activity aimed at providing sustainable comprehensive development of the Parties of the Agreement while considering their economic situation;</li> <li>- Promote actions aimed at creating co-operation between regional and local authorities.</li> </ul>
<b>Organisational structure</b>	<b>Legal status</b>
<p>Management bodies:</p> <ul style="list-style-type: none"> <li>- Council (12 members: 3 representatives from each Member region)</li> <li>- President (elected for 3 years, rotates),</li> <li>- Board (5: 1 representative from each member region + President),</li> <li>- Secretariat (usually is based where the President is based),</li> <li>- Working Groups (temporary, set up for projects)</li> <li>- The Control-Audit Commission (has not been set up yet).</li> </ul> <p>President establishes the Secretariat of the Euroregion and defines areas of activities and number of staff members.</p>	<p>Legal status of country bureaus:</p> <p><b>LT:</b> Saule Euroregion Bureau – function executed by the Siauliai Regional Development Agency - non-profit organization</p> <p><b>LV:</b> Zemgale Development Agency - public institution</p> <p><b>RUS:</b> all member municipalities have equal role, a special country bureau does not exist</p> <p><b>SE:</b> Skane region administration</p>
<b>Financing</b>	<b>Activities</b>
<p>The funds for Euroregion operation may come from:</p> <ul style="list-style-type: none"> <li>- Financial contributions of the Parties,</li> <li>- Subsidies,</li> <li>- Donations,</li> <li>- Other sources.</li> </ul> <p>The costs of delegating to the Council, Board and Working Groups meetings are covered by each Party of the Agreement.</p>	<p>Methods of co-operation:</p> <ol style="list-style-type: none"> <li>1. Supporting common cross-border projects of economic development in areas such as: <ul style="list-style-type: none"> <li>- Industry;</li> <li>- Agriculture and forestry;</li> <li>- Transport;</li> <li>- Communication;</li> <li>- "Know-how" exchange;</li> <li>- Environmental protection;</li> <li>- Fighting crime.</li> </ul> </li> <li>2. Co-operation in realization of common</li> </ol>

<p>After the Agreement on establishing the Euroregion is signed by the Parties and President is elected, the bank account is opened, according to the current law on the territory of the country of the Euroregion President and all financial operations are conducted through this account.</p> <p>Secretariat costs are covered by the Party of the Agreement, representative of which is the President of the Euroregion.</p>	<p>municipal projects on the border-territories (sewage treatment plants, refuse storage and utilisation etc.).</p> <ol style="list-style-type: none"> <li>3. Cooperation in spatial planning.</li> <li>4. Development of the border-crossings' infrastructure.</li> <li>5. Increasing professional qualifications and directing re-qualification system to increase employment, especially among the young people.</li> <li>6. Co-operation in fields of science, education, culture, tourism and sports; including exchange for groups of scientists, sportsmen, people responsible for culture and tourism.</li> <li>7. Stimulating the learning of neighbour languages.</li> <li>8. Protection and care of common cultural heritage.</li> <li>9. Distribution of information about Euroregion "Saule".</li> <li>10. Co-operation in the field of fighting natural and ecological disasters, fire and other emergencies. Exchanging information about the above mentioned threats.</li> </ol> <p>Major projects:</p> <p>PHARE CBC SPF "Elaboration of a strategy for the euroregion Saule" (2003)</p> <p>PHARE CBC SPF "Promotion of nature friendly rural management in Mid Baltic area" (2003)</p> <p>PHARE SPF "Activity of spatial united planning over transport corridor of Via Hanseatica" (2002)</p> <p>BSR INTERREG III B "Baltic Euroregional Network" (BEN) (2005-2007)</p>
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<b>EUROREGION "SESUPE"</b>	
<b>Members</b>	<b>Basic statistics</b>
<p><b>LT:</b> Taurage County: municipalities of Jurbarkas District, Pagegiai</p> <p>Marijampole County: municipalities of Kalvarija, Kazlų Rūda, Marijampolė, Šakiai District, Vilkaviškis District</p> <p><b>RUS:</b> Kaliningrad Oblast: municipalities of Gusev District, Krasnoznamenisk</p>	<p>Total population: 368 585</p> <p>Total area: 12006 sq. km.</p>

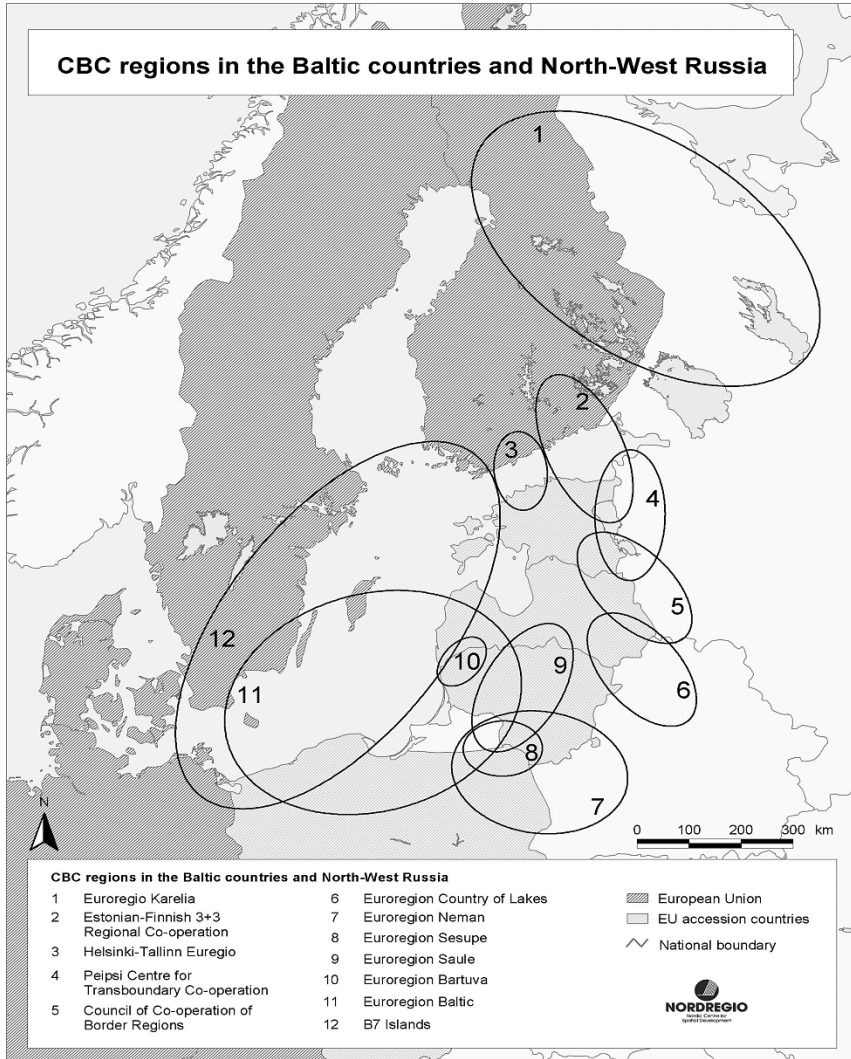
<p>District, Nesterov District, Ozersk District  <b>PL:</b> Goldap Powiat, Kovale Oleckie Gmina  <b>SE:</b> Jonkoping Region: Eksjo Municipality</p>	
<p><b>Background</b></p> <p>Following the traditions of cross-border cooperation, municipality of Sakiai district (Lithuania) came up with the proposal to establish euroregion “Sesupe”.</p> <p>On 24 April 2003 seven municipalities of Lithuania (Jurbarkas, Kalvarija, Kazlu Ruda, Marijampole, Pagegiai, Sakiai, Vilkaviskis), four municipalities of Kaliningrad Oblast of Russian Federation (Gusev, Krasnoznamensk, Nesterov, Oziersk), two Polish local authorities (Goldap and Kovale Olecke) and Eksjo municipality from Sweden signed the agreement to establish euroregion “Sesupe”.</p> <p>Euroregion “Sesupe” consists of municipalities based on the territory of the basin of river “Sesupe” and their foreign partners that joined efforts to improve the social, economic, environmental, cultural, educational and other spheres of their communities.</p> <p>Official languages of communication among partners of the euroregion: English, Russian, Polish, Lithuanian.</p>	<p><b>Aims</b></p> <ul style="list-style-type: none"> <li>– To improve the quality of life for people in the euroregion territory;</li> <li>– Promotion, planning, organisation and implementation of activities aimed to the balanced development of the entire region in all spheres of life;</li> <li>– Further development of presently existing good-neighbourhood relationships;</li> <li>– Facilitation of mutual contacts between physical and juridical persons;</li> <li>– Strengthening of local communities;</li> <li>– Support for establishing links of cross-border co-operation between regional and local authorities, public organisations.</li> </ul>
<p><b>Organisational structure</b></p> <p>Management bodies:</p> <ul style="list-style-type: none"> <li>– Council (total 14 members: 1 representative from each Member of the Agreement)</li> <li>– Board (total 14: 1 representative from each Member)</li> <li>– National Bureaus (at the moment – 1 official bureau in Sakiai)</li> <li>– Working Groups (are set up temporary for implementation of a particular project; 4 groups work actively at the moment)</li> <li>– Control-Audit Commission.</li> </ul>	<p><b>Legal status</b></p> <p>Euroregion “Sesupe” - union based on international agreement of 14 municipalities.</p> <p>Legal status of country offices:</p> <p><b>LT:</b> Sesupe Euroregion Sakiai Office - Charity and relief fund,</p> <p><b>RUS:</b> Project Financing Company - NGO (in Krasnoznamensk Municipality), bureau is in the process of establishment</p> <p><b>PL:</b> Administration of Goldap Powiat (intentions to register as NGO),</p> <p><b>SE:</b> Carrefour South Sweden eurobureau</p>

<b>Financing</b>	<b>Activities</b>
<p>Financial sources of the euroregion come from:</p> <ul style="list-style-type: none"> <li>- Programmes and projects being implemented;</li> <li>- EU and other funds, and programs supporting regional development and cross-border cooperation;</li> <li>- Target funds of the Parties of the Euro-region;</li> <li>- Target subsidies;</li> <li>- Donations;</li> <li>- Other sources;</li> </ul> <p>Recent activities were supported by EU PHARE, INTERREG, World Environmental Fund, municipalities of the euroregion.</p>	<p>Main methods of co-operation:</p> <ul style="list-style-type: none"> <li>- Development and implementation of joint projects, primarily in the fields of environmental protection, economics, business, youth and sports, culture, social care, tourism.</li> <li>- Co-operation in implementation of joint projects of municipal economy in border territories (water treatment plants, treatment of waste, etc.)</li> <li>- Co-operation in the fields of education and health care;</li> <li>- Visits and exchanges of delegations in the above mentioned fields;</li> <li>- Organisation of joint seminars, conferences, summer camps, competitions and other joint events;</li> <li>- Development of infrastructure of border crossing points;</li> <li>- Assistance in learning languages of neighbouring countries;</li> <li>- Preservation of cultural heritage;</li> <li>- Distribution of information on Euroregion;</li> <li>- Co-operation in the field of sharing of information and development of information technologies;</li> <li>- Joint activities to solve problems in the fields of ecology and environment protection;</li> <li>- Other forms of co-operation in fields of interest to all actors from areas across the border.</li> </ul> <p><i>Major projects:</i></p> <p>PHARE SPF project “Euroregion Sesupe“- establishment of the euroregion (2003)</p> <p>PHARE SPF 2001 “Bicycle track Goldap-Krasnoznamensk-Ilguva“ (2003-2004)</p> <p>PHARE SPF 2002 „Water supply and treatment in small communities“</p> <p>PHARE 2002 “Alternative sources of energy in the euroregion „Sesupe“</p>

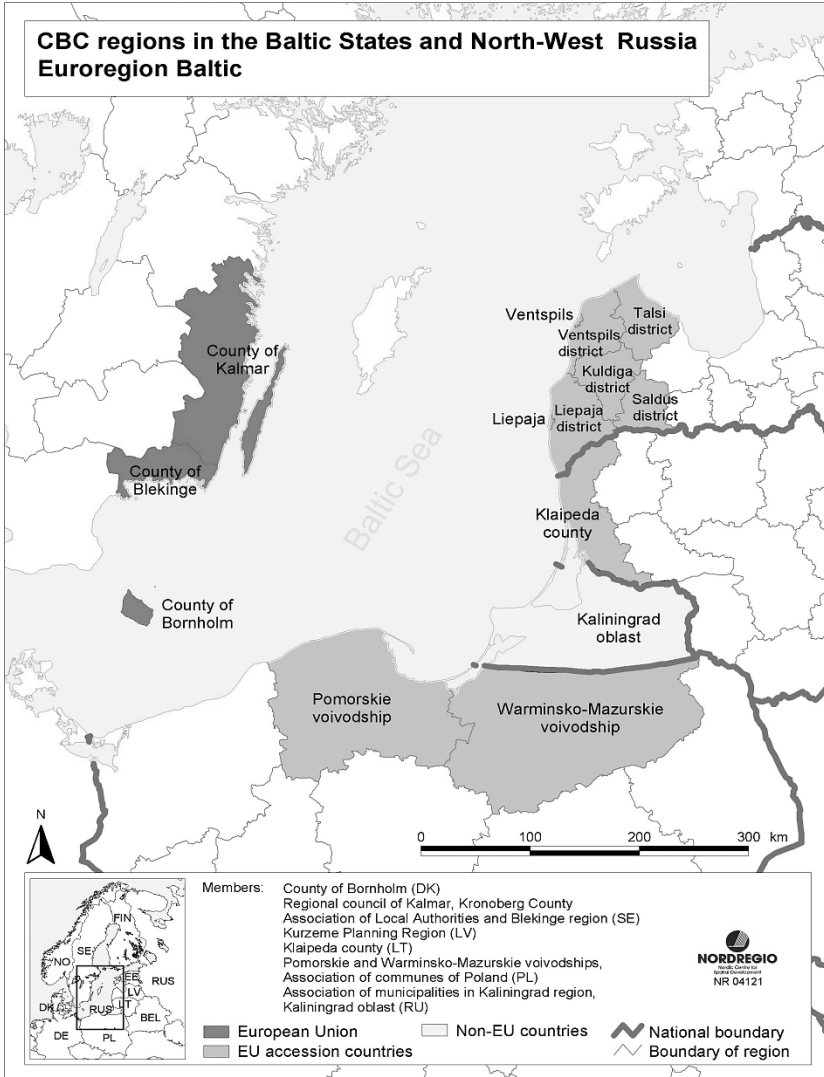
**APPENDIX IV**

**Maps**

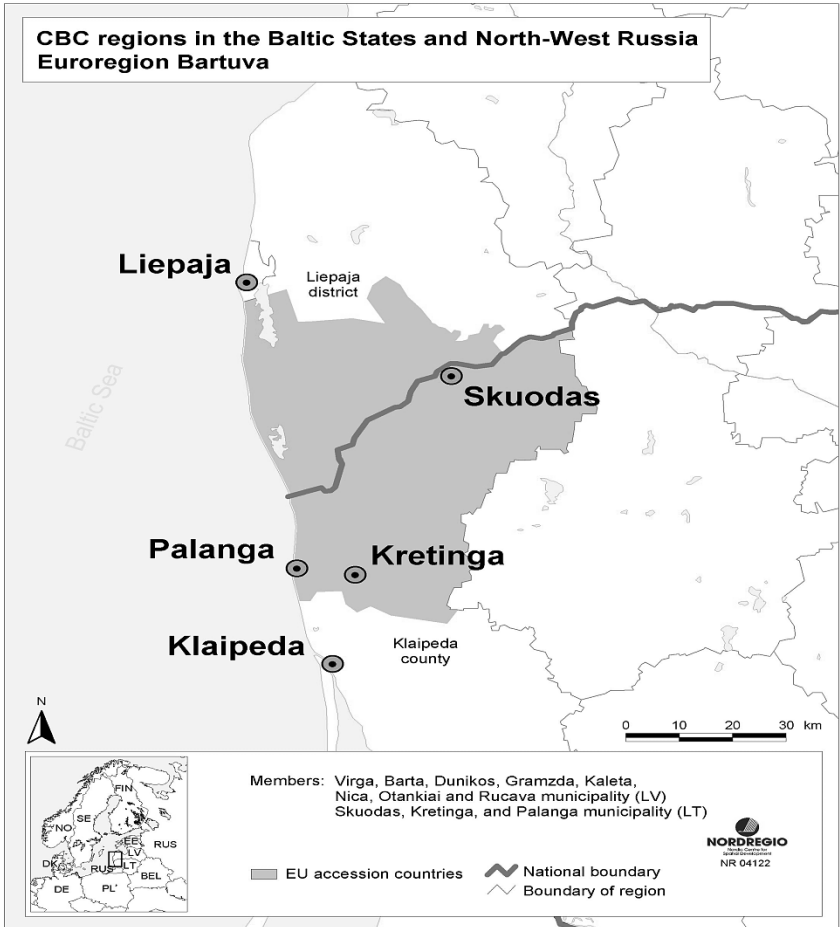
**All Euroregions**



# Euroregion Baltic



## Euroregion Bartuva



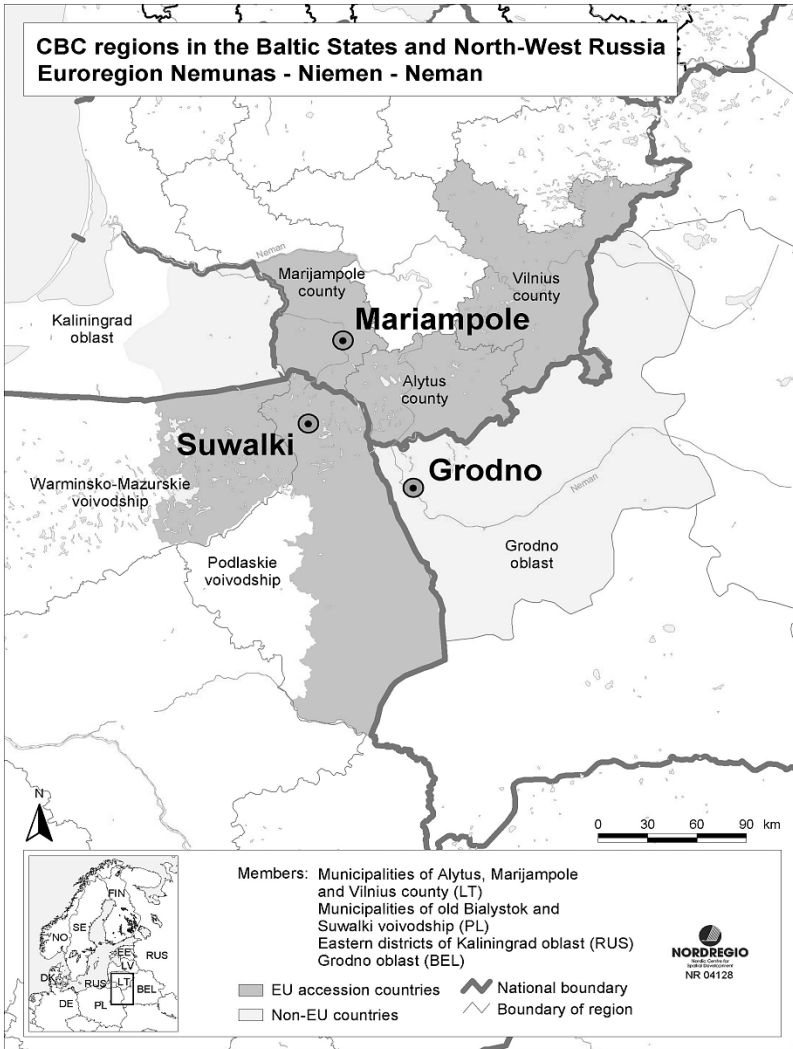
**Euroregion "Country of Lakes"<sup>53</sup>**



<sup>53</sup> Map does not show some new members, included into the euroregion in October 2005.



## Euroregion Neman<sup>54</sup>



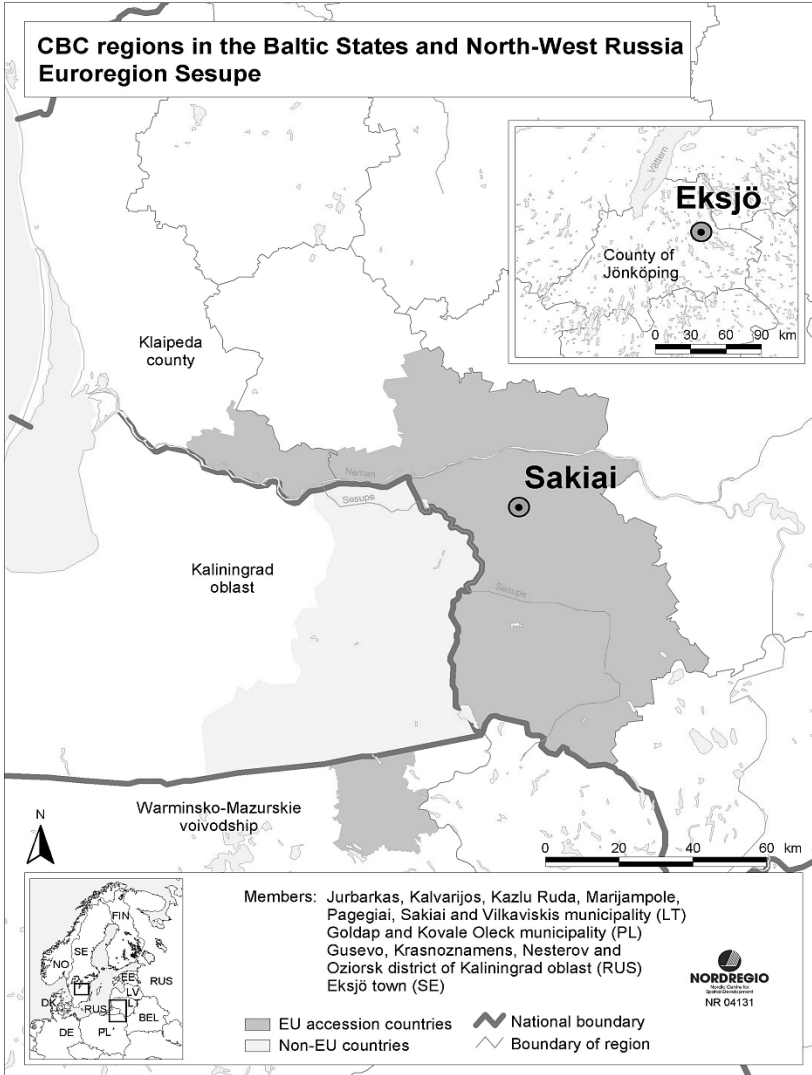
<sup>54</sup> Map does not show the territory of Sirvintos district, which became a member of this euroregion in 2005.

## Euroregion Saule<sup>55</sup>



<sup>55</sup> Skåne region (Sweden) is no longer considered a member of the euroregion.

## Euroregion Sesupe



## *APPENDIX V*

### **Statutes**

#### ***STATUTE OF EUROREGION BALTIC***

##### Introduction

These Statutes were originally signed at Malbork castle in February 1997. They were worked out from a Polish initiative to create a euroregion in the southeast Baltic Sea area.

The Statutes were revised as a result of a discussion during the year 2001 about how to make Euroregion Baltic more up-to-date.

The organisation is in the following text abbreviated as ERB.

### **Chapter I** **Aims and forms of co-operation**

The aims of the co-operation within ERB are as follows:

1. improve the life conditions of the people inhabiting the area of ERB
2. promote mutual contacts
3. tighten bonds among local communities
4. eliminate historical prejudices
5. plan activities aimed at providing sustainable development among the Parties of the Agreement
6. promote actions aiming at co-operation between regional and local authorities

The aims listed in § 1 will be realised in the following ways:

1. Supporting common cross-border projects of social and economic development in various areas
2. Co-operation in the realisation of common municipal projects on the border-territories
3. Co-operation in spatial planning for border-territories
4. Development of the border-crossings infrastructure
5. Increasing professional qualifications and directing requalification systems to decrease unemployment, especially among young people
6. Exchange of groups of scientists, sportsmen, people dealing with culture, youth and children
7. Co-operation in scope of tourism development
8. Stimulating learning of neighbour-languages

9. Protection and cultivation of common cultural heritage
10. Organising information channels of ERB and supporting media development to provide all the Parties with current information
11. Co-operation in scope of fighting natural and ecological disasters, fire and other emergencies. Exchanging information about the mentioned threats.

## **Chapter II**

### **Rights and duties of the Parties**

1. On the basis of partnership relations the Parties work up crossborder and transnational projects, in co-ordination with competent administrative bodies of their countries, acting in accordance with the law in force in their country, taking into consideration conditions of other Parties of the Agreement.
2. The Parties inform each other about their own undertakings, which could have cross-border or other transnational consequences.
3. The Parties of the Agreement will make the offices of the national secretariats available to the members of the Euroregion bodies.
4. The Euroregion membership does not exclude the right of the Parties to sign bilateral or multilateral agreements with other foreign partners.

## **Chapter III**

### **The Euroregion bodies**

ERB has the following bodies:

- the Council
- the Executive Board
- working groups

and as an administrative body

- the secretariats

### **The ERB council**

The ERB council is the highest decisionmaking and co-ordinating body of the organisation.

1. The tasks of the council are to:
  - A. initiate and decide about the management structure of the ERB (the bodies)
  - B. approve activity plans and other long-term programmes
  - C. initiate and decide about revision of the Statutes and the Agreement
  - D. approve financial plans for common projects

- E. approve the annual report from the presidency
  - F. approve annual reports from the working groups
  - G. decide on enlarging of the ERB territory as well as withdrawal or suspension of Parties
  - H. approve the president and the vice president of ERB for one year
  - I. confer the title of honorary membership.
2. By approving the Vice-president the council defines the rotation on the President post for the following year. The representative of the Party, which is to take the position as the president of the ERB next year, performs the function of the vice president. The Presidency chairs the meetings in the Council, the Executive Board and the secretariats.
  3. The Presidency rotates yearly among the members.
  4. The President and the vice President represent ERB externally.
1. The Council consists of up to eight (8) persons appointed by each Party of the Agreement, in all maximum 48 persons. Each Party decides if it will use substitutes or not.
  2. The term of the representatives is equal to the term of the bodies that appointed them.
  3. Each Party shall inform the other Parties if there are any changes in the group of council members, well ahead of the next meeting of the Executive Board and the Council.
1. The ERB Council debates in sessions. The sessions may be ordinary or extraordinary. The ordinary session must take place at least twice a year and it is convened by the President of the Euroregion. The extraordinary sessions may take place any time and they are convened on the Presidents or the Executive Boards motion or on request of at least one third of the members of the Council. The sessions shall be scheduled in the List of Activities before the presidency year starts.
  2. The sessions should take place in the country of the Presidency unless the Council decide otherwise.
  3. The secretariat in the country where the President resides is responsible for invitations to the sessions 20 days in advance together with a preliminary agenda. A final agenda shall be sent out 7 days before the sessions.
  4. Each member of the council may submit written suggestions concerning the particulars of the Agenda to the Presidency secretariat. The suggestions shall be sent at least ten days before the session.
  5. The agenda of the sessions of the Council is set by the Council in the beginning of the session.
  6. The sessions of the Council should be planned in such a way that the whole agenda can be finished during one day.

7. The sessions are public if the Council does not decide otherwise.
8. To be effective, the sessions of the Council must be attended by at least 50% of the Parties and the resolutions passed shall be obligatory for all the Parties only if each Party is represented at the session by at least one representative. In case of absence of the Party representative at the session, this Party is not obliged to follow the resolutions of the session but may accept them.
9. The Council decisions should be based on consensus. If voting shall take place, the Parties can ask for a break to discuss the matter.
10. Only the Council members have the right to speak and take decisions. Persons can be invited to the sessions by the presidency and given the right to speak.
11. The official ERB secretariat is responsible for the minutes of the sessions. The minutes shall be delivered to all members not later than 30 days after the session.
12. ERB has two official languages: English and Russian. The presidency organises interpretation. It is possible to hold a session in the language of the host if he provides interpretation in the two official languages.
13. The Presidency shall write an annual report. It shall be presented at the first council meeting the next year, not later than March 31.

### **The ERB Executive Board**

1. The ERB Executive Board, elected from the members of the Council, consists of one representative from each Party of the Agreement.
2. The ERB Executive Board tasks are as follows:
  - A. preparing and submitting resolutions to the Council for approval
  - B. implement the resolutions of the Council
  - C. accept the annual reports from the presidency, the working groups and submitting them to the Council for approval
  - D. establishing working groups
3. The sessions of the Executive Board can be held anywhere within the ERB territory, but prior shall be given to the country of the Presidency, unless the Board does not decide otherwise.
4. The resolutions of the Executive Board must be passed on the basis of consensus with the presence of a majority of the board members. The passed resolutions are obligatory for the present Parties. The other may accept them.
5. The Executive Board has the power to authorise the Council members and the director of the Presidency secretariat to represent ERB externally.
6. The sessions of the Executive Board should be planned in such a way that the agenda can be finished during one day.

## **Working groups**

1. Working groups are appointed by the Board.
2. When the Board decides to appoint a working group, it shall also decide about the time period for its existence, the task and how and when it shall report to the Council. The Board appoints the Party, which shall chair the working group.
3. The working groups use the official languages. The language of the country where the meeting takes place can be used if interpretation into the official languages is provided.
4. The members of the working group decide how the work shall be carried out, the number of meetings and other practical details.
5. The chairman of a working group is responsible for the result of the work, for the reports and that the group finalise the work in the time stipulated.
6. The costs for the members are covered by each Party, if the council does not decide something else.

## **The ERB secretariats**

1. **THE SECRETARIATS FORM AN ADMINISTRATIVE NETWORK OF THE EUROREGION.**
2. Each Party of the Agreement shall establish a national secretariat as a contact point and liaison office. Each member decides how many people shall work in the secretariat and how it shall be financed.
3. The Presidency is responsible for the Head secretariat, which at the same time is the official ERB secretariat.
4. The national secretariats shall organise meetings regularly to prepare and follow up the decisions and resolutions of the Council and the Board. The official ERB secretariat is responsible for the meetings, which can be held anywhere in the ERB area.
5. **THE OFFICIAL SECRETARIAT MAINTAINS CONTACT WITH THE NATIONAL SECRETARIATS, ORGANISES EXCHANGE OF INFORMATION AND SET UP THE CALENDAR OF EVENTS.**
6. The official ERB secretariat is also responsible for the minutes of the Council and the Board and information activities during the Presidency. Any working group the Board decides to appoint shall report and stay in contact with the official secretariat.
7. The national secretariats shall help the official secretariat and provide requested information.

### **Basic Documents circulation between the ERB Parties**

1. The national secretariats shall receive the following documents from the Presidency secretariat:
  - A. the minutes of the resolutions of the Council and the Board sessions,



- B. provisions and decisions of the Council and the Board
  - C. notices of establishing working groups and the results of their work, as well as other reports from the working groups
  - D. changes in Statutes, the membership, the territory of ERB operation and organisational regulations
  - E. programs, expert appraisements and analyses
  - F. information about personnel changes in the structure of the Council and Board members within 14 days since the changes was agreed.
2. The presidency secretariat prepares the following documents for the Council and the Board:
    - documentation of the sessions of the Council and the Board
    - drafts of resolutions, agreements and decisions to be approved
    - annual report on the presidency
    - notices to the Parties of the Agreement of the personnel changes in the Council and the Board
    - information on ERB current matters.

## **CHAPTER IV**

### **Financing**

1. The Parties of the Agreement should aim at working out principles of financing of common activities.
2. Each Party of the Agreement covers the costs of delegating to the meeting of the Council, the Board, secretariats and the working groups.
3. In case of the Euroregion Baltic liquidation its property and obligations will be divided among all the Parties of the Agreement proportionally to the contributed funds.
4. Withdrawal of a Party from the ERB entitles the Party to raise property claims towards the Euroregion, proportionally to the contributed funds.

## ***STATUTE OF MICRO-EURO-REGION BARTUVA***

### **Chapter 1**

#### **Aims and forms of co-operation**

#### **§1**

The aim of the co-operation within Micro-euro-region Bartuva is to:

- Improve the life conditions of the people inhabiting the area of the Euroregion;
- Promote mutual contacts;
- Tighten bonds among local communities;
- Eliminate historical prejudices;

- Plan the activity aimed at providing sustainable development of the Parties of the Agreement while considering their economic situation;
- Promote actions aimed at creating co-operation between regional and local authorities.

Each Party can leave the Euroregion after 6 months after its proclaiming about the undertaken action.

Each party has equal rights not depending on its size or number of inhabitants. The Euroregion can have full members and observer members. Observer members can be representatives from states which does not have direct border to the member states.

## §2

The aims listed in §1 will be realised in the following ways:

1. Supporting common cross-border projects of economic development in areas such as:
  - Industry;
  - Agriculture and forestry;
  - Transport;
  - Communication;
  - Know-how exchange;
  - Environmental protection;
  - Culture;
  - Tourism;
  - Education, medicine, sport;
  - Social infrastructure;
  - Regional development planning;
2. Co-operation in realisation of common municipal projects on the border territories (e.g. sewage treatment plants, refuse dumps and waste utilisation)
3. Development of border-crossings' infrastructure;
4. Increasing professional qualifications and directing requalification system to decrease unemployment, especially among the young people;
5. Exchange for groups of scientists, sportsmen, people dealing with culture, youth and children;
6. Stimulating neighbour-languages learning;
7. Protection and cultivation of common culture-historical heritage;
8. Organising information channels of Euroregion and supporting mass media development to provide all Parties of the Agreement with current information;
9. Co-operation in scope of fighting with natural and ecological disasters, fire and other emergencies. Exchanging information about the above mentioned threats.

## **Chapter II**

### **Rights and Duties of the Parties**

#### **§3**

1. On the base of partnership relations the Parties work up cross-border projects, in co-ordination with competent administrative bodies of their countries, acting in accordance with the law force in their country, taking into consideration conditions of other Parties of the Agreement;
2. The Parties inform each other about their own undertakings could have cross-border consequences;
3. The Parties to the Agreement will make the offices of the national secretariats available for the members of the Euroregion Bodies;
4. The Euroregion membership does not exclude the right of the Parties to sign bilateral or multilateral agreements with other foreign partners.

## **Chapter III**

### **The Euroregion Bodies**

#### **§4**

The Euroregion bodies are as follows:

- The Euroregion Council;
- The Euroregion Executive Board;
- The Secretariat;
- Working Groups (including the Audit Commission), working within the Network system

#### **§5**

### **The Euroregion Council**

1. The Euroregion Council is the highest body that co-ordinates co-operation within Euroregion;
2. The Euroregion Council is authorised to confer the title of Honorary Member of Euroregion;
3. The tasks of the Euroregion Council:
  - Approval of the Euroregion Executive Board structure;
  - Deciding on the directions and programs of activity
  - Ratification of the Statute modifications;
  - Decision making on changes in the organisational structure of Euroregion;
  - Approval of the financial plans concerning common investments;
  - Adoption of the reports on the activities of the Euroregion Executive board;
  - Decision making on enlarging the territory of the Euroregion operation and acceptance of the decisions regarding withdrawal or suspension of the Parties' membership in the Euroregion;

- Election of the President and vice-president of Euroregion;
- The Euroregion council elects the first Euroregion President and defines the rotation of the presidency for consecutive years. The representative of the Party, who is to take the position of Euroregion's President next year, performs the function of Vice-President. The President chairs the meetings of the Euroregion Council and the Executive Board;
- The President is elected for the period of one calendar year, and the representatives of all Parties of the Agreement, the members of the Executive Board, take the position of the President consecutively;
- The President and Vice-President represent the Euroregion outside.

## §6

1. The Council includes up to 4 persons delegated by each Party of Agreement.
2. The equal terms of office for each representative group of the Party of the Agreement is equal to the term of the delegating bodies. Each party is obliged to inform The Secretariat Director about staff changes in the groups delegated to the Council within 14 days since the change was made;
3. The Euroregion Council appoints the Executive Board from the Council's structure. Each Party of the Agreement has one representative in the Executive Board.

## §7

1. The Euroregion Council debates in its sessions. The sessions may be ordinary and extraordinary. The ordinary session must take place at least twice per year and is convened by the Euroregion President. The extraordinary sessions may take place any time and they are convened on the Executive Board motion or on request of at least half of members of the Council.
2. The Council sessions should be held basing on the session calendar, in the country of the President, unless the members of the Council decide otherwise.
3. The Director of the Secretariat sends notices of the Council session's 30 days prior to the date of the Council sessions. Members of the Council should be notified of the precise agenda of the session at least 14 days prior to session.
4. Each member of the Council may submit written suggestions concerning the Agendas' particulars to the President.
5. The Executive Board sets the Agenda of the Council's session.

6. The Council's Sessions should be planned to exhaust all Agenda during one day.
7. The Council's session are closed ones and the President chairing the meeting may declare them open only at the Council's members approval.
8. The Council's sessions are chaired by the president, who:
  - States the Council's quorum;
  - Presents the Agenda;
  - Conducts the discussion and limits the speeches duration if necessary;
  - Orders the breaks;
  - Presents the drafts of resolutions;
  - Closes the sessions.
9. The participants of the Council's sessions:
  - The Council's members;
  - The Director of the Secretariat;
  - The appointed Secretariat staff;
  - The Chairman of Working groups.
10. The following persons may be invited to the Council's sessions:
  - Representatives of national and regional authorities of the Parties of the Agreement;
  - Representatives of national and international organisations;
  - Experts;
  - Other persons whose presence shall be indispensable for the session of the Council.
11. To be effective, the Council's session must be attended by at least 50% + 1 Council members and the resolutions taken shall be obligatory for all the Parties only if each party is represented at the session by at least one representative. In case of absence of the Party representative at the session, this Party is not obliged to follow the session's resolutions but may accept them;
12. The Council's resolutions are adopted on the basis of consensus;
13. Before voting, the parties are allowed to ask for a session break to agree on their position;
14. The Euroregion Secretariat draws up the Minutes of the session. The session's Minutes and the Council's resolutions are delivered to the Parties not later than 30 days after the end of the session;
15. The official languages of the sessions are English and Russian and additionally it may be the language of the host. The session's organiser provides the participants with simultaneous translation into English and Russian;

16. The Director of the Secretariat reports on the Secretariat's annual activity at the first session of the Council, not later than 30<sup>th</sup> September of the following year.

## **§8**

### **The Euroregion Executive Board**

1. The Euroregion Executive Board, elected from members of the Council, consists of one representative from each party of the Agreement;
2. The Euroregion Executive Board tasks are following;
  - Calling the meetings and drawing up the Agenda of Euroregion Council sessions;
  - Preparing and submitting the resolutions to the Council for approval;
  - Enforcing the Council's resolutions;
  - Acceptance of the reports on Euroregion's activity which were prepared by the Secretariat, and admitting them to the Council for approval at least twice a year;
  - Establishing Working groups;
  - The Executive Board sessions take place in the country where Euroregion Secretariat is located, unless the Executive Board decides otherwise;
  - The Executive Board's solutions must be passed on the base of at least 50%+1 Executive Board members. The passed resolutions are obligatory for all parties of the Agreement, if its representative represented each Party. If the representative of a Party was absent, the resolutions are not obligatory for the Party, but the Party may accept them;
  - The Executive Board has the power to authorise the Council members and the Director of Secretariat to represent Euroregion in outside contacts;
  - The Calendar of the Executive Board sessions is set at the first session after constituting the Bodies of the Euroregion;
  - The Executive Board sessions should be planned to exhaust all Agenda during one day;
  - The Euroregion Executive Board is the executive body in the Euroregion.

## **§9**

### **The Euroregion Secretariat**

1. The Euroregion president establishes the Euroregion Secretariat;
2. The party covers the costs of the Secretariat, whose representative occupies a post of the Euroregion President;

3. The secretariat location changes simultaneously with the change of Euroregion president. The party leads the Secretariat whose representative occupies the Euroregion President post. Euroregion President decides on the number of the Secretariat's staff;
4. Its Director directs the work of the Secretariat;
5. The Director of the Secretariat is appointed and dismissed by the Euroregion president;
6. The Director is appointed for the period of one year;
7. The duties of the Secretariat Director are as follows;
  - Enforcing the Council and Executive Board resolutions;
  - Managing the work of the Secretariat;
  - Maintaining the contact with the Working Groups and rendering them organisational support;
  - Acting as the Euroregion representative on the base of authorisation given by the Executive Board;
  - Preparing co-operation projects between the Parties and foreign institutions and organisations;
  - Preparing the Council and Executive Board sessions in respect of organisation and in particular submitting the following documents;
    - Written notices of the Council and Executive Board sessions, at least 30 days prior to the planned session, and detailed notices (with the Agenda of the session, and other necessary documents for the members of the Council and Executive Board) – at least 14 days prior to the planned session;
    - The Minutes and resolutions of the session – within 30 days after the session's end;
    - Annual reports on the secretariat activity;
    - Others, at the Council's or Executive Board's order;
  - Maintaining contacts with local authorities and international institutions and organisations;
  - Having at this disposal Euroregion "Bartova" bank account, on the conditions that each operation is to be authorised by the signature of the Euroregion president;
  - Defining the duties and salaries for the Secretariat staff;
8. The Secretariat duties are as follows;
  - Organisational activities in favour of the Euroregion promotion and strengthen ties among the parties of the Agreement;
  - Handling correspondence of behalf of Euroregion bodies;
  - Keeping of the Archives;
  - Participating in the organisation of the Council and Executive Board and taking of the Minutes of the Sessions;

- Organising simultaneous interpretation and translation of the documents;
  - Accomplishing tasks ordered by the Council, Executive Board and the President.
9. The budget of the Secretariat consists of the financial and material input of the Party of the Agreement where the Secretariat is located, and subsidies of other organisations; The funds are located on the bank account in the currency of the Party of the Agreement, where the Secretariat is located.

## **§10**

### **Basic Documents Circulation Between the Euroregion Bodies**

1. The Secretariat receives from the Parties of the Agreement, the Council, Executive Board and the Working Groups the following documents;
  - The Minutes of the Council and Executive Board sessions;
  - Notice of establishing the Working Groups and results of their work;
  - Changes in the Statute, the membership, the territory of Euroregion operation and organisational regulations;
  - Acts on appointing and dismissing the Director of the Secretariat;
  - Programs, expert appraisements and analyses;
  - Information about personnel changes in the structure of the Council and Executive Board members – within 14 days since the changes were agreed;
2. the Secretariat prepares for the sessions the following documents of the Council and Executive Board;
  - documentation of the Council and Executive Board sessions;
  - drafts of resolutions, agreements and decisions to be approved;
  - annual reports on the operation of the Secretariat;
  - notices of the parties of the Agreement of the personnel changes in the Council and Executive Board;
  - Information on Euroregion current matters.

## **§11**

### **Working Groups**

1. The Euroregion Executive Board creates working Groups in order to realise common projects. The participation in working groups is open, and the membership in Euroregion Bodies is not required, with the exception of the membership in the Working Group – Audit Commission;
2. Each Party of the Agreement should be represented in the Working Group;
3. The members of a working group elect the Chairman from its structure;



4. The Working Group holds the meetings in one of the two official languages (English, Russian), and language of the country where meeting takes place. The translations are organised by the Chairman of the working group;
5. The term of office of the Working Group lasts one year. It may be shortened or prolonged if necessary;
6. The chairman of a working group:
  - Organises the work of the working group;
  - Chairs the meetings;
  - Maintains contact with the Secretariat and Euroregion Executive Board;
  - Participates in the Council sessions.
7. The Working Group holds the meetings depending on the need but at least 4 times a year;
8. The members of the Council, the Director of the Secretariat and other invited persons may participate in Working Group's sessions;
9. The Working Group adopts the resolutions by majority of votes in the presence of at least half of its members;

Within 14 days since the resolution is adopted the chairman of a Working group submits to the Secretariat the text of the resolution, minutes of the finished work and period reports;

10. The Minutes, reports, resolutions and other documents should be drawn up in 2 languages (English and Russian);
11. The parties of the Agreement cover the costs of delegating representatives to the Working Group meetings;
12. Organisational costs of a working group meeting are covered by the Euroregion's budget;
13. The costs of preparation of expert's appraisements, analyses and programs may be refunded from the Euroregion budget after the Euroregion Executive Board approval;
14. The meeting of a Working Group should be held within one day in order to minimise costs;
15. The Audit Commission is a Working Group with a specific scope of duties. The Executive Board must appoint the Commission. The Executive board will determine Work regulations of the Audit Commission after the appointment of the Commission;
16. The Regulations of the Statute are applicable to the Audit Commission, while respecting the special character of its tasks;
17. The Audit Commission must hold its meetings at least once a year and its maintain target is to control the Euroregion's financial activities;
18. The representative of the party, where the Euroregion Secretariat is located, cannot be the Chairman of the Audit Commission;

## **Chapter IV Financing**

### **§12**

Information on financial economy is open for the parties. The funds for Euroregion's operation may come from:

- Financial contributions of the parties;
- Subsidies;
- Donations;
- Other sources.

### **§13**

The calendar of the year is assigned as the financial year. The Council must approve the project of the budget for the Euroregion by the end of the year preceding the financial year. The financial report is prepared by the Secretariat by 31<sup>st</sup> of march the following year.

### **§14**

The costs of delegating to the meeting of the Council, Executive Board and Working Groups are covered by each party of the agreement.

### **§15**

After the Agreement on Establishing the Parties sign the Euroregion, the bank account is opened according to the regulations being in force on the territory of the country of the Euroregion presidency and all financial operations are conducted through this account.

### **§16**

In case of the Euroregion liquidation its property and obligations will be divided among all the Parties of the Agreement proportionally to the contribution.

### **§17**

Withdrawn of a Party from the Euroregion entitles party to raise property claims towards the Euroregion, proportionally to the contributed funds.

## **Chapter V Conclusion**

### **§18**

Statutes are inalienable part of the Agreement about the Euroregion establishment. It gets law force on the day of the Agreement signing by all Parties.

## ***STATUTE OF “COUNTRY OF LAKES”***

### **Положение**

### **Еврорегиона «Озерный край»**

#### **I. Общие положения.**

1. Еврорегион «Озерный край» создан для содействия трансграничного сотрудничества с целью социально-экономического развития приграничных регионов Республики Беларусь, Латвийской Республики и Литовской Республики (именуемый в дальнейшем Еврорегион).
2. Еврорегион является добровольным объединением органов местных и региональных самоуправлений и институций приграничных регионов Республики Беларусь, Латвийской и Литовской Республик, руководствуется соответствующими соглашениями, заключенными между названными государствами.
3. Другие институции (консульства, министерства, учебные и научные учреждения и т.п.) являются равноправными участниками всех проводимых мероприятий и реализуемых проектов за исключением представительства в Совете, где они имеют право совещательного голоса.
4. Членами Еврорегиона являются:

#### **Республика Беларусь**

Браславский районный Совет депутатов  
Верхнедвинский районный Совет депутатов  
Глубокский районный Совет депутатов  
Миорский районный Совет депутатов  
Поставский районный Совет депутатов

#### **Латвийская Республика**

Даугавпилсская городская дума  
Даугавпилсский районный совет  
Краславская краевая дума  
Краславский районный совет  
Лудзенская городская дума  
Прейльский районный совет  
Резекненская городская дума  
Резекненский районный совет

#### **Литовская Республика**

Зарасайское районное самоуправление  
Игналинское районное самоуправление  
Швенченское районное самоуправление  
Утенское районное самоуправление

Висагинасское самоуправление  
Аникшяйское районное самоуправление  
Администрация начальника Утенского уезда

4. Настоящее Положение разработано на русском языке.

5. Положение может быть переведено на другие языки. Положение на всех языках имеет одинаковую юридическую силу. В случае разногласий в толковании Положения стороны будут руководствоваться текстом на русском языке.

## **II Методы работы и направления деятельности Еврорегиона.**

1. Методы работы:

- развитие и стратегически ориентированное сотрудничество без мероприятий, основанных на личные цели;
- ориентация только на трансграничное сотрудничество;
- сфера трансграничных отношений: жители, политики, институции, экономика, социальные партнеры, организаторы культурных мероприятий и.т.п.;
- вертикальное (Европейское, правительственное, региональное, местное) и горизонтальное сотрудничество партнеров;
- внедрение решений по трансграничным вопросам на национальном уровне по процедурам приемлемым по обоим сторонам границы (избегая конкуренции и конфликтов структурных властей);
- трансграничное участие жителей, институций и социальных партнеров в программах, проектах и процессе принятия решений.

2. Направления деятельности:

- определение сфер взаимодействия в осуществлении трансграничного сотрудничества, выработки его приоритетных направлений и стратегии;
- разработка совместных мероприятий и программ сотрудничества приграничных регионов и других еврорегионов в соответствии с установленными приоритетами;
- координация совместных действий при решении вопросов, затрагивающих общие интересы.

## **III Органы управление Еврорегиона.**

1. Структура Еврорегиона (см. Приложение № 1):

### Совет:

- Совет Белорусской стороны

- Совет Латвийской стороны
- Совет Литовской стороны

#### Секретариат:

- Члены секретариата – в Беларуси
- Правление – в Латвии
- Координаторы – в Литве

#### Директорат:

- Белорусское бюро
- Латвийское бюро
- Литовское бюро

#### Рабочие группы

- Пространственное планирование
- Образование, НГО и спорт
- Социальная сфера
- Культура
- Туризм и защита окружающей среды
- Развитие экономики, предпринимательства и инфраструктуры
- По проблемам пересечения границ

## **2. Совет Еврорегиона.**

2.1. Совет Еврорегиона в своей деятельности опирается на международное право, законодательство своих государств и Положение Еврорегиона.

2.2. Совет Еврорегиона является высшим органом, который:

- рассматривает идеи проектов, программ и планов;
- принимает решения, связанные с деятельностью трансграничного сотрудничества и др.;
- утверждает структуру, отчеты Директората, положение и стратегию Еврорегиона;
- вносит дополнения и поправки в положение, структуру и стратегию Еврорегиона;
- утверждает и продвигает поступления предложений Совета в органы государственной власти Республики Беларусь, Латвийской и Литовской Республик, а также международные организации;
- решает вопросы о реорганизации (принятие новых членов и выход) и ликвидации Еврорегиона.

2.3. Членами Совета с правом голоса являются руководители членов Еврорегиона или их уполномоченные лица.

2.4. Каждый член Совета при принятии решения имеет один голос.

2.5. Председателем Совета Еврорегиона является руководитель члена Еврорегиона, организующий очередное заседание Совета на время до очередного последующего заседания Совета.

2.6. Регламент Заседания Совета.

2.6.1. Совет Еврорегиона ведет свою работу в форме заседаний на русском или другом языке с переводом на русский язык или на языки всех сторон. Заседания Совета являются открытыми. Заседание Совета можно объявить закрытым по требованию не менее 2/3 присутствующих членов Совета.

2.6.2. Заседания могут быть очередными и внеочередными. Очередные заседания созываются членом Еврорегиона в порядке ротации (Беларусь, Литва, Латвия) не реже чем 3 раза в год. Внеочередные заседания Совета могут созываться в любое время по предложению одного из Советов национальных сторон.

2.6.3. Расходы по проведению заседания Совета принимает на себя сторона организатор очередного заседания Совета.

2.6.4. Председателем заседания Совета является представитель стороны организатора заседания.

2.6.5. Организатор заседания письменно оповещает членов Совета за 21 день о месте и дате заседания, а также о проекте повестки дня.

2.6.6. Предложения по повестке дня члены Совета могут вносить не позднее 2-х недель до начала заседания. Организатор заседания вместе с Секретаритом и Директоратом рассматривает поступившие материалы и бюро Директората принимающей стороны (Беларусь, Литва или Латвия) готовит проект повестки дня не позднее 7 дней до начала заседания.

2.6.7. Повестка дня может быть дополнена или изменена при согласии всех членов Совета.

2.6.8. Заседание открывает и ведёт председатель Заседания, который:

- фиксирует наличие кворума. Заседание правомочно при присутствии 3/4 членов Совета;
- представляет приглашённых и гостей;
- предлагает повестку и распорядок дня;
- дает слово докладчикам и участникам заседания;
- руководит дебатами;
- выдвигает вопрос на голосование;
- объявляет перерыв заседания.

2.6.9. Заседание протоколирует на русском языке представитель организатора заседания Совета Еврорегиона. Протокол Заседания Совета Еврорегиона в 3 экземплярах подписывается председателем Заседания и в течении 5 дней рассылается в бюро Директората Беларуси, Латвии и Литвы. Оригиналы протокола хранятся постоянно в бюро Директората Беларуси, Латвии и Литвы.

2.6.10. Заседание одновременно может протоколироваться аудио, которая должна храниться у организатора заседания.

2.6.11. Порядок доклада заседания:

- доклад в соответствии с повесткой дня может быть до 30 минут;
- вопросы и мнения по докладу представляются в виде реплик до 3 минут или письменно.

2.6.12. Решения Совета принимаются открытым голосованием на основе консенсуса.

2.6.13. В конце каждого заседания по предложению одного из членов Еврорегиона принимается решение об организации следующего Заседания Совета.

2.7. На территориях членов Еврорегиона Беларуси, Латвии и Литвы в соответствии с национальными законодательствами организованы и работают Советы Белорусской, Латвийской и Литовской сторон.

### **3. Секретариат Еврорегиона.**

3.1. Секретариат является высшим исполняющим органом, который:

- организует исполнение решений Совета Еврорегиона;
- принимает решения, консультирует и дает советы в работе Директората;
- руководит и следит за работой Директората.

3.2. Членами Секретариата с правом голоса являются уполномоченные лица членов Еврорегиона.

3.3. Работа Секретариата (Члены секретариата – в Беларуси, Правление – в Латвии, Координаторы – в Литве) организуется и проводится в соответствии с национальными законодательствами и другими нормативными актами.

3.4. Расходы по содержанию своих представителей в секретариате несут члены Еврорегиона.

3.5. Секретариат для решения текущих вопросов собирается на заседания по мере необходимости поочередно на территории членов Еврорегиона. Расходы по проведению заседаний Секретариата берет на себя принимающая сторона.

#### **4. Директорат Еврорегиона.**

4.1. Директорат Еврорегиона (далее в тексте – Директорат) является постоянно действующим органом, который состоит из трех членов - руководителей бюро, представляющих каждое государство (Литва, Латвия, Беларусь).

4.2. Директорат в своей деятельности:

- выполняет решения Совета и Секретариата;
- координирует работу рабочих групп для содействия трансграничного сотрудничества приграничных регионов Литвы, Латвии и Беларуси;
- создает необходимые условия для успешного сотрудничества между членами Еврорегиона «Озерный край» и другими Еврорегионами, а также сотрудничает с другими заинтересованными институтами и организациями;
- участвует в международных проектах по трансграничному сотрудничеству;
- разрабатывает заявки новых проектов по развитию Еврорегиона «Озерный край» в разных сферах по приоритетам;
- содействует созданию эффективной модели по организации, финансированию и координации проектов, привлекая членов и партнеров Еврорегиона «Озерный край»;
- отчитывается за свою деятельность на очередном заседании Совета Еврорегиона.



#### 4.3. Методы деятельности Директората:

- участвует в заседаниях Совета и Секретариата, а также в других мероприятиях, связанных с трансграничным сотрудничеством (рабочие группы, семинары, конференции и др.);
- обобщает и распространяет информацию о самоуправлениях, структурах бизнеса, неправительственных организациях и других юридических и физических лицах, которые заинтересованы в трансграничном сотрудничестве;
- организует тематические встречи, собрания рабочих групп и другие мероприятия, способствующие трансграничному сотрудничеству и обмену интересами различных групп населения;
- способствует обмену опытом с другими еврорегионами и с заинтересованными организациями.

#### 4.4. Название Директората:

на русском языке - Директорат Еврорегиона "Озерный край";  
на латышском языке – Euroreģiona „Ezeru zeme” Direktorāts;  
на литовском языке - Euroregiono "Ežerų kraštas" Direktoratas;  
на английском языке – Directorate of the Euroregion „Country of lakes”.

4.5. Директорат состоит из трех самостоятельных бюро в Литве, в Латвии и Белоруссии, работающих в соответствии с законодательством каждой страны. В каждом бюро имеется устав работы.

4.6. Учредителями бюро Директората в каждой стране являются члены Еврорегиона, которые финансируют и обеспечивают его деятельность.

4.7. Источниками финансирования проектов, инициированными бюро Директората, являются члены Еврорегиона и другие организации, а также государства ЕС и другие программы.

4.8. В соответствии с национальным законодательством бюро Директората может самостоятельно или в кооперации с другими институциями создать структуры для содействия регионального развития и трансграничного сотрудничества.

4.9. Каждое бюро Директората в делопроизводстве должно использовать лого Еврорегиона "Озерный край" (на бланках, письмах и т.п.) – (См.Приложение № 2).

### **5. Рабочие группы Еврорегиона.**

5.1. Рабочие группы создаются по предложению Совета, Секретариата или Директората для решения секторных вопросов.

5.2. Для разработки стратегии Еврорегиона и реализации плана мероприятий с целью достижения назначенных задач, образованы следующие рабочие группы Еврорегиона:

- Пространственное планирование
- Образование, НГО и спорт
- Социальная сфера
- Культура
- Туризм и защита окружающей среды
- Развитие экономики, предпринимательства и инфраструктуры
- По проблемам пересечения границ

5.3. В каждую рабочую группу входят секторные специалисты, по одному представителю от каждого члена Еврорегиона, из которых выдвигают и выбирают руководителя группы.

5.4. Задачи и обязанности членов рабочих групп:

- Участвовать в работе Еврорегиона;
- Разрабатывать идеи проектов трансграничного значения и внедрять их;
- Информировать свою организацию о деятельности Еврорегиона;
- Быть контактным лицом в своем самоуправлении по своей сфере деятельности.

5.5. Задачи и обязанности руководителей рабочих групп:

- Координировать работу трансграничной секторной рабочей группы;
- Контролировать сбор информации по своему сектору;
- обобщать секторную информацию в совместной работе с Директоратом;
- выдвигать предложения для приоритетов;
- Информировать Директорат о проделанной работе в своем секторе;
- В сотрудничестве с Директоратов усовершенствовать Стратегию Еврорегиона.

5.6. Деятельность членов рабочих групп в каждой стране финансируют и обеспечивают члены Еврорегиона.

#### **IV Расширение, реорганизация и ликвидация Еврорегиона.**

1. Члены Еврорегиона в праве по своему усмотрению выйти из Еврорегиона, уведомив письменно за два месяца о своём решении председателя Совета Еврорегиона.

2. Для вступления в Еврорегион потенциальные члены Еврорегиона должны писать заявление в свободной форме с просьбой принять их в состав Еврорегиона. Заявление должно быть адресовано Совету

Еврорегиона и выслано национальному бюро Директората, в стране которого будет организовано следующее Заседание Совета.

3. Решение о расширении, реорганизации и ликвидации Еврорегиона принимается Советом Еврорегиона.

Председатель Совета Еврорегиона «Озерный край»,  
Председатель Краславского районного совета

А.Бадунс

## ***STATUTE OF EUROREGION “NEMUNAS-NIEMAN-NEMAN”***

### **Article 1**

#### **GENERAL PROVISIONS**

1. This Statute shall not infringe the existing forms and formats of cross-border collaboration of the States and/or Parties of Euroregion NEMUNAS.
2. This Statute shall not infringe the domestic legislation of individual states and the Parties' authorisations.
3. The Parties shall support local initiatives furthering cross-border collaboration in the territory of Euroregion NEMUNAS.
4. The Bodies of the Union shall not infringe the state legislation of the individual Parties.
5. While discharging its functions and performing its tasks the Union and its bodies shall be entitled to collaborate with both domestic and international organisations.
6. Each of the Parties is entitled to consult the content of the resolutions of the Union's Board with the authorities of its states. The State Administration shall at all times and at any request be provided with all information about the activities of the Union and its resolutions.

### **Article 2**

#### **OBJECTIVES AND TASKS OF THE UNION**

The Union of Euroregion Nemunas shall be established in order to further collaboration in cross-border areas in the following fields:

- Comprehensive economic development,
- Spatial development,
- Public infrastructure,
- Education, health care, culture, sport and tourism,
- Environmental protection,
- Liquidation of natural threats and calamities,

-Development of contact between the inhabitants of cross-border areas and institutional collaboration, and collaboration of economic entities.

### **Article 3** **MEMBERSHIP OF THE UNION**

1. The Union shall consist of full and common members. Honorary membership and the status of an observer can also be granted.
2. The founding members of the Union shall enjoy the status of a full member, the status of a common member and observer shall be granted by the Union's Council.
3. The status of an observer shall be granted to those self-governments and regional authorities who collaborate with Euroregion NEMUNAS but do not border directly on the territory of the Euroregion.
4. The membership of the Union shall not exclude the right of its members to establish bilateral or multilateral relations and conclude agreements with organisations not belonging to Euroregion NEMUNAS.
5. Each of the members of the Union shall have a right to freely resign his membership provided he advises the Union's Council 6 month before the date of resignation. The membership shall be terminated at the date of the Union's Council's resolution.
6. In the event of territorial or administrative alterations in the territory of any of the States and in case such alterations should affect the territory of activity of one or more members of the Union, the entities whose establishment should result from such alterations shall have the right to enter the Union by way of succession and in accordance with the domestic legislation of a given state.
7. All members of the Union shall have equal rights irrespective of the size of their territory and the number of population.

### **Article 4** **THE UNION'S BODIES**

1. The authorities of the Union are the following:
  - The Union's Council,
  - The Presidium of the Union's Council,
  - The Union's Secretariat.
2. The Authorities of the Union shall discharge coordinative and advisory functions in relation to the Union's objectives referred to in Art. 2 and shall represent the Union.
3. The Audit Commission shall constitute a controlling body of the Union.
4. The number of the Union's bodies, their structure and competencies shall be subject to alterations in accordance with the Parties' resolutions, to be contained in appropriate alterations in the Statute.

**Article 5**  
**THE UNION'S COUNCIL**

1. The Union's Council, henceforth referred to as the Council, shall be the highest authority of the Union.
2. The Council shall consist of 6 representatives from each of the Parties.
3. The representative of each of the Parties shall discharge the function of a member in the Council (Presidium) for a term of duty of the Body that has sent a given representative to the Council. The members of the Council shall discharge their functions until the election of new representatives.
4. The dismissal of a member of Council (Presidium) may take place in all times by the Party that has delegated him subject to prior notification of the Council's Presidium. A new representative to replace the old Council's member shall be delegated by the Party in a term of one month.
5. The meetings of the Council shall take place at least twice a year and are open to the public unless the Council should decide otherwise.
6. An extraordinary meeting of the Council shall be held should any of Parties request it.
7. The representatives of national authorities of the Parties and international organisations shall be entitled to take part in the Council's meetings and its activities in the advisory capacity.
8. The Chairman of the Council's meetings shall be elected on a rota system from the members of the Union's Council's.
9. The following are the Council's competencies:
  - Discussion and approval of joint projects within the range of cross-border collaboration within the Union, provision of financial means for them and their implementation,
  - Introduction of alterations to the Statute,
  - Approval of new members and dismissal of old ones in the Union and grant of honorary membership and the statute of an observer,
  - Taking decisions as regards the budget of the Union,
  - Election of the Union's Council's Presidium and the Audit Commission,
  - Appointment of the Union's Secretariat and determination of its budget,
  - Adoption and exchange of the regulations of the Council, Presidium, Secretariat, Audit Commission, Working Groups,
  - Appointment of permanent and ad-hoc Working Groups to perform specific tasks in individual fields of cross-border collaboration and adoption of the Groups' regulations,
  - Adoption of resolutions concerning the Union's membership in international organisations,
    - Adoption of resolutions concerning other matters set out in the Statute,
    - Adoption of the Euroregion symbolic.

10. All resolutions shall be adopted by unanimous vote of the Parties.
11. The projects of resolutions shall be submitted to the Council by Manager of the Union's Secretariat or by a representatives of a Party.
12. The regulations of the Council shall in detail set out the principles of its activity.

#### **Article 6**

##### **THE PRESIDIUM OF THE UNION'S COUNCIL**

1. The Presidium of the Union's Council, henceforth referred to as the Presidium, shall consist of 3 representatives from each of the Parties.
2. The Presidium shall discharge coordinative and representative functions in the name of the Council in the periods between its meetings.
3. The activity of the Presidium shall be subject to the regulations adopted by the Council.

#### **Article 7**

##### **THE UNION'S SECRETARIAT**

1. The Union's Secretariat, henceforth referred to as the Secretariat, shall be an executive and administrative body appointed by the Council and consisting of an equal representation from all the Parties.
2. Each of the Parties shall have a national office, who managers are the Parties representative in the Secretariat.
3. The national offices shall not be mutually dependent and shall discharge coordinative and administrative functions for its own Party.
4. The managers of the national offices shall participate in the meetings of the Council and the Presidium.
5. The following are the tasks of the Secretariat:
  - Preparation for and submission to the Council the projects – translated into the Parties' languages – of resolutions and other studies concerning joint enterprises within the range of cross-border collaboration.
  - Preparation of the Council's meetings,
  - Assistance to Working Groups,
  - Discharge of other functions connected with the administration and performance of financial tasks of the Union.
6. The functions of the manager of the Secretariat are executed by the National Office's manager of Chair country.
7. The activity of the Secretariat shall be subject to the regulations adopted by the Council.

#### **Article 8**

##### **THE AUDIT COMMISSION**

1. The Audit Commission shall proportionally represent each of the Parties.

2. The Audit Commission's competencies shall be to control the correctness of documentation and utilisation of the Union's financial means.
3. The Chairman of the Audit Commission shall be appointed in turn from among the members of the Commission by the Council for a year's term of duty.
4. The activity of the Audit Commission shall be subject to the regulations adopted by the Council.

#### **Article 9**

#### **THE WORKING GROUPS**

1. Ad-hoc or permanent working groups can be established by the Council to perform specific and joint content-related tasks.
2. In exceptional cases working groups can be established by the Presidium, but in such a case they shall have to be approved by the Council at its next meeting.
3. The proposals and materials prepared by working groups shall be submitted to the Council by the Secretariat's Manager.
4. Provided the Presidium should agree to this, experts can be invited to collaborate with working groups.
5. The Council shall determine the working scope of each working group and the way it should be financed.
6. The meeting of a working group shall be chaired by its chairman elected by a group itself.
7. The organisation of permanent and ad-hoc working groups' activity shall be subject to the regulations adopted by the Council.

#### **Article 10**

#### **FINANCING OF THE UNION'S ACTIVITY**

1. The Union's activity shall be financed within the minimum range indispensable for achievement of its aims and performance of its tasks by each of the Parties.
2. The Parties shall finance the Union's activity in accordance with joint agreements and within their abilities.
3. Joint projects approved by the Council, and the costs of the Union's bodies' activities, shall equally be financed by the Parties, unless the Council should decide otherwise.
4. Within its own financial means, each Party can perform tasks determined by the Council for the benefit of the Union to be gratuitously utilised by the Union.
5. The Union's budget can be increased or supplemented from outside sources.
6. The Council shall determine the consequences of Parties' failure to perform their financial duties or grave delays in making appropriate payments.

**Article 11**  
**DISSOLUTION OF EUROREGION NEMUNAS**

1. The Union shall be dissolved in the event of unanimous decision by all the Parties if:

- The aims and tasks the Union has been established for should neither be achieved nor performed,

-The Union should only consist of one Party.

2. In the event of dissolution of the Union its assets, i.e. current and fixed assets (assets and liabilities) constituting the Union's joint property, shall be divided among the Union's Parties **proportionally** to their contribution.

3. The liquidation of the Union shall be carried out by the Liquidation Commission consisting of 3 representatives from each of the Parties.

**Article 12**  
**CONCLUDING PROVISIONS**

1. This Statute shall constitute an Annex to the Agreement on establishment of Cross-border Union "Euroregion NEMUNAS" and become effective at the date of signing.

***STATUTE OF EUROREGION 'SESUPE'***

**Chapter 1**

**Goals, spheres and forms of Euro-region activities**

Main goals of co-operation within the Euro-region 'Šešupė' are:

1.1. improvement of quality of life of the population in Euro-region territory;

1.2. promotion, planning, organization and implementation of activities directed to the balanced development of the entire region in all spheres of life;

1.3. further development of presently existing good-neighbourhood relationship;

1.4. facilitation of mutual contacts between physical and juridical persons;

1.5. strengthening of local communities;

1.6. support for establishing links of cross-border co-operation between regional and local authorities, public organizations.

Main **spheres and forms** of Euro-region 'Šešupė' activities:

2.1. Creation and realization of cross-border projects gives priorities to the following spheres:

environment;

economics and business;

youth and sports;

culture;

social security and welfare system;

tourism;



- 2.2. co-operation in implementation of joint projects in border regions (e.g. in water and waste treatment etc);
- 2.3. co-operation in education and health-care spheres;
- 2.4. exchange visits of delegations in all above mentioned spheres;
- 2.5. organization of joint seminars, conferences, competitions, camps and other events;
- 2.6. development of infrastructures of border crossing points;
- 2.7. support for studies of the languages of neighbouring countries;
- 2.8. preservation of general cultural heritage;
- 2.9. dissemination of information about the Euro-region;
- 2.10. cooperation in the spheres of information dissemination and development of information technologies;
- 2.11. joint solution of ecological and environmental problems;
- 2.11 other cross-border activities and forms attractive to the cooperation partners.

## **Chapter 2**

### **Rights and duties of the parties**

The Parties:

- 3.1. follow the Euro-region statute and take active participation in Euro-region activities;
- 3.2. have equal rights, without regard to their area or population;
- 3.3. arrange cross-border projects following the principles of partnership, coordinating with the appropriate administration institutions in their countries, functioning in accordance with laws of their countries, and considering other Parties as well;
- 3.4. inform each other about their own events which could have consequences for cross-border cooperation;
- 3.5. make their offices available for the members of the Euro-region Bodies;
- 3.6. have a right to sign bilateral and multilateral agreements of cooperation with other foreign partners, international organizations or Euro-regions and to participate in their activities;
- 3.7. have a right of free resignation from the Euro-region. The Euro-region Council has to be informed in a written form 2 months prior the planned resignation.

## **Chapter 3**

### **The Euro-region Bodies**

- 4.1. The Euro-region Bodies are as follows:
  - 4.1.1. The Euro-region Council (further as 'Council')
  - 4.1.2. The Euro-region Board (further as 'Board')
  - 4.1.3. The Euro-region Offices (further as 'Offices')
  - 4.1.4. Working Groups on the base of sort of activities

4.1.5. The Control-Audit Commission.

4.2. The number, the structure and limits of tasks of the Euro-region Bodies may be changed following the decision of the Euro-region Council if changing this Statute

### **The Euro-region Council**

5.1. The Euro-region Council is the highest body that coordinates cooperation within Euro-region.

5.2. The tasks of the Euro-region council include:

5.2.1. approval of the Euro-region Council members;

5.2.2. deciding and approval of the directions and programs for the calendar year;

5.2.3. ratification of the Statute modifications;

5.2.4. changing the organizational structure of the Euro-region;

5.2.5. approval of the financial plans concerning implementation of common projects;

5.2.6. adoption and approval of the reports on the financial activities of the Euro-region Board;

5.2.7. solution of membership in the Euro-region questions;

5.2.8. electing the Chairman and Vice-Chairman.

5.3. The Council consists of:

5.3.1. 2 representatives delegated from each party;

5.3.2. Each Party of the Agreement is to inform the Board about the changes in the data of the delegated persons within the period of 14 days the change was made;

5.4. The Activities of the Council;

5.4.1. The Council gathers at the sessions;

5.4.2. The Chairman is the head of the Council elected for 1 year period from the Council members representing one country. Each Party holds chairmanship for 1 year following the principle of rotation. The Euro-region Council sets the rotation sequence.

5.4.3. The Chairman is the head of the Council and organizes its activities, chairs the Council's sessions, and represents the Euro-region in relations with international organizations.

5.4.3. The sessions of the Council may be usual and unusual. The usual sessions are called by the chairman of the Council at least once a year. The unusual sessions may be called any time by the Euro-region Board or at the suggestion of at least 2/3 of the members of the Council.

5.4.4. The sessions of the Council take place in the country of the Chairman unless the members of the Council decide otherwise.

5.4.5. The information about the sessions of the Council is announced by the Euro-region Office of the appropriate country at least 30 days prior the session.

The detailed agenda of the session is passed to the Council members at least 14 days prior to the session.

5.4.6. Each member of the Council may pass suggestions concerning the agenda's particulars to the Chairman;

5.4.7. The agenda of the council's sessions is set by the Board;

5.4.8. The Council's sessions are confidential and the person chairing may declare them open only at the Council's members' agreement;

5.4.9. The Euro-region sessions are lead by the Chairman.

5.4.10. The participants of the Council sessions are the Council members, the staff of regional offices, and the members of working groups;

5.4.11. The following may be invited to the Council's sessions,

5.4.12. representatives of national and regional authorities of the Parties of the Agreement;

5.4.13. representatives of international organizations;

5.4.14. experts;

5.4.15. other persons whose presence will be indispensable for the session of the Council.

5.4.17. To be effective, the Council's session must be attended by at least 50%+1 Council members, and the resolutions taken shall be obligatory for all the Parties only if each Party is represented at the session by at least one authorised representative.

5.4.19. The decisions are adopted following the majority of votes;

5.4.20. The regional office is responsible for the Minutes of the sessions. The session's Minutes and decisions are delivered to the members of the Council not later than 30 days after the session.

5.4.21. The official languages of the sessions are English or Russian. If necessary the chairing Party provides translation into these languages.

5.4.22. The Chairman of the Euro-region reports the Council on the annual activities not later than 30 March. The members of the Euro-region Board and regional offices of appropriate countries assist in the preparation of the reports.

### **The Euro-region Board**

6.1. The Board is an executive body, it directs the activities of the Euro-region in periods between the Euro-region Council sessions.

6.2. The tasks of the Board are as follows:

6.2.1. Practical realization of the Council decisions;

6.2.2. Calling the meetings and deciding on the agenda of the Council sessions;

6.2.3. Preparing of Council's decisions and submitting for the approval;

6.2.4. Presenting of the reports prepared by the Offices for the Council's approval at least once a year;

6.2.5. Establishing Working Groups and coordination of their activities;

6.3. The Board consists of one representative delegated from each Party.

- 6.4. The activities of the Board include;
- 6.4.1. The Board gathers at the sessions;
- 6.4.2. The Chairman is the head of the Board elected for 1 year from the members of the Board, following the principle of rotation. The Board sets the rotation sequence.
- 6.4.3. The Chairman of the Board organizes and directs the activities of the Board, chairs the sessions of the Board, and represents the Euro-region in relations with natural and legal persons, state and governmental institutions.
- 6.4.4. The sessions of the Board are held in the country decided by the Council at least 3 times a year.
- 6.4.5. The information about the Board sessions is announced by the Euro-region Office of an appropriate country at least 30 days before the session, the detailed agenda is passed to the Board members at least 14 days before the session.
- 6.4.6. To be effective, the Board session must be attended by at least 50 % +1 Board members, and the resolutions taken shall be obligatory for all the Parties only if each Party is represented at the session by at least one authorised representative. In case of absence of the Party representative at the session this Party is not obliged to follow the session's resolutions but it may accept them.
- 6.4.7. The decisions of the Board are adopted by the majority of votes.
- 6.4.8. The appropriate regional Offices are responsible for the Minutes of the sessions. The sessions' Minutes and decisions are delivered to the members of the Board not later than 30 days after the session.
- 6.4.9. The official languages of the sessions are English or Russian. If necessary, the chairing Party provides translation into these languages.
- 6.4.10. The Board may authorise the members of the Council or the Head of the Office to represent the Office in international relations.
- 6.4.11. The Calendar of the Board Activities is set at the first session after constituting the Bodies of the Euro-region.

### **The Euro-region Offices**

- 7.1. Euro-region Office is a Body of the Euro-region constituted to realize the goals and objectives of the Euro-region and functioning within the territory of a Party of the Agreement.
- 7.2. The tasks of the Office are as follows:
- 7.2.1. Enforcing the decisions of the Council and the Board;
- 7.2.2. Preparing and implementing of Euro-region projects;
- 7.2.3. Coordinating and supporting Working Groups;
- 7.2.4. Representing the Euro-region under the authorization by the Board;
- 7.2.5. Preparing the sessions of the Council and the Board (responsible for the information about the time, agenda of the session, the Minutes of the session, preparation of decision drafts etc);

- 7.2.6. Handling correspondence on behalf of the Euro-region Bodies;
- 7.2.7. Organizing simultaneous interpretation and translations of the documents;
- 7.2.8. Preparing of annual reports on the Euro-region activities;
- 7.2.9. Maintaining contacts with local government, international institutions and organizations;
- 7.2.10. Advertising of the Euro-region activities and maintaining contacts with the Parties of the Agreement;
- 7.2.11. Handling the Archives of the Euro-region;
- 7.2.12. Other activities at the command of the Council and the Board;
- 7.3. The Offices may be established in the territories of each Party of the Agreement;
- 7.4. The Office Manager is the head of the Office. This person operates following the Regulations of Euro-region Office.
- 7.5. The Office Regulations are approved and the Manager is appointed by the Euro-region Board in coordination with the establishers of the regional office;
- 7.6. The activities of the Office are financed from the funds of the Party which is the establisher of the Office, from the projects being implemented, and the subsidies of other organizations.

### **Working Groups**

- 8.1. Working groups are created by the Euro-region Board;
- 8.2. the aim of creation of the Working Groups is to prepare and realize common projects;
- 8.3. the members of the Working Groups are not obliged but may be the members in other Euro-region Bodies except Audit-Control Commission;
- 8.4. the Working Group must be represented by each Party of the Agreement;
- 8.5. the members of a Working Group elect the Chairman;
- 8.6. The Chairman:
  - 8.6.1. organizes the work of the Group;
  - 8.6.2. chairs the meetings of the Group;
  - 8.6.3. submits to the Board the resolution and the Minutes of the meeting within 2 weeks after it, and periodic activity reports;
  - 8.6.4. maintains contacts with the Euro-region Offices and the Board;
  - 8.6.5. participates in the Council sessions with a deliberate function;
- 8.7. the meetings of the Working Group are held depending on the need;
- 8.8. the members of the Council, the Board, the Office and other invited persons may participate in Working Group sessions;
- 8.9. to be effective, the resolutions must be taken with the majority of votes, when at least half the members are present;
- 8.9. the term of the Working Group is set by the Board, with regard to the activities of the group;

8.10. the reports, resolutions and other documents of the Working Group must be written in 2 languages, English and Russian;

8.11. the costs of delegating representatives to a Working Group meetings are covered by the Parties of the Agreement.

### **Control-Audit Commission**

9.1. The Audit-Control Commission is a Working Group with special tasks. The aim of its activities is financial control of the Euro-region activities;

9.2. The Commission is formed and the regulations of its operation are defined by the Council after it is established;

9.3. The Control-Audit Commission gathers at the meetings;

9.4. The meetings are held at least once a year;

9.5. The Chairman of the Control-Audit Commission cannot be the representative of the same Party as the Chairman of the Euro-region Board.

9.6. The Control-Audit Commission is subordinate to the Euro-region council only;

9.5. The regulations of the statute are applicable to the Control-Audit Commission, while respecting the special character of its tasks.

### **Chapter 4 Financing**

10.1. Information about the financial activities of the Euro-region “Šešupė” is accessible to all the Parties of the Agreement

10.2. The funds for the Euro-region’s operation may come from:

10.2.1. programs and the projects being implemented;

10.2.2. the EU and other funds, and programs supporting regional development and cross-border cooperation;

10.2.3. target funds of the Parties of the Euro-region;

10.2.4. target subsidies;

10.2.5. donations;

10.2.6. other legal sources;

10.3. The financial year of the Euro-region corresponds to calendar year;

10.4. The budget project of the Euro-region must be approved by the Council by the end of the year preceding the financial year;

10.5. The financial report is prepared by the regional Office of the chairing Party by 31 March and is submitted to the Chairman of the Euro-region Board and the Euro-region Council;

10.6. The costs of delegating to the Council, Board and Working Group meetings and other expenses related with the activities in the Euro-region are covered by each Party of the Agreement. They may also be paid by the means of the project activities.

## **Chapter 5**

### **Discontinuance of the Euro-region activities**

11.1. The activities of the Euro-region may be stopped on the basis of agreement of the Parties, or in case only one Party is left in the Euro-region.

11.2. In the case of the Euro-region disintegration, its property and adopted obligations should be distributed between all the Parties of the Agreement in proportion to the contributed funds;

11.3. Withdrawal of a Party from the Euro-region entitles the Party to raise property claims to the Euro-region proportionally to the contributed funds.

## ***STATUTE OF SAULE***

### **Chapter I**

#### **Aims and forms of co-operation**

##### **§ 1**

The aim of the co-operation within Euroregion “Saule” is to:

improve the life conditions of the people inhabiting the area of the Euroregion;

- promote mutual contacts;
- tighten bonds among local communities;
- eliminate possible historical and other prejudices;
- plan the activity aimed at providing sustainable comprehensive development of the Parties of the Agreement while considering their economic situation;
- promote actions aimed at creating co-operation between regional and local authorities

##### **§ 2**

The aims listed in § 1 will be realized in the following ways:

1. Supporting common cross-border projects of economic development in areas such as:

- industry;
- agriculture and forestry;
- transport;
- communication;
- “know-how” exchange;
- environmental protection;
- fighting crime.

2. Co-operation in realization of common municipal projects on the border-territories (e.g.: sewage treatment plants, refuse storage and utilization etc.).

3. Co-operation in spatial planning.

4. Development of the border-crossings’ infrastructure.

5. Increasing professional qualifications and directing requalification system to decrease unemployment, especially among the young people.

6. Co-operation in scope of science, education, culture, tourism and sports; including exchange for groups of scientists, sportsmen, people dealing with culture and tourism.
7. Stimulating learning of neighbor languages.
8. Protection and care of common cultural heritage.
9. Distribution of information about Euroregion “Saule”.
10. Co-operation in scope of fighting natural and ecological disasters, fire and other emergencies. Exchanging information about the above mentioned threats.

## **Chapter II**

### **Rights and Duties of the Parties**

#### **§ 3**

1. The Parties acting in accordance with the law governing their country and taking into consideration conditions of the other Parties of the Agreement:
  - a) on the base of partnership relations the Parties run cross-border projects in coordination with appropriate authorities of their countries,
  - b) the Parties inform each other about their own events which could have cross-border consequences,
  - c) the Parties of the Agreement make their offices available for the members of the Euroregion Bodies.
2. The Euroregion Membership does not exclude the right of the Parties to sign bilateral or multilateral agreements with other foreign partners.

## **Chapter III**

### **The Euroregion Bodies**

#### **§ 4**

The Euroregion Bodies are as follows:

- The Euroregion Council,
- The Euroregion Board,
- The Euroregion Secretariat,
- Working Groups on the base within the network of Euroregion Bodies,
- The Control-Audit Commission.

### **The Euroregion Council**

#### **§ 5**

1. The Euroregion Council is the highest body that coordinates co-operation within Euroregion.
2. The tasks of the Euroregion Council:
  - approval of the Euroregion Board composition,
  - deciding on the directions and programmes of activity,
  - ratification of the Statute modifications,



- deciding on changes in the organizational structure of Euroregion,
  - approval of the financial plans concerning common investment,
  - adoption the reports on the activities of the Euroregion Board,
  - deciding on enlarging the territory of the Euroregion operation and acknowledging the decision regarding withdrawal or suspension in the Euroregion,
  - electing the President and Vice-President of Euroregion.
3. The Euroregion Council elects the first Euroregion President and defines the succession at the post of the President for next years. The representative of the Party who is to take the position of Euroregion's President next year, performs the function of Vice-President. The President chairs the meetings of the Euroregion Council and the Euroregion Board.
  4. The President is elected for three year and the representatives of all Parties of the Agreement – members of the Council take the position of the President in succession.
  5. The President and Vice-President represent the Euroregion outside

## § 6

1. The Council includes up to 3 persons delegated by each Party of the Agreement.
2. The term of authority for each representatives group of the Party of the Agreement is equal to the term of the delegating bodies. Each Party is obliged to inform the Secretariat Director about staff changes in the groups, delegated to the Council, within 14 days since the change was made.
3. The Euroregion Council electing the Board from it's structure, so each Party of the Agreement should be represented by one person including President and Vice-President.

## § 7

1. The Euroregion Council gathers at the sessions. The sessions may be usual and unusual. The usual session must take place at least twice a year and it is called by the Euroregion President. The unusual sessions may take place any time and they are called at the Board motion or the will of at least 1/3 members of the Council.
2. The Council sessions should take place based on the session calendar, in the country of the President, unless the members of the Council decide otherwise.
3. The Director of the Secretariat is responsible for informing about the Council session at least 30 days before the session, and the precise agenda of a session should reach the Council members at least 14 days before the session.
4. Each member of the Council may pass written suggestions concerning the Agenda's particulars to the President.
5. The Agenda of the Council's sessions is set by the Board.

6. The Council's sessions should be planned in such a way as to explore all Agenda during one day.
7. The Council's sessions are confidential and the President chairing the meeting may declare them open only at the Council's members agreement.
8. The Council's sessions are chaired by the President.
9. The participants of the Council's sessions:
  - the Council's members,
  - the Director of the Secretariat,
  - the appointed Secretariat staff,
  - representatives of the Working Groups.
10. The following may be invited to the Council sessions:
  - representatives of national and regional authorities of the Parties of the Agreement,
  - representatives of international organizations,
  - experts,
  - other persons whose presence will be indispensable for the session of the Council.
11. To be effective, the Council's session must be attended by at least 50% + 1 Council members and the resolutions taken shall be obligatory for all the Party only if each Party is represented at the session by at least one authorized representative. In case of absence of the Party representative at the session, this Party is not obliged to follow the session's resolutions but it may accept them.
12. The Council's resolutions are adopted on the base of consensus.
13. Before voting, the Parties are allowed to ask for a session break to come to an agreement on their position.
14. The Euroregion Secretariat is responsible for the Minutes of the sessions. The sessions' Minutes and the Council's resolutions are delivered to the Parties not later than 30 days after the end of the session.
15. The official languages of the sessions are English and Russian, and additionally it may be the language of the host. The sessions organizer provides the participants with simultaneous translation into English and Russian.
16. The Director of the Secretariat reports on the Secretariat's annual activity at the first session of the Council, not later then 31<sup>st</sup> March of the following year.

## **The Euroregion Board**

### **§ 8**

1. The Euroregion Board, elected from the members of the Council, has one representative from each Party of the Agreement.
2. The Euroregion Board tasks are as follows:
  - calling the meetings and deciding on the Agenda of Euroregion Council sessions,
  - preparing and submitting the resolutions for the Council's approval,

- enforcing the Council's resolutions,
  - adopting reports on Euroregion's activity, prepared by the Secretariat and presenting them to the Council for approval at least twice a year,
  - establishing Working Groups.
3. The Board sessions take place in the country where the Euroregion Secretariat is located, unless the Board decide otherwise.
  4. The Board resolutions must be taken on the base of consensus with the presence of at least 50% + 1 the Board members. The taken resolutions are obligatory for all Parties of the Agreement, if each Party was represented by its representative. If there was no representative of a Party, the resolutions are not obligatory for the Party, but the Party may accept them.
  5. The Board has the power to authorize the Council members and the Director of Secretariat to be Euroregion international representatives.
  6. The Calendar of the Board sessions is set at the first session after constituting the Bodies of the Euroregion.
  7. The Board sessions should be planned in such a way as to explore all Agenda during one day.
  8. The Euroregion Board is the executive body in the Euroregion.

### **The Euroregion Secretariat**

#### **§ 9**

1. The Euroregion President establishes the Euroregion Secretariat and its working order.
2. The costs of the Secretariat functioning are covered by the Party, which representative has the Euroregion President post.
3. The Secretariat location changes simultaneously with the change of Euroregion President. The Secretariat is led by the Party which representatives has the Euroregion President post. Euroregion President decides on the number of the Secretariat's staff.
4. The work of the Secretariat is directed by Euroregion President or person appointed by him.
5. The duties of the Secretariat Manager:
  - enforcing the Council and Board resolutions,
  - managing the work of the Secretariat,
  - maintaining the contact with the Working Groups and giving them organizational support,
  - acting as the Euroregion representative when authorized by the Council or the Board,
  - preparing co-operation projects between the Parties and international institutions and organizations,
  - preparing the Council and Board sessions in view of organization, and in particular submitting the following documents:

- information in written form on the Council and Board sessions, at least 30 days before the planned session, and detailed notifications (with the Agenda of the session, and other necessary documents for the members of the Council and the Board) at least 14 days before the planned session,
  - the Minutes and resolutions of the session – within 30 days after the session’s end,
  - annual reports on the Secretariat functioning,
  - others, at the Council’s or Board’s command,
  - maintaining contacts with local authorities and international institutions and organizations,
  - having at his disposal the Euroregion “Saule” - bank account, on the condition that each operation is to be authorized by the signature of the Euroregion President,
  - defining the duties and salaries for the Secretariat staff,
  - acting to promote Euroregion and strengthen ties between the Parties of the Agreement,
  - handling correspondence, on behalf of Euroregion Bodies,
  - keeping of the Archives of Euroregion,
  - participating in the Council and Board sessions and keeping the Minutes of the sessions,
  - organizing simultaneous interpretation and translations of the documents,
  - accomplishing tasks assigned by the Council, Board and the President.
6. The budget of the Secretariat consists of the financial and material input of the Party of the Agreement, where the Secretariat is located, and subsidies of other organizations. The funds are located at the bank account.

## **Documentation of Euroregion Bodies**

### **§ 10**

1. The Secretariat receives from the Parties of the Agreement, the Council, Board and the Working Groups the following:
  - the Minutes of the Council and Board sessions,
  - resolutions and decisions of the Council and the Board,
  - announcements of establishing the Working Groups, results of their work,
  - changes in the Statute, the membership, the territory of Euroregion operation and organization regulations,
  - acts on appointing and dismissing the Manager of the Secretariat,
  - programmes, expertise and analyses results,
  - information about personnel changes in the structure of the Council and Board members – within 14 days since the changes were executed.
2. The Secretariat prepares for the Council and Board the following documents:
  - the Minutes of the Council and Board sessions,
  - drafts of resolutions, agreements and decisions to be approved,

- annual reports on the operation of the Secretariat,
- notices to the Parties of the Agreement about the personnel changes in the Council and Board,
- information on Euroregion current matters.

## **Working Groups**

### **§ 11**

1. Working Groups are created by the Euroregion Board in order to realize common projects. The participation in Working Groups does not call for the membership in Euroregion bodies.
2. In the Working Group each Party should be represented.
3. The members of a Working Group elect the Chairman from its structure.
4. The Working Group conducts its meeting in one of the two official languages (English, Russian) and the language of the country where the meeting takes place. The translation are provided by the Chairman of the Working Group.
5. The term of the Working Group – 1 year. It may be shortened when the work is finalized, or prolonged by Euroregion Board at the proposal of the Chairman of the Working Group.
6. The Chairman of a Working Group:
  - organizes the work of the Working Group,
  - chairs the meetings,
  - maintains contact with the Secretariat and Euroregion Board,
  - participates in the Euroregion Council sessions with a deliberate function.
7. The Working Group has meetings depending on the need but at least 4 times a year.
8. The members of the Council, the manager of the Secretariat and other invited persons may participate in Working Group's sessions.
9. To be effective, the resolutions must be taken with the majority of votes, when at least half the members are present.
10. The Chairman of a Working Group submits to the Secretariat the resolution within 14 days it was taken, the Minutes of the finished work and periodic activity reports.
11. The Minutes, reports, resolutions and other documents should be written in 2 languages (English and Russian).
12. The costs of delegating representatives to a Working Group meetings are covered by the Parties of the Agreement.

## **Control-Audit Commission**

### **§ 12**

1. The regulations for the operation of the Control-Audit Commission is defined by the Euroregion Council after the Commission has been established.
2. The regulations of the Statute are applicable to the Control-Audit Commission, while respecting the special character of its tasks.

3. The Control-Audit Commission must have its meetings at least once a year and its main target is to control Euroregion's financial actions.
4. The representative of the Party, where the Euroregion Secretariat is located, cannot be the Chairman of the Control-Audit Commission.

## **Chapter IV**

### **Financing**

#### **§ 13**

Information on finance activity is available for the Parties. The funds for Euroregion's operation may come from:

- financial contributions of the Parties,
- subsidies,
- donations,
- other sources.

#### **§ 14**

As the financial year the calendar year is assigned. The budget project for the Euroregion must be approved by the Council by the end of the year preceding the financial year. The financial report is prepared by the Secretariat by 31<sup>st</sup> of March, the following year.

#### **§ 15**

The costs of delegating to the Council, Board and Working Groups meetings are covered by each Party of the Agreement.

#### **§ 16**

After the Agreement on establishing the Euroregion is signed by the Parties and President is elected, the bank account is opened, according to the current law on the territory of the country of the Euroregion President and all financial operations are conducted through this account.

#### **§ 17**

In the case of the Euroregion disintegration its property and adopted obligations should be distributed between all the Parties of the Agreement proportionally to the contributed funds.

#### **§ 18**

Withdrawal of a Party from the Euroregion entitles the Party to raise property claims to the Euroregion, proportionally to the contributed funds.

## **PART III**

### **THE ROLE OF THE EUROREGION IN PROMOTING AND REINFORCING DEMOCRATIC STABILITY AND TRANSFRONTIER CO-OPERATION IN SOUTH EASTERN EUROPE**

Mr Sraso Angeleski, Faculty of Law,  
Institute of International Public Law  
Skopje





## Preface

Euroregions are often called *laboratories of the future European construction*, as they are supposed to verify and strengthen the legitimacy of the great moral, political, economic, and cultural projects of a United Europe.

Regional co-operation in South Eastern Europe, as developed so far around the concept of a euroregion, varies across this part of Europe and it is mainly still far from being fully and properly implemented into practice. This both originates from and reflects the equally “problematic” regional co-operation (in its broader sense) in this region, which still remains firstly to be “*fully stabilised*” and later “*properly associated*”. Despite the fact that the greater part of the euroregions in this part of Europe are still “too young” when compared with those in other parts of Europe, the notion of *regional co-operation* around the concept of a “euroregion” is as equally problematic as the notion of regional co-operation itself. Regional co-operation in South Eastern Europe is still defined by the obstacles to the process rather than its actual potential and benefits. More than elsewhere in Europe, some of the factors conducive to co-operation tend to become obstacles.

Under the above circumstances, the emerging euroregions in the region of South Eastern Europe (SEE) appear as a response of the local and regional authorities to the lack of progress in institutional co-operation between countries of the region, and their search for original solutions to slow economic and social development. In spite of a sometimes imperfect or incomplete legal architecture, these euroregions constitute an original attempt building up new solidarities and social, economic and cultural ties across the borders, involving political, economic and educational actors; counties and provinces, municipalities and their associations (sometimes established on an ad-hoc basis with limited geographical membership), chambers of commerce, universities, NGOs, etc. Thus, the euroregions (and other related initiatives and processes) in this part of Europe have been recently providing a new impetus to cross-border co-operation in the area.

The selected euroregions span a geopolitically very sensitive zone of Europe, given the difficult internal situations in most of the countries concerned and the fact that several major dividing lines of the ‘New Europe’ pass through this area: members and non-members of NATO, candidate and future members of the EU and those left outside, as well as the often overlooked trench between the EU’s Phare and Tacis programme with significant incompatibilities for the states concerned. To this have to be added weak border infrastructure,

insufficiently demarcated borders, changing visa requirements and rampant cross-border crime, to name but a few.

Against the above background, this paper consists of five parts: *the first* part outlining the social and political backgrounds of the euroregion-like co-operation in both Europe and specifically in SEE; *the second* is a comparative analysis of a selected number of SEE-euroregions' statutes, *the third part* outlines a number of selected euroregions in SEE; *the fourth part* presents a selective overview of other related initiatives and processes concerned, and *the last (fifth) part* reproduces some concluding commentaries and recommendations which are a synthesis of the previous chapters in the broader social-political context concerned.

Taking into consideration the above, this paper neither pretends to be too ambitious in its final outcome nor is it aimed at producing any comprehensive and detailed report covering all existing and/or planned euroregions in the region of South Eastern Europe. This is due mainly to both the very short period of time available to carry out such a comprehensive research, and the great complexity of the multiple and cross-cutting issues covered by this research's focus and objectives. In line with the latter, one should also stress that making a more detailed comparative analysis of the euroregions was inappropriate since each of the selected euroregions reflects very specific sub-regional socio-economic and political circumstances in the individual states, i.e. relevant local/regional entities/actors involved therein; this also includes the current state of affairs in terms of the different levels of the EU's related integration processes, decentralisation and territorial organisation-related legislation reform/practice of those states concerned. The paper is also not aimed at selecting the best model of a euroregion among those existing or planned ones within the region of South Eastern Europe. Rather, it is aimed at providing for both a comparative survey of some SEE euroregions' statutes and updated information in terms of the most common strategic gaps and/or problems relating to the so-far process of developing cross-border co-operation around the model of a euroregion in this part of Europe, as well as at indicating certain relevant common policy guidelines and/or recommendations designed to propose changes at European and national level in order to improve the achievement of the SEE euroregions' objectives and roles in promoting democratic stability and transfrontier co-operation in the SEE region.

In doing the above, the paper is based on the fact that the individual situation of each of the countries involved in the selected euroregions is very complex and different from one another, each country having its own specific challenges and problems, i.e. the situation in societies that are going through deep

transformation requires change at organisational and individual levels, which very often lag behind the legal and organisational changes.

The paper is particularly aimed at stimulating further research on this topic at European and national levels. Lastly, one should also particularly emphasise that collecting accurate and detailed up-dated information was an extremely difficult task while drafting this paper and should this report be further developed, experts' network and field visits to SEE euroregions-related actors, as well as the undertaking of all other necessary and suitable scientific methodological-research tools, would have to be envisaged accordingly.

## **I. Social and political background of “euro-regional” co-operation in Europe and South Eastern Europe**

### **1.1 SOCIAL AND POLITICAL BACKGROUND OF EUROREGIONAL CO-OPERATION IN EUROPE**

When dealing with the above topic one should firstly recall the main motives for transfrontier co-operation, which include (*among others*): the transformation of the border from a line of separation into a place for communication between neighbours; the overcoming of mutual animosities and prejudices between people of border regions which result from historical heritage; the strengthening of democracy and the development of operational regional/local administrative structures; the overcoming of national peripherality and isolation; the promotion of economic growth and development and the improvement of the standards of living; the rapid assimilation into or approach towards an integrated Europe. This co-operation may take the form of inter-governmental commissions and commissions for spatial planning or, at regional and local level, the form of cross-border *euroregions* or ‘associations’ having a similar structure. These trends have presented new challenges, as well as the need to emphasise the philosophy from which cross-border co-operation emerged almost 44 years ago<sup>56</sup>.

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<sup>56</sup> To be effective, cross-border co-operation has to be more wide-ranging and characterised by joint activities from the beginning: “All aspects of daily life in the border regions should be included: economy, work, leisure, culture, social affairs, housing, planning, etc; it has to take on a daily and regular basis, and involve partners from all areas and on both sides of the border from the beginning; it should be conducted on all levels: national, regional and local. The so-far developed concept of this co-operation includes the need to co-operate at all levels and to introduce coordinated processes between them”.

Since the late 1980s and early 1990s Europe has been experiencing the following trends which continue today<sup>57</sup>: the gradual dismantling of the internal borders within the EU since 1 January 1993; efforts to establish contacts across the new external borders to facilitate intellectual, political and economic exchanges with third countries including those of Central and Eastern Europe; the fact that as new members join the EU its present external borders become new internal borders whilst the previous borders in Central and Eastern Europe become new external borders of the EU. These processes have a direct effect on all border regions on the current and future internal and external borders of the EU. They have led to a substantial geographic expansion and intensification of cross-border co-operation.

Today, there are many border and cross-border regions (*euroregions* or similar structures) in Central and Eastern Europe where cross-border co-operation initiatives and pilot actions are already in place with the help of cross-border programmes in the framework of the EU support for Central and Eastern Europe (Phare CBC and Tacis CBC). These border regions have quickly learned from the EU's experience in the area of cross-border co-operation and they gradually established co-operation with neighbouring regions in all areas of life at regional/local and national level<sup>58</sup>. Regional and local territorial authorities in border regions responded very rapidly to the abovementioned favourable conditions. "Cross-border regions", e.g. cross-border structures at regional level, were formed where they did not already exist. At all internal and practically all external EU borders, regional and communal associations following the model of a euroregion or similar structure emerged on both sides of the border or as cross-border structures, working with long-term objectives and strategies<sup>59</sup>.

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<sup>57</sup> The idea of the euroregion is a concept that was originally developed in the 1950s in order to promote co-operation between different regions across the continent.

<sup>58</sup> In Central and Eastern Europe, approaches to cross-border co-operation have understandably emerged rather hesitantly after the opening of the border in 1989/90, which was due to the fact that these borders were firmly closed.

<sup>59</sup> These euroregions have all been formed quite recently, during the 1990s, and are therefore relatively "young" when compared with the euroregions within the EU. They are often quite large in their geographic scope. The range of activities varies from one euroregion to the other. Their objectives include: working together to improve the living conditions for the people in their areas; promoting mutual contacts and networking across borders and enhancing links between local communities; helping eliminate historical prejudices by promoting actions aimed at creating co-operation between regional and local authorities; promoting exchanges of information, preparation of joint undertakings, seminars and workshops and promoting the region (tourism). In some cases euroregions have administered EU programmes (CREDO, SPF). As far as subregional and cross-border co-operation on the Eastern border is concerned, attention should be also given to the work of the various regional and sub-regional organisations, which provide impetus and give ideas for concrete co-operation initiatives. This is in more details outlined in the "Practical Guide to Cross-border Co-operation", Guide 2000, Regional Policy, European Commission and AEBR.

In the above context, one should also recall that the Association of European Border Regions (AEBR) has, *inter alia*, adopted the following principles for successful cross-border co-operation: *partnership; subsidiarity; the existence of a common cross-border development concept or programme; and joint structures on regional/local level and independent sources of financing*. These principles, which are generally recognised, form the basis requirements for European aid programmes. Consequently, “*cross-border co-operation does not mean that neighbouring border regions first develop their individual programmes, priorities or projects independently of each other at national level and only later contact their partners on the other side of the border in order to have them become involved. It is not enough to simply co-ordinate national plans or add a few project proposals and call this a cross-border programme or project. Nor should cross-border co-operation take place merely because external sources of funding are available, although this will naturally act as a significant incentive and stimulus to co-operation*”<sup>60</sup>. In the light of this, one should also recall on the added value of cross-border co-operation, which is usually generalised in the following way:

- i. *European added value* arises from the fact that in the light of past experience, people who are living together in neighbouring border regions want to co-operate and thereby make a valuable contribution to the promotion of peace, freedom, security and the observance of human rights.
- ii. *Political added value* involves making a substantial contribution towards:
  - the development of Europe and European integration;
  - getting to know each other, getting on together, understanding each other and building trust;
  - the implementation of subsidiarity and partnership;
  - increased economic and social cohesion and co-operation;
  - preparing for the accession of new members;
  - using EU funding to secure cross-border co-operation via multiannual programmes, and ensuring that the necessary national and regional co-financing is committed in the long term.

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<sup>60</sup> This is in more details outlined in the “Practical Guide to Cross-border Co-operation”, Guide 2000, Regional Policy, European Commission and AEER.

- iii. *Institutional added value* entails:
- active involvement by the citizens, authorities, political and social groups on both sides of the border;
  - secure knowledge about one's neighbour (regional authorities, social partners, etc.);
  - long-term cross-border co-operation in structures that are capable of working efficiently:
  - as a vertically and horizontally functioning partnership, despite having different structures and areas of responsibility;
  - as a legally accepted target of aid and a working partner, receiving and administering funds;
  - joint drafting, implementation and financing of cross-border programmes and projects.

Experience gained throughout Europe shows that jointly developed programmes and projects can be most effectively implemented and realised if the regional and local partners play a considerable role.

- iv. *The socio-economic added value* becomes apparent in the respective regions, albeit in different ways, through:
- the mobilisation of endogenous potential by strengthening the regional and local levels as partners for and initiators of cross-border co-operation;
  - the participation of actors from the economic and social sectors (for example, chambers of commerce, associations, companies, trade unions, cultural and social institutions, environmental organisations and tourism agencies);
  - the opening up of the labour market and harmonisation of professional qualifications;
  - additional development, e.g. in the fields of infrastructure, transport, tourism, the environment, education, research and co-operation between small and medium-sized enterprises, and also the creation of more jobs in these areas;
  - lasting improvements in the planning of spatial development and regional policy (including the environment);
  - the improvement of cross-border transport infrastructure.
- vi. *Socio-cultural added value* is reflected in:
- lasting, repeated dissemination of knowledge about the geographical, structural, economic, socio-cultural and historical situation of a cross-border region (including with the media's help);

- the overview of a cross-border region afforded in maps, publications, teaching material, and so on;
- the development of a circle of committed experts (multipliers), such as churches, schools, youth and adult educational establishments, the conservation authorities, cultural associations, libraries, museums, and so forth;
- equal opportunities and extensive knowledge of the language of the neighbouring country or of dialects as a component of cross-border regional development and a prerequisite for communication.

In the above context, furthermore, one should also stress the mutual complementarity and interdependence of trans-frontier co-operation and local self-government: effective cross-border co-operation requires strong local self-government whereas the former is also a means towards strengthening and promoting local democracy. This approach is also shared and advocated by the Council of Europe, which states that at least a minimum legal security (basis) needs to exist, in order for local authorities to be able to engage in fruitful and equitable co-operation with their neighbours. Trans-frontier co-operation is part of the process of “empowerment” of local self-government institutions, insofar as it enables territorial communities and authorities situated on an international border to develop co-operation linkages instrumental to delivering better services, promoting social and economic development and realising the same potential of exchanges as is open to other local authorities. However, this empowerment entails that local competences of municipalities have to be accorded special consideration, in accordance with the principle of subsidiarity. Transfrontier co-operation can take place only in those fields for which the local authorities on both sides of the border have genuine competence.

In addition, one must particularly stress the importance of decentralisation to regional and local levels of self government which can contribute substantially to both political and economic stability. Politically, it is a method of diluting the concentration of power, providing some autonomy for disaffected minorities and improving the accountability of local public services. Decentralisation can also promote economic stability. By severing regional and local budgets from that of the State it becomes possible to introduce a hard budget constraint and effective financial discipline at all levels. It can also improve the efficiency of public expenditure, simply because it substitutes the local accountability of representative bodies for the very weak accountability of de-concentrated state agencies. It also provides incentives for the effective exploitation of local revenue sources, replacing the disincentives inherent in the former centralised and politically biased methods of local budget funding. These advantages can only be realised, however, if political and administrative decentralisation is

placed within an effective framework of fiscal decentralisation: local government finance is a major issue in the relationships between central and local government; there is no decentralisation without adequate funding.

The above provides for the background framework within which one may analyse the occurrence of the euroregions, which are today becoming an increasingly popular model for managing cross-border co-operation. The euroregions are often called *laboratories of the future European construction*, as they are supposed to verify and strengthen the legitimacy of the great moral, political, economic, and cultural projects of a United Europe. It is difficult, however, to define a model of euroregion because of the significant differences in size, in organisation and in membership of the transfrontier bodies existing on various borders of Europe. Irrespective of the absence of an internationally recognised legal description of a “euroregion”<sup>61</sup>, one may state that in European politics, a *euroregion* is a form of transfrontier co-operation structure between two or more countries. *Euroregions* usually do not correspond to any legislative or governmental institution, do not have power and their work is limited to the competences of local and regional authorities which constitute the euroregion. They are usually arranged to promote common interests across the border and cooperate for the common good of the populations.<sup>62</sup> *“The final goal of the cross-border co-operation process in Europe is the Euroregion. The fact that it currently represents the last step of this process does not imply that this will hold true in the future as well....., the beginning of cross-border co-operation may well coincide with the establishment of a Euroregion as the junction of multiple affiliations: to the states in terms of sovereignty, to Europe in terms of standardisation of the parameters for development and organisation, and to itself in terms of culture, economy and society. What is evident, at this point, is*

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<sup>61</sup> To solve the cross-border co-operation-related legal issues/problems, the Council of Europe developed agreements and models in the 1980s. These include the Outline Convention on Transfrontier Co-operation between territorial communities or authorities (the Madrid Convention of 1980) followed by two protocols (Additional protocol of 1995 and the Second protocol of 1998). Of course, the hallmark of this political revolution is the Council of Europe’s European Charter of Local Self-Government. The EU also pursued the harmonisation of many areas of law, and the national governments supported these developments with application treaties in the framework of the (CoE) Outline Convention and with special legal forms.

<sup>62</sup> The Association of European Border Regions sets the following criteria for the identification of euroregions: an association of local and regional authorities on either side of the national border, sometimes with a parliamentary assembly; a transfrontier association with a permanent secretariat and a technical and administrative team with own resources; of private law nature, based on non-profit-making associations or foundations on either side of the border in accordance with the respective national law in force; of public law nature, based on inter-state agreements, dealing among other things, with the participation of territorial authorities.

[http://www.coe.int/T/E/Legal\\_Affairs/Local\\_and\\_regional\\_Democracy/Transfrontier\\_co-operation/Euroregions/2Definition.asp](http://www.coe.int/T/E/Legal_Affairs/Local_and_regional_Democracy/Transfrontier_co-operation/Euroregions/2Definition.asp)



*that the Euroregion is an institutional and functional instrument of action in the cross-border area to foster co-operation*"<sup>63</sup>. Euroregions have proved over the years to be an effective tool for objective setting, project drafting and implementation and capacity building at local level. They do not aim to replace existing administrative or political institutions or create additional tiers of government, but to provide the forum where common vision and strategies for the participating entities can be adopted. Strategic planning and project management capabilities are the main features of successful euroregions, as regards both internal development and access to funding opportunities established by the EU.

## 1.2 SOCIAL AND POLITICAL BACKGROUND OF EUROREGIONAL CO-OPERATION IN SOUTH EASTERN EUROPE

The regional picture in the South Eastern Europe region (in terms of trans-frontier co-operation) has been different from that of the Central European and Baltic contexts. Therefore, in analysing this issue in South Eastern Europe, one must start with what constitutes this region (consisting of a heterogeneous group of countries) with its own historical, cultural, security, political and socio-economic regional identity<sup>64</sup>. In this regard, one should recall that the process of regional co-operation in SEE has been hampered by major security and ethnic obstacles, political and economic impediments: during the 1990s, consecutive wars in the former Yugoslav region made regional co-operation almost unthinkable and, at the same time, increased its urgency and necessity. For several SEE countries, the issue of cross-border co-operation is a consequence of newly drawn international boundaries between countries that belonged previously to the same State; in a number of cases, the new border-line has divided existing municipalities. In this new context, cross-border co-operation may be a way to restore links and trust between communities by the realisation of projects benefiting to each. Yet, the still sensitive post-interethnic conflict situation in "the former Yugoslav Republic of Macedonia", the still undefined status of Kosovo, the delicate post-Dayton ethnic and constitutional balance in Bosnia-Herzegovina or the still existing endurance of extremist forces in most of the countries in the region and the underdeveloped economic structures

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<sup>63</sup> Please see the "Cross Border Co-operation in the Balkan-Danube Area: An Analysis of Strengths, Weakness, Opportunities and Threats" (Council of Europe, ISIG, 2003).

<sup>64</sup> Yet it is a regional identity which is mostly defined in negative terms based on economic backwardness, political incompetence and lack of security, to the point that the notion of '*Balkanisation*' entered the political parlance to denote conflict-prone and un-civilised way of conducting any kind of affairs (from the personal to the state, regional or international).

across all the region constitute today the major challenges in the process of regional co-operation.

In addition to the above, one should also recall that South East Europe has a millennia-old history and culture. Being the crossroads of civilisations and religions throughout the centuries, the region has been acting as a natural link between the East and West. This accounts for the wealth of its cultural heritage. The region boasts remarkable cultural treasures with unique identity. The cultural and historical heritage that has survived highlights distinct cultural corridors, dating back hundreds and thousands of years. These are the axes of age-old cultural and economic links in the region that have been preserved until this day<sup>65</sup>. In recent years the cultural corridors started to be regarded as a unique cultural phenomenon, affording new political, economic and social opportunities for the development of countries in the region. On one hand, they represent a system of cultural values and historical links born of the cultural exchange and dialogue among countries in the region. On the other hand, they could be packaged as a complete cultural and tourist product, combining the cultural values with the tourist, transport and information infrastructure. However, the present state of the cultural heritage in the region is disturbing because of its fragmentation within the closed national and local systems, rather than being seen in the existing trans-national cultural corridors. There has been a deficit of effective regional co-operation for a coordinated protection and use of the existing cultural resource<sup>66</sup>.

Against this negative background, the potential for regional co-operation has very recently, however, gained a new momentum, following the more committed EU approach and the significant domestic political changes in the region. Namely, and in summarising the actual state of affairs relating to trans-frontier co-operation in the Balkan region, one should firstly underline that a number of relevant European political developments took recently place which contributed to (*among others*) further encouraging and reinforcing cross-border co-operation among the states/border areas in the South Eastern European

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<sup>65</sup> These cultural corridors recognise no borders. They start from the Adriatic, run through several countries and end up at the Black Sea. Or, they start from the Mediterranean and reach the Carpathians. Others run parallel to the Danube River. The corridors date back to various ages and have been created by various civilisations.

<sup>66</sup> Please see the background and objectives of the Regional Forum on “CULTURAL CORRIDORS IN SOUTH EAST EUROPE: *Common past and shared heritage - a key to future partnership*”, as was held in Varna (Bulgaria, 20 - 21 May 2005) and under the patronage of Mr. Georgi Parvanov, President of the Republic of Bulgaria, Mr. Koichiro Matsuura, Director General of UNESCO and Mr. Terry Davis, Secretary General of the Council of Europe.

region. This includes particularly the Chisinau Political Declaration (6 November 2003), the last EU-enlargement with its 10 new member-states (in May 2004), which included among others Hungary, the EU's membership-related candidate status given to Romania, Bulgaria and Croatia, as well as the EU membership perspective for the Balkan states<sup>67</sup>. Consequently, one may state that the current international climate of new regionalism is currently more highly conducive to regional co-operation, a trend that current local actors cannot ignore: many countries in the region have become members of various new regional European groupings like the Black Sea Economic Co-operation (BSEC), the Central European Initiative (CEI)<sup>68</sup>, the Central European Free Trade Area (CEFTA), the Adriatic-Ionian Initiative (AII)<sup>69</sup>, etc. More importantly, their shared will to become members of influential organisations such as the EU, NATO, OSCE or the Council of Europe<sup>70</sup> denotes common

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<sup>67</sup> At the Zagreb Summit (November 2000) of leaders from the EU and the countries of the Western Balkans, the region confirmed its full commitment to the Stabilisation and Association Process (SAP).

<sup>68</sup> The CEI Working Group on Interregional and Cross-Border Cooperation (WG on ICBC) is a relatively young CEI Working Group. The main goal of the WG is to promote ICBC in CEI countries as a means to develop good-neighbourly relations, stabilisation, security and prosperity. The group intends to examine the status of ICBC in the CEI region and to encourage the exchange of experience in this field. In this context, one should also stress the CEI's contribution to the European Conference "25th Anniversary of the Madrid Outline Convention", Warsaw 21-22 April 2005. In a changing European environment and with the opening of the frontiers the Working Group on Interregional and Cross-border Cooperation has gained new relevance. The latest WG Meeting in Szczecin (Poland) on 14-15 October 2004 mainly focused on the work on a CEI Common Position Commemorating the 25th Anniversary of the Madrid Convention as a testament to the great importance that the countries of Central and Eastren Europe assembled within the CEI attribute to cross-border co-operation which "*constitutes an essential part of the European integration process as an effective tool for overcoming historic divisions, eliminating stereotypes in mutual perception and strengthening good-neighbourly relations between nations*" The CEI Common Position was presented at the Conference "25th Anniversary of the Madrid Outline Convention" organised in Warsaw on 21-22 April 2005 in the framework of the Polish Chairmanship Committee of Ministers of the Council of Europe. Also, this includes The Krakow Declaration on the role of interregional and cross-border cooperation in enlarged Europe, as was adopted at the International Conference on Cross-border Cooperation (October 2003 in Krakow) organised by the Polish 2003 CEI Presidency in cooperation with the Council of Europe. As a follow-up of the Krakow conference, in 2004 the Council of Europe has drawn up a special document, which contains a number of suggestions for a draft Action Plan, entitled "The Council of Europe and the consequences of the enlargement of the European Union: Elements for an Action Plan to develop transfrontier cooperation at the external border of the European Union"

<sup>69</sup> The round tables which present the framework of AII activities are the following: the fight against organised crime; protection of the environment and sustainable development; economy, tourism and small and medium-sized enterprises; transport and maritime co-operation; culture and education and interuniversity co-operation. In May 2004, the AII presidency was assumed by Serbia and Montenegro, for a period of one year.

<sup>70</sup> Bosnia and Herzegovina and Serbia and Montenegro joined the Council of Europe in the year 2003.

political interests and similar attitudes towards the international environment. Moreover, the external pressure for regional co-operation, in the form of conditionality, has been acting as an additional impetus for co-operation among the Danube<sup>71</sup> and SEE countries. Especially following the end of the Kosovo war, regionality as a designated international policy towards SEE has been promoted through the Stability Pact for SEE<sup>72</sup>, South Eastern Europe Cooperation Process (SEECP) and the EU-related Stabilisation and Association Process. The Council of Europe has been playing a crucial role in this context, and its most recent important inputs include the 14th session of the Conference of European Ministers responsible for local and regional government (Budapest,

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<sup>71</sup> The initiative was launched by Austria and Romania in 2002, with the support of the European Commission and the Stability Pact for South-Eastern Europe. DCP involves the following members: Austria, Bosnia and Herzegovina, Bulgaria, Czech Republic, Croatia, Germany, Hungary, Moldova, Romania, Slovenia, Slovakia, Serbia and Montenegro, and Ukraine. The purpose of the initiative is to coordinate various activities associated with Danube and the Danube River Basin, particularly in the areas of transport, environmental protection, economy and tourism. Conferences at the level of foreign ministers and business conferences held every two years provide the framework for co-operation in the region. 2003.

<sup>72</sup> The recent most relevant Stability Pact-related developments include:

- **Promoting Free Trade in SEE:** by signing a Memorandum of Understanding on Liberalisation and Facilitation of Trade in June 2000, governments of the region made an important step towards the establishment of free trade in SEE. In a record of 15 months, 21 bilateral free trade agreements between seven countries (Albania, Bosnia-Herzegovina, Bulgaria, Croatia, “the former Yugoslav Republic of Macedonia”, Romania, Serbia-Montenegro) were negotiated (February 2003), thereby enlarging small markets of national economies into a free trade area of 55 million consumers by mid-2004. Today, a total of 28 FTAs have been completed (including Moldova);

In addition, the ten SEE Governments have committed themselves to creating a regional energy market. The long-term goal is the full integration in the internal energy market of the EU. In November 2002, the groundwork was laid in Athens for the electricity sector. In November 2003, the agreement was extended to gas. The MoU now in place is expected to be transformed into a legally binding treaty. Results will include an increased reliability in energy supply, a more rational use and expansion of the existing infrastructure, opportunities for private investment and more competitive consumer prices.

- Launching of the ***Ohrid Conference on Border Security and Management*** as was hosted (on **22-23 May 2003**) by the Macedonian Government and supported by NATO, EU, OSCE, and the SP. It ended with adoption of a Common Platform on Border Management and Security for the SEE;

- Launching of the ***“Migration, Asylum Return of Refugee Initiative”*** (MARRI) Programme of Action, promoting closer regional co-operation for comprehensive migration, asylum and refugee return (Refugee Return has been highly successful in the years 2000-2003. This led to the decision to roll refugee and displaced persons matters over into the standard development procedures in economic and social terms, focusing at the same time on issues of sustainability. To address the new challenges in the domain of migration and displacement, the first regional forum on asylum, migration and sustainable return in the context of the SEECP decided in Herzeg-Novi on 5 April 2004 to establish a Regional Center in Skopje for MARRI (Migration, Asylum, Refugees Regional Initiative) issues. This increases considerably the degree of regional ownership of the MARRI process;

- Inauguration of the Regional Office of the Anti-Corruption Initiative SPAI in Sarajevo (27 October, 2003);

24-25 February 2005), the 25<sup>th</sup> Anniversary of the Madrid Outline Convention – The Role of Transfrontier and Interterritorial Co-operation in the process of Integration and Unification of the Continent (as held in Warsaw, 21-22 April 2005) and the Third Summit of Heads of State and Government of the Council of Europe (Warsaw on 16-17 May 2005) which concluded by adopting a political declaration and an Action Plan laying down the principal tasks of the Council of Europe in the coming years. In the aforesaid context, one should also mention the Forum of Cities and Regions of South East Europe.

In the above context, one should particularly single out the European Union, which in particular is promoting sub-regional co-operation in the Balkans as a means of preparing states in the region for future accession. Namely, at the Thessaloniki Summit<sup>73</sup>, the EU reaffirmed its commitment to the integration into the Union of the countries of the Western Balkans. The Stabilisation and Association process (SAP) was enriched by including salient aspects of the enlargement strategy, so that it can better meet the new challenges. The Thessaloniki Agenda introduced an array of new instruments to support the reform process in the Western Balkan countries and to bring them closer to the European Union. The most far-reaching of these new instruments are the European Partnerships, inspired by the Accession Partnerships for the candidate countries. The first set of European Partnerships was approved in 2004: by identifying short and medium-term priorities which the countries need to address, the European Partnerships are designed to help the Western Balkans countries with their reforms and preparations for future membership. Regional co-operation constitutes an essential element of the SAP: *enhanced regional co-operation is recognised as a qualifying indicator of the Western Balkan countries' readiness to integrate into the European Union*<sup>74</sup>. To date, only Croatia and “the former Yugoslav Republic of Macedonia” have signed Stabilisation and Association Agreements (SAA) with the EU. The other SEE

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<sup>73</sup> Thessaloniki Agenda for Western Balkans, GAERC 16 June 2003. Council Conclusions.

<sup>74</sup> The EU's policy objectives are principally: to encourage the countries of the region to behave towards each other and work with each other in a manner comparable to the relationships that now exist between EU Member States. An important means to this end will be the establishment of a network of close contractual relationships (conventions on regional co-operation) between the signatories of Stabilisation and Association Agreements, mirroring the bilateral relationship with the EU as represented by the Stabilisation and Association Agreements. the creation of a network of compatible bilateral free trade agreements which means that there are no barriers to goods moving between the countries of the regions themselves nor with the EU and, in effect, neighbouring candidate countries; the gradual re-integration of the Western Balkans region into the infrastructure networks (TENS) of wider Europe (transport, energy, border management); to persuade the authorities in the countries of the region to work together to respond effectively to the common threats to the region's and the EU's security which come from organised crime, illegal immigration and other forms of trafficking. In many cases, e.g. on visa policy, a common approach by all the countries will be needed to deal with the threat effectively.

countries are presently also expected to follow this process accordingly, i.e. once they achieve the required progress on reform<sup>75</sup>. In this regard, furthermore, of a special importance are the relevant EU programmes (Phare, national & regional CARDS), as well as the INTERREG Neighbouring programmes<sup>76</sup>. Consequently, one should add that the recent EU enlargement gives the region more possibilities to participate in INTERREG and CBC Phare, within the framework of the EC Neighbourhood Programmes<sup>77</sup>, but at the same time the changing of the EU borders makes the issue of the visa regime among the central ones<sup>78</sup>.

Based on the abovementioned, one may easily state that cross-border co-operation has become part of the European dimension of local self-government in all Balkans countries concerned. Most recently, it was the process towards, and the follow up of, the Zagreb Ministerial Conference on Effective Democratic Governance at the Local and Regional Level, in October 2004, which revealed both prospects and shortcomings regarding local democracy /

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<sup>75</sup> In this context, one should also stress that the most recent positive *avis* of the European Commission on the Macedonian application for EU membership (as issued on the 9 November 2005) is a positive sign to the region as a whole and should be seen by the countries of Western Balkans as a clear indication of the European Union's firm commitment to the region. This has also recently been reinforced by the start of negotiations with Croatia on EU membership and with Serbia and Montenegro on a Stabilisation and Association Agreement. The prospective opening of such talks with Bosnia and Herzegovina and the ongoing negotiations on the Stabilisation and Association agreement with Albania, which are well on track, show that the whole region is clearly moving in the right direction.

<sup>76</sup> In this regard, one should particularly stress the importance of the Regional Strategy Paper (RSP) for 2002-2006, and its three year Multi-annual Indicative Programme (MIP) for 2002-2004. Following the MIP, this programme identifies four areas for support at regional level, namely: integrated border management, institutional capacity building, democratic stabilisation and regional infrastructure development.

<sup>77</sup> Nine new cross-border and neighbourhood programmes between regions in the ten new Member States, accession countries and third countries were adopted by the European Commission at the end of 2004 as part of the European Regional Policy. A total of 57 million citizens live in the border regions covered by the programmes, which link (among others): Hungary, Romania and Serbia & Montenegro; Slovenia, Hungary and Croatia. They aim at strengthening economic, social and territorial co-operation in the regions and across the frontiers. The total available funding from EU sources for the period 2004-2006 amounts to EUR 260 million, the bulk of which (EUR 215 million) will come from European Regional Policy's cross-border initiative INTERREG and the rest from financial instruments for accession and third countries (Taxis, Phare and CARDS). The Unions resources will be combined with another EUR 76 million from national and regional sources. MEMO/05/22, Brussels, 26 January 2005.

<sup>78</sup> In this regard, please see the Report of the Zagreb (2004) South-Eastern Europe Regional Ministerial Conference which states that "challenges and objectives for the development of effective democratic local government include (*among others*) the visa requirements and lack of adequate cross-border facilities limiting the number of contacts, the volume of exchanges and the working opportunities for would-be cross-border commuters". Please also see the Progress Report of (Stability Pact for SEE) LODÉ/CBC Task Force Working Table I, meeting in Sofia, 17<sup>th</sup> May 2005.

cross-border co-operation-related issues in SEE. As was stated at the conference: “*Generally speaking, all Stability Pact-related countries have adopted legislation establishing democratic institutions of local self-government and procedures of citizen participation. Legislation at times needs to be improved in order to guarantee self-government rights; as this is largely a technical issue, it does not receive elaboration here. As well, the neutrality of the public service requires reinforcement. Above all, in some countries, ethnic divisions negatively affect the functioning of local institutions*”. In addition, one should also stress that SEE governments concluded the drafting of the Work Programmes for Better Local Governance in February 2005, in close co-operation with the Council of Europe, underlining the commitment of the central political authorities to reform and to build local capacities. Additionally, a dialogue was started between the national governments, the local authorities, their associations and the local communities, regarding the immediate needs and the future planning of local governance. Thus, the further implementation of legislation reforms on local governance, capacity building, raising awareness on decentralisation, strengthening professionalism, transparency and accountability of local administration and improvement of its services, enforcement of the dialogue between all parties concerned, development of local leadership and strategic management, ensuring the participation of local civil society, are all challenges that the states concerned and the international organisations, especially the Council of Europe<sup>79</sup>, are presently dealing with<sup>80</sup>. This also concerns the states in the Danube area, the prospects regarding local democracy/cross-border co-operation-related issues of which may be seen (*among others*)

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<sup>79</sup> More recently, it was the “25<sup>th</sup> Anniversary of the Madrid Outline Convention – The Role of Transfrontier and Interterritorial Co-operation in the process of Integration and Unification of the Continent (as held in Warsaw, 21-22 April 2005)” which constituted (*among others*) an important opportunity to take stock of the Madrid Outline Convention-related issues. *Please see the Conference Chairperson’s Conclusions.*

[http://www.coe.int/t/E/Legal\\_Affairs/Local\\_and\\_Regional\\_Democracy\\_new/Documentation/Librarv/Transfrontier\\_Cooperation/warsawconference.asp#TopOfPage](http://www.coe.int/t/E/Legal_Affairs/Local_and_Regional_Democracy_new/Documentation/Librarv/Transfrontier_Cooperation/warsawconference.asp#TopOfPage)

<sup>80</sup> It is very positive that the international community has shown an increasing interest in local democracy in SEE. In this regard, and in addition to the EU (through EuropeAid and the European Commission’s regional offices supports specific projects on local democracy in SEE) one should in particular underline the CoE-Congress of Local and Regional Authorities (CLRA) which has been working closely with local elected representatives, the World Bank and the OSCE Missions which have also underlined the importance of fostering local democracy during the last few years, the Network of Association of Local Authorities of South Eastern Europe (NALAS) has also been playing an important role, as well as the non-governmental organisations and Local Democracy Agencies (LDAs) which have been partners in projects that promote citizens’ access, social cohesion, and equitable economic sustainable development.

in the context of most recent conferences as organised within the International Scientific Forum “Danube - River of Cooperation”<sup>81</sup>.

In concluding, however, one must also recall that cross-border co-operation can not, and should not, be viewed only as a result of the EU strategy, supported by its instruments such INTERREG, PHARE CBC and TACIS CBC since it should be is a consequence of the institutional development, where new actors and institutions are generated on the basis of existing opportunities and constraints, i.e. other elements are also necessary for successfully strengthening CBC, such as appropriate legislative frameworks on local governance, local administration reform and capacity building, and political support of the central government<sup>82</sup>.

Taking into account the abovementioned, one may still affirm that the Balkans’ current regional landscape is marked by conflicting indicators: there are some hopeful signs of the normalisation of the political, economic and social life and the rise of more moderate forces in internal politics (*on one hand*) and ethnic mistrust, discrimination and lingering territorial claims amid undefined and

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<sup>81</sup> This Forum, emerged out of decades-long research in international relations and regional co-operation, started with the first conference “Danube - the River of Co-operation” in 1989. Since then almost a thousand participants took part in conferences, roundtable discussions and projects of the International Scientific Conference “Danube - River of Cooperation”. So, it has become a significant non-formal regional co-operation of scientists and other experts in international relations, economy, transport, energy, tourism, water-management, forestry, ecology, culture and cultural policy.

The 14<sup>th</sup> International conference was devoted to “Cross-border and regional cooperation on the Middle Danube” (13-15 November 2003), and it was aimed at reviewing the actual situation of cross-border and regional co-operation in the Middle Danube region, and to consider opportunities offered by different types of co-operation. The accent was placed on euroregions, and the linking of local communities within the framework of the action of “Twinning of the Cities”; other questions included how to strengthen good relations between neighbour states, and bring them closer to the European Union. The Conference also considered problems hindering cross-boundary relationships and co-operation, such as the boundary issues on the river Danube between Croatia and Serbia & Montenegro, questions triggered by the entrance of Hungary in the EU, etc. The accent was on finding the best way of dealing with such problems in the spirit of good neighborhood and respecting European criteria, as well on the promotion of joint actions in the fields of environment and economic development. Similarly, the XV International Conference “Danube – River of Cooperation” took place on 27-31 October 2004 (Belgrade - Novi Sad – Smederovo) under the title “Tourism as the Basis of Regional Cooperation, Good Neighbourhood and Sustainable Development in the Danube Region” with the slogan “*Danube-Connection*”. Please see the Final Documents as adopted at these two last conferences on the web-site: International Scientific Forum “Danube – River of Cooperation”: <http://danube.cjb.net>

<sup>82</sup> Please see the Progress Report of (Stability Pact for SEE) LODE/CBC Task Force Working Table I, meeting in Sofia, 17<sup>th</sup> May 2005.

[http://www.coe.int/t/E/Legal\\_Affairs/Local\\_and\\_Regional\\_Democracy\\_new/Documentation/Library/Transfrontier\\_Cooperation/Sofiaconference.asp#TopOfPage](http://www.coe.int/t/E/Legal_Affairs/Local_and_Regional_Democracy_new/Documentation/Library/Transfrontier_Cooperation/Sofiaconference.asp#TopOfPage)



confusing borders (*on the other*)<sup>83</sup>. Under these general circumstances, all countries from the SEE region are presently implementing their local and regional governance, decentralisation and internal territorial reforms as they seek to consolidate their democratic institutions, strengthen citizens' participation and build effective and democratic local government. The enhancement of local authorities' capacity complements the efforts of the central governments to enforce stability and to promote sustainable social and economic development<sup>84</sup>. Promoting transborder co-operation between local and regional authorities in South Eastern Europe is an additional and very important way to contribute to the development of the spirit of regional co-operation. In this regard, one should take into consideration the incentives to such co-operation<sup>85</sup>: the existence of regional issues and shared problems derived from

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<sup>83</sup> "At present, however, cross-border co-operation is very limited at the city level, which is precisely where its impact might be most noticeable. In a number of countries, this is the consequence not only of distrust, but also of the limits of local self-government itself: little autonomy with regard to the centre, lack of resources, and unclear responsibilities. The progress of decentralisation should naturally support co-operation among municipalities of neighbouring countries. A more general impediment to cross-border co-operation is the lack of a legal framework. The Madrid Convention of the Council of Europe on cross-border cooperation developed such a framework; however, several countries of the region have yet to ratify this convention ("the former Yugoslav Republic of Macedonia", the Union of Serbia and Montenegro and Bosnia and Herzegovina).. a limit to the development of cross-border co-operation results from the fear that this opportunity will be misused to establish co-operation based (solely) on ethnicity or kinship. A response to overcome this obstacle would be to develop agreements between the states concerned, which would specify the matters and the purpose of cross-border co-operation between local self-governments". (This is based on the Report of Mr. Stefan Sofianski (Rapporteur), **Les enjeux de la démocratie locale en Europe du Sud-est**, Congrès des Pouvoirs locaux et régionaux, 11e session, CG(11)7, partie II, 28 Avril 2004).

<sup>84</sup> Effective democratic local government requires a reshaping of state institutions and public administration. It requires, *inter alia*, the following: competent local authorities to deliver quality services that local people need; citizen participation to ensure local accountability; local sustainable economic development to provide resources to support good local government; social cohesion to ensure the harmony necessary for good local government. Such reforms go in parallel with the reform of public finance. While strong budgetary discipline and price stability remain essential, fiscal decentralisation helps in creating the capacity of local self-government to deliver the kind of effective, democratic local government that local people need.

<sup>85</sup> Many factors can contribute to co-operation in any given region. These include: geography and physical proximity; common history and heritage; cultural and social cohesiveness in terms of ethnicity, race, religion or popular culture; economic cohesiveness in terms of trade patterns and economic complementarity; common membership in international organisations or common goals to join the same international organisations; external pressures from influential states and international organisations; common and regional issues and problems; an economic relationship with a legal framework; the need to create a security regime in an area of potential instability and conflict. Several or all of these factors, may, at one point or another, contribute to more advanced forms of co-operation. Common geography and immediate neighbourliness are the first and most obvious factors conducive to cross-border co-operation in SEE. Moreover, most of the Balkan countries share some common historical experiences such as the Ottoman conquest and the more recent communist experience which had a common impact in the political culture and economic structures

the transition, under-development and the lack of security in the region is recognised as a major factor stimulating co-operation<sup>86</sup>. Regional issues are understood as those which require collective and multilateral action by some or all the states in the region in order to achieve benefits which cannot be attained by individual states acting in isolation. As such, the development of regional infrastructure related to transportation, energy and communications networks, appear as major regional incentives to co-operation and convergence. In this regard, one should particularly stress that the need for further planning and the prioritisation of transport links, and for ensuring the compatibility of technical standards and border-crossing procedures in South East Europe was recognised at an early stage. Namely, following a strategy paper produced by the European Commission and entitled “Transport and Energy Infrastructure in South East Europe in 2001”, a process was started which culminated in the 11 June 11 2004 signature of a Memorandum of Understanding (MoU) on the Development of a South East Europe Core Regional Transport Network. The signatories of this MoU, representing the countries and entities of the region and the European Commission, committed themselves to co-operate for developing a regional transport network in SEE. The MoU provides for reciprocal consultations on transport policy and for institutional reforms needed to make investments sustainable; and paves the way for the implementation of a major infrastructure programme to develop the Core Network.<sup>87</sup>

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of Balkan countries, which today face similar developmental and transition features. This enables governments and peoples in the region to understand each other better and appreciate each other’s needs and interests.

<sup>86</sup> Following the wars in Croatia, Bosnia, Kosovo and the internal conflict in “the former Yugoslav Republic of Macedonia”, post-war reconstruction has added an additional dimension to the shared needs of the region. Security problems and externalities triggered by the wars such as crime, corruption, illegal immigration and cross-border environmental damages are considered regional in character and are, therefore, being addressed in a regional context.

<sup>87</sup> This Core Network has been agreed among the countries in line with the technical Regional Balkans Infrastructure Study (REBIS-Transport) finalised in 2003. The REBIS is aimed at assisting the SEE countries in developing coherent strategies for transport infrastructure development and at identifying priority investment in transport infrastructure. The REBIS study estimated a total of €4 billion for upgrading the existing road network to a level compatible with forecasted traffic by 2015 and a total of €12 billion for similarly upgrading the railway network. It includes 4300 km of railways across the five SEE countries, 6000 km of roads, major ports and airports, and, the inland waterways Danube and Sava. Ongoing and past activities of the members of the ISG already substantially support the development of the Core transport Network. ....There are 43 transport projects that have been included on the ISG list since it has been established, including those which have been completed (11) for a total cost of €3.43 billion. Almost half of this amount (€1.37 billion) has been in support of eleven projects in Bulgaria and Romania and Moldova, and located on *Corridors IV, VIII and IX*. All of the other 31 completed or ongoing transport infrastructure projects, representing €2.06 billion of investments, have supported the development of the Core Transport Network, most of them being implemented on *Corridor V* and on *Corridor X*. Please see the document “Regional Infrastructure Strategies and Projects in South East Europe”, Working

It is precisely within the framework of the abovementioned, where should also be added the most recent phenomenon of creating euroregions in this part of Europe within the broader framework of the ongoing regional co-operation in the region of South Eastern Europe. The emerging euroregions in this region appear as a response of the local and regional authorities to the lack of progress in institutional co-operation between countries of the region and their search for original solutions to slow economic and social development. In spite of a sometimes imperfect or incomplete legal architecture, these euroregions constitute an original attempt building up new solidarities and social, economic and cultural ties across the borders, involving political, economic and educational actors: counties and provinces, municipalities and their associations, sometimes established on an ad-hoc basis with limited geographical membership, chambers of commerce, universities, NGOs, etc<sup>88</sup>. Thus, the euroregions (and other related initiatives and processes) in this part of Europe have been recently providing a new impetus to cross-border co-operation in the area.

## II. Comparative analysis of selected euroregions' statutes<sup>89</sup>

**General observation:** *The following analysis would have been made easier if there was available a single European-wide formally recognised and/or recommended model of a euroregional statute. Consequently, and as seen from the normative-legal perspective, one may state that all of the selected euroregions' statutes have different contents following different methodological structure-related components thereof in terms of "chapters" and "sub-chapters", and thus, one specific issue may be found under different titles and/or under different chapters in the individual statutes concerned.*

The following analysis has been made from the following specific aspects / perspectives:

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Table 2 of the Stability Pact (Sofia, 17 May 2005), Office for South Europe, European Commission / World Bank; <http://www.seerecon.org>

<sup>88</sup> Please see the Explanatory memorandum on "Challenges for local democracy in South East Europe", as drafted by Rapporteur Stefan Sofianski (11<sup>th</sup> Plenary Session of CLRAE, 28 April 2004).

<sup>89</sup> The below analysis covers only the statutes of the following euroregions: "Nis-Skopje-Sofia", "Danube-Drava-Sava", "Belasica", "Morava-Pchinja-Struma", "Drina-Sava-Majevica" and "DKMT".

## 1) *Euroregions' statutes, preambles and general provisions*

With regard to their “preambles”, the selected euroregions’ statutes have different texts, reflecting the original intention of the very respective contracting parties. Some statutes however, do not have a preamble<sup>90</sup>, and in some cases, the preamble-like related text may be found within the statute’s provisions<sup>91</sup>. Furthermore, in the case of the statutes containing a preamble, one may see that some of them contain a reference specifically made to the Council of Europe (Madrid) “Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities” despite the fact that the relevant national states concerned (among which are the founding members of the euroregions concerned) have still not signed and / or ratified it<sup>92</sup>. In this regard, for example, the euroregion *Morava-Pčinja-Struma* Statute contains a reference within the text of Article 2 (“Main Aim of the Agreement”) and not in its preamble.

The above also applies to the “*general provisions*”-related matters which are differently regulated in the selected statutes. Namely, the statutes have differently regulated these matters either by creating a specific chapter entitled “general provisions” or through making specific relevant provisions under the different chapters. There are also cases where there is no specific chapter entitled as such, but these matters are defined under other specific chapters<sup>93</sup>. In this regard, furthermore, there is also a case where the statute itself does not follow the methodology of creating chapters but each of its articles has a specific title, which are, *de facto*, its chapters<sup>94</sup>.

In the above context, furthermore, not all statutes contain specific provision of “general provisions-type” regulating the euroregion individual members’ position in relation to their other relevant individual bilateral/multilateral relations and/or agreements. This is regulated for example in the Statute of Euroregion *Nis-Skopje-Sofia* (Article 2, paragraph 5) which stipulates that: “*Membership of the Euroregion does not prevent nor exclude its members from*

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<sup>90</sup> This is the case, for example, with the Euroregion “*Belasica*” and the “*Danube-Drava-Sava*” Euroregional Co-operation.

<sup>91</sup> For example, please see Article 1 (paragraph 1) of the “Agreement on cross-border co-operation and on establishing of the “*Drina-Sava-Majevisa*” Euroregion”, (under the “Basic Provisions” title), which looks like a preamble, and which reads: “*The signatories of this Agreement, based on the free will of their respective Municipal Assemblies, establish the cross-border cooperation.....*”.

<sup>92</sup> This is the case with the statutes of “*Nis-Skopje-Sofia*” and “*Morava-Pčinja-Struma*”.

<sup>93</sup> This is the case with the Statute of Euroregion “*Belasica*”.

<sup>94</sup> This is the case with the Euroregion *Nis-Skopje-Sofia*, and (in addition to the above), there is no article entitled “general provisions”.

*entering into any other bilateral or multilateral relationship or agreement with other members of the Euroregion or any other local authority not member of the Euroregion*". In this regard, a formally better and more suitable formulation may be seen with the Euroregion *Danube-Drava-Sava*, the statute of which (Article 3, paragraph 3, under chapter "Basic provisions") stipulates as follows: *"The Euroregional members shall respect individual interests to establish and develop bilateral co-operation with other non-Euroregional territorial self-government units provided that this co-operation is not contrary to this Statute and the basic stipulated Euroregional objectives"*.

In line with the abovementioned, one may also add the specifics of the following euroregions' statutes:

- Article 3.2. of the *Nis-Skopje-Sofia* statute stipulates explicitly that *"the Euroregion concerned does not constitute another authority or public entity, be it national or supranational"* and this may be considered as a very relevant and suitable point to be taken into consideration while drafting the future euroregion statutes, since it seems an appropriate point to be added in the broader Statutes' "general provisions" and/or where more suitable therein. Most of the selected euroregions' statutes do not contain such a provision<sup>95</sup>.

In the light of the abovementioned observations and comments, one may recommend / advise the following points:

\* Euroregion statutes should always contain a preamble, within which (*as a declarative part thereof*), a specific reference may be made to the relevant specific Council of Europe legal instruments (especially, the Madrid Outline Convention<sup>96</sup> and/or other relevant regional initiative/processes including the Stability Pact) and, in addition, to the other relevant specific points to be agreed by the contracting parties in terms of the genesis of their euroregion statute concerned. Where the contracting parties of euroregions are from the Council of Europe member states which have still not ratified the aforesaid Madrid Outline Convention, such as "the former Yugoslav Republic of Macedonia", Greece and Serbia and Montenegro, a reference should be made to the Council of Europe's Charter on Local Self Government, within which the principles of the local and regional authorities' right to co-operate and associate has been guaranteed accordingly;

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<sup>95</sup> Such a provision is laid down by the Article 3.2 of the Euroregion *Nis-Skopje-Sofia* Statute.

<sup>96</sup> Unlike the others, the Statute' preamble of Euroregion *Nis-Skopje-Sofia* contains such a specific reference to the Madrid Conference, and also such a reference is explicitly made in the preamble of the "Agreement on Cross-Border Cooperation and on establishing *Drina-Sava-Majevica* Euroregion".

\* the preamble part to be always followed by ‘general provisions’ as a rule, and this may include a variety of matters relating to the euroregions’ character, aims, objectives, insignia, and the like as agreed by the contracting parties;

\* the stipulation of a specific provision explicitly affirming that “the euroregion concerned does not constitute another authority or public entity” may be considered while drafting the future euroregion’s statute, and if accepted, it may be a part of the broader “general provisions” and /or where most suitable<sup>97</sup>;

\* statutes to contain a specific provision of “general provisions-type” regulating *the euroregion individual members’ position in relation to their other relevant individual bilateral/ multilateral relations and/or agreements*.

## 2) **Euroregions’ aims and objectives**

In principle, all the selected euroregions’ statutes contain their own original and specific formulations as to their respective aims and objectives, reflecting the original intention of the different contracting parties concerned<sup>98</sup>. Here, however, one may easily see some major differences in terms of to what detail / extent these matters are regulated; in this regard, for example, unlike almost all of the euroregions which include relevant entities from Macedonia, the Statute of Euroregion *Danube-Drava-Sava* contains far more comprehensive and very specific provisions as to its aims and objectives and on how to achieve these, and these matters are stipulated in close relation with the euroregion’s activities. The latter also applies to the statute of the euroregion “DKMT”. What is common for these two aforementioned statutes is that both of them include “improvement of the national minorities’ position on both sides of the border” among the fundamental bases under which the euroregional members’ common objectives are based<sup>99</sup>.

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<sup>97</sup> Most of the selected euroregions statutes do not contain such a provision.

<sup>98</sup> The Agreement on "Cross Border Cooperation and on establishing the *Drina-Sava-Majevica* Euroregion does not contain, however, such a provision.

<sup>99</sup> This is regulated by the Article 8 ("Cooperation Fundaments") of the Statute of Euroregion *Danube-Drava-Sava*. In this regard, please also see the Article 4 of the Euroregion "DKMT" which stipulates (*among others*) that cooperation will take into consideration and supporting the strengthening of minorities’ ethic rights..... in science, culture, education, civic relations, health and sport areas).

\* As a recommendation, the above issues should be covered in a comprehensive way and with as much detail as possible, and in this regard, the statutes of euroregions *Danube-Drava-Sava* and the “*DKMT*” may serve as a reference / suitable model for it. Furthermore, the general aims and objectives may also be incorporated in the Statutes’ preamble.

### 3) *Euroregions’ administrative / management structure*

There is no unique model of euroregions’ organisational structure. In principle, the selected euroregions’ statutes stipulate more or less the same or similar organisational provisions depending mainly on (and reflecting) the legal status of the specific members of the euroregion. In his regard, all euroregions have more or less the same and / or similar structures, which are given different titles, and consist of the appropriate administrative, executive and management bodies being charged with more or less the same and/or similar tasks concerned. Of course, all the statutes differ from one another in terms of the extent to which they regulate these matters.

\* As a recommendation in the light of the above, these issues should be covered in a comprehensive way and with as much detail as possible. In this regard, for example, the Statute of Euroregion *Nis-Skopje-Sofia* may serve an appropriate model to be followed while drafting the future euroregion statutes and/or while amending the existing one.

### 4) *Euroregions’ membership*

There is no unique model of euroregions’ membership, in fact, there is a variety of different and very specific member compositions in the selected euroregions. This aspect is also in very close relation with, and derives from, the type of the selected individual euroregion and its membership. The selected euroregions membership ranges from within the following options:

- “the relevant regional administrative units of the individual states concerned”<sup>100</sup>;

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<sup>100</sup> This is the case with the *DKMT Euroregion*, the Statute of which (in Article 1) stipulates that “the members of DMT regional co-operation are: Arad County (Romania), Bacs –Kiskun (Hungary), Bekes County (Hungary), Caras-Severin County (Romania) Csongrad County (Hungary), Hunedoara Conty (Romania), Jasz-Nagykun-Szolnok County (Hungary), Timis County (Romania) and Vojvodina Autonomous Province (Serbia).

- “the regional self-government units (counties and cantons) together with their relevant regional chambers of commerce or industry”<sup>101</sup>,
- “the national associations of local authorities of the states concerned”<sup>102</sup>,
- “the local self-government units from all countries concerned as organised in a specific single regional entity as specifically established according to the domestic law of one of those states, and which is specifically designed for the purposes related to the actual euroregion”<sup>103</sup>;
- “the unity of individual specific border-region organisations as established in all of the countries concerned accordingly”<sup>104</sup>.

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<sup>101</sup> This is case with the *Danube-Drava-Sava* Euroregional Co-operation, which was established (as stipulated in Article 2 of its Statute) "upon the affixation of signatures to the Euroregional Statute by Baranya County, County Seat of Pecs, and Pecs–Baranya Chamber of Commerce and Industry (from the republic of Hungary); Osijek-Baranja County, City of Osijek and the Croatian Chamber of Commerce-County Chamber of Commerce in osijek (from the Republic of Croatia) and Tuzla-Drina canton, Municipality of Tuzla and the Chamber of Commerce of Tuzla Region (from Bosnia and Herzegovina), as its founders".

<sup>102</sup> This applies to the Euroregion *Nis-Skopje-Sofia*, where the contracting parties include the respective national associations of local authorities in the Euroregion.

<sup>103</sup> This is the case with the Euroregion *Drina-Sava-Majevisa*, where (according to its Statute Article 2) there is a Regional Alliance established by municipalities from Bosnia and Herecegovina (i.e. Bjelina, Zvornik, Lopace, Ugljevak, Brcko District, Celic, Teocak, Srpsko Orašje, Sekovci and Pelagicevo), the Serbia and Montenegro (i.e. Loznica, Bogatic, Sabac and Mali Zvornik) and Croatia (i.e. Gunja and Drenovci). The Regional Alliance has a legal entity status.

<sup>104</sup> This is the case with the Euroregion *Belasica*, where (according to this Euroregion Statute, Article 1): the European cross-border region under the name Euroregion *Belasica* is a unity of three border-region organisations: Euroregion Struma (in “the former Yugoslav Republic of Macedonia” covering the municipalities Municipality of Strumica, Novo Selo, Bosilovo, Murtino, Vasilevo, Radovis, Valandovo, Kuklis, Regional Chamber of Commerce Strumica, Foundation of Small and Medium Enterprises Development – Regional center, NGO “DENICA”), non-profit corporation for regional and international cooperation "Aristotele" (in Greece covering the municipalities of Kilkis, Gallikos, Herso, Mouries, Chambers of Kilkis, Federation of Industries of Kilkis, Municipal Company for Watering & Drainage of Kilkis, Municipal Company for Tourist and Cultural Development of Kilkis, Action & Partners - Development Consultants) and Regional Association "Struma" (in Bulgaria covering the municipalities Petric, Sandanski, Blagoevgrad, Strumjani, Agency for Regional Development, Chamber of Commerce, Foundation "Izgrevat zvezdi", BISS "Blagovestie", Regional Youth Union, Union of transporters, KVZKACS "Nadezda", Foundation "Idei i Celi", Business Information Center, NGO South- East).

The above is also case with the Euroregion *Morava-Pchinja-Struma*, which is composed of the following three legal entities established in the three countries concerned: in Macedonia, there is the "Foundation for Crossborder Cooperation" as was originally established by the Foundation for Small and Medium-Sized Companies Development-regional centre –Kumanovo, the municipalities Sveti Nikole, Probishtip, Rankovce, Kriva Palanka, Kratovo, Delchevo, Kochani, Orashac, Staro Nagorichane, Valandovo, Lipkovo, the Regional Development Agency of the municipality Kriva



Most specific is the case of the Agreement on Cross-Border Co-operation and on Establishing of the Euroregion *Drina-Sava-Majevica*, where there is a Regional Alliance as established by all of the specific municipalities from the countries concerned<sup>105</sup>.

In addition to the above, and in the case of “unity of individual specific border-region organisations”, one should also add that the euroregions’ individual members-organisations may not correspond to each other in terms of their type and activity, for example, in the case of the Euroregion *Morava-Pčinja-Struma* where the individual membership of the respective euroregion’s three national co-partners do not correspond with each other.

Furthermore, all statutes differ from each other in terms of their full and associate memberships. In most cases, the full membership in the selected euroregions is exclusively reserved for other entities of the same type as are the euroregions’ original founders<sup>106</sup>. In this regard, the statutes also differ from each other in terms of full membership-related procedure, while some statutes

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Palanka; in the Serbia and Montenegro, there is a "Fund for Trans-border Cooperation", as was established the municipalities of Leskovac, Lebane, Vlasotince, Medveđa, Bojnik, Crna Trava, Vranje, Vladichin Han, Trgovishte, Bosilegrad, Surdulica; and in Bulgaria, there is the Regional Association of Municipalities and NGOs "Struma" and as was originally established by the municipalities of Radomir, Treklino, Spareva banja, Dupnica, Nevestino, Trn, Zemen, Kocherinovo, the Association for Environment Protection and the Balkan Scientific protective Federation.

<sup>105</sup> According to Article 2 of the Agreement, *"the Regional Alliance is being established, within their borders, by the following municipalities:*

*from Bosnia and Herzegovina (municipalities: Bijelina, Zvornik, Lopate, Ugljevik, Celic, Teocak, Srpsko Orasje, Sekovci, Pelagicevo and the district Brcko);*

*from Serbia and Montenegro (municipalities: Loznica, Bogatic, Sabac and Mali Zvornik), and*

*from Croatia (municipalities: Gunja and Drenovci)".*

<sup>106</sup> For example, the Article 4.2 of the Euroregion *Nis-Skopje-Sofia* stipulates that *"full members are the local members of the respective national Association concerned"*, while its Article 4.3. stipulates that *"associate members are trade companies, universities, other legal entities having an interest in the development of trans-frontier cooperation"*. Similarly, the Statute of Euroregion *Danube-Drava-Sava* (in its Article 12) stipulates that *"each regional self-government unit, i.e. each local self-government unit equalized with a regional status, a regional self-government seat, and a regional chamber of commerce or industry, i.e. a congenial economic entities' association from the territory of the Republic of Hungary, Republic of Croatia and Bosnia and Herzegovina and other territories spatially gravitating to the Danube-Drava-Sava Rivers, thus comprising a spatial entity with the Euroregional area, may become a Euroregional member under the conditions and in the way stipulated by this Statute"*. And the same applies to the Statute of Euroregion *DKMT*, the Article 2 of which stipulates that *"any local administration and administration unit with regional responsibilities from the countries concerned, can become member... if they adhere to its purpose....."*.

do not contain such a provision in terms of “who and how may be given such a membership”<sup>107</sup>.

In the above context, and unlike the other statutes, the Statute of the Euroregion *Danube-Drava-Sava* envisages also the observer status<sup>108</sup>. In this context, one may add the fact that the some of the selected euroregions’ statutes contain more specific provisions on the “*associate members and their powers relating the work of the Euroregions*”. In this regard, one may cite a number of examples such as the Statute of *Nis-Skopje-Sofia* which does not specify “what specific rights shall be given to new associate members” and “under what more specific conditions<sup>109</sup>”; similarly, Article 4 (paragraph 4) of the Statute of Euroregion *Belasica* stipulates only that “*other members from Macedonia, Greece and Bulgaria may join the Euroregion....*” while there is other provision laying down “what specific entities may be given such a status and /or stipulating the possibility of granting an observer status for *what* entities under *what* conditions and with *what* powers”<sup>110</sup>.

Similarly, the statutes differs one from another in relation to their provisions as to the euroregions’ full membership-related cession: namely, some of them are “silent” on this matter<sup>111</sup> while the others regulate it to a very different extent<sup>112</sup>. In this regard, unlike most statutes, one may single out the Statute of Euroregion

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<sup>107</sup> This is the case with the Framework Agreement between Macedonia, Bulgaria and Serbia on Creation of Euroregion *Morava-Pchinja-Struma*, which neither stipulate the conditions for full membership nor make provision for associate membership. The same applies to the Agreement on Cross-Border Cooperation and on Establishing of the Euroregion *Drina-Sava-Majevisa*.

<sup>108</sup> See the Article 16 (paragraph 1), which stipulates that “*territorial self-governmental units and other interested institutions failing to fulfill the conditions from Article 12, i.e. wherefore a procedure pertinent to the recognition of the member status described in Article 13 of this Statute remained non-implemented or incomplete, may ask to obtain the observer status within the Euroregion*”.

<sup>109</sup> This issue is only regulated with Article 4.3 (which stipulates that “*associate members are trade companies, universities, other legal entities having an interest in the development of transfrontier cooperation*”) and Article 5.2 (which stipulates that “*in order to become an associate member, a company, university or legal entity must have its seat or the primary focus of its activities and interest in the geographical area of the Euroregion*”).

<sup>110</sup> Please see the Article 4 (paragraph 4) of its Statute, which stipulates that: “*other members (from Macedonia, Greece and Bulgaria, and other neighboring countries) may join the Euroregion Belasica with and only with the unanimous agreement of all former members*”.

<sup>111</sup> This is the case with the Agreement on Cross-Border Cooperation and on Establishing of the Euroregion *Drina-Sava-Majevisa*.

<sup>112</sup> For an example, the statute of the Euroregion *Morava-Pchinja-Struma*, i.e. its Article 3.3. only recognises “*the right of each member to cancel its membership upon a written request....*” without regulating in a more specific way the very reasons therefor. Similarly, the Article 5.4. of the statute of Euroregion *Nis-Skopje-Sofia* stipulates that “any member of the Euroregion has the right to resign from it without any other provision explaining the reasons concerned.

*Danube-Drava-Sava* which appears a more comprehensive one (when compared with all other statutes) in terms of dealing with this aspect of membership-related matters<sup>113</sup>.

Also, not all of the selected statutes regulate the issues concerning legal succession related to the euroregions' membership. In this regard, one may state that this matter is specifically regulated only by the statutes of Euroregions *Nis-Skopje-Sofia*<sup>114</sup> and *Danube-Drava-Sava*<sup>115</sup>.

Lastly, it is only the statute of Euroregion *Nis-Skopje-Sofia* which envisages the right of the euroregion members to suspend their membership<sup>116</sup>.

\* In light of the above, one may recommend / advise the following points:

a) all matters relating to the euroregions' full membership to be regulated in as much a comprehensive way as possible, and this should comprise all relevant matters such as the full member status acquisition, accession procedure and legal succession related thereto, as well as the members' rights and obligations; this may also include the right of the euroregion member to suspend its membership thereof for specific reasons to be also specified by the statute.

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<sup>113</sup> Please see its Article 17, which reads as follows:

*"Euroregional membership shall cede: provided that the Euroregion cedes to exist; provided that its member cedes to exist in the case stipulated by Article 14 (2); in case of membership withdrawal subsequent to the submittal of member's written affidavit; and in case of member's exclusion.*

*Membership status pertinent to an individual member may cede subsequent to its exclusion provided that a competent Euroregional body should establish that the member acts contrary to the association objectives stipulated by this Statute and infringes upon the Euroregional interests, i.e. inflicts a serious damage to the Euroregion, viz., provided that a decision in this respect be promulgated by the competent body".*

<sup>114</sup> This issue is regulated by Article 2 ("*Composition and geographical scope*") and not under either the Article 4 ("*Membership*") or Article 5 ("*Admission, suspension and resignation of members*"). The Article 2.4. reads as follows: "*In case of any amendment concerning the territorial organisation of the States that would affect the abovementioned local authorities and thus the regional scope of Association, the new authorities shall be identified upon the principles of succession in accordance with the domestic legislation of the State concerned*".

<sup>115</sup> Please see the Article 13 ("*Legal Accession*") of the Euroregion *Danube-Drava-Sava* Statute, which reads as follows:

*"In case of a territorial reorganization within a state whose territorial self-government units comprise the Euroregional members, whereby the borders or the Euroregional member's identity are being modified, the Euroregional membership status shall be continued by the unit, i.e. by the units, being the Euroregional legal successors.*

*Provided that a territorial unit is not a direct legal successor is being created in the territory of a heretofore Member, the new unit shall pass thru a renewed accession procedure".*

<sup>116</sup> Please see the Article 5.5., according to which: "*any member of the Euroregion can suspend its membership for good reasons for no longer than one calendar year.....*".

b) while doing the aforesaid, specific and comprehensive provisions and / or sub-chapters under the membership-related chapter to be always provided for in the statutes, dealing specifically with the associate membership (as described above) for specific entities, and simultaneously the idea of providing for the possibility of granting an observer status for specific entities to be always taken into consideration and inserted in the statutes accordingly;

c) the euroregions' membership to include always the local / regional authorities and their territorial corresponding chambers of commerce and industry, which may seem far more suitable, with a view to better achieving the euroregions' main aims and objectives;

d) in the case of the euroregions where there is a unity of individual specific border-region organisations as established in all of the countries concerned"<sup>117</sup>, it may be suitable if the statutes of those organisations are an integral part of the very statutes of those euroregions concerned"<sup>118</sup>.

e) in the context of the previous points, the role of relevant local and international / regional NGOs to be formally considered and recognised, that is, included in the euroregions' statutes, and / or provision on building-up private-public partnerships to be formally inserted therein with a view to better achieving the statutes' main aims and objectives. This may be done through signing a special Memorandum of Understanding between the euroregion and the NGO and scientific community since the latter should be more actively involved in the euroregions' relevant bodies. In this regard, the idea of granting "an observer status and/or associate member as a specific category of these actors" may also be considered as a suitable solution (see also the next point).

## 5) The use of official and working languages

Not all of the selected euroregions' statutes contain provisions on this matter<sup>119</sup>. Where such provisions exist, they are *de facto* a reflection of the euroregion membership, and most specific in this case is the Statute of Euroregion *Nis-*

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<sup>117</sup> See footnote 79.

<sup>118</sup> In the case of the Agreement on Cross-Border Cooperation and on Establishing of the Euroregion *Drina-Sava-Majevisa*, it may be more suitable if the Regional Alliance's Statute (as mentioned in Article 14, paragraph 2) is an integral part of the Agreement.

<sup>119</sup> Such a provision is not envisaged, for example, in the statutes of the Euroregions *Belasica*, *Morava-Pčinja-Struma*, and the same applies to the Agreements on Cross-Border Cooperation and on establishing of the *Drina-Sava-Majevisa* Euroregion.

*Skopje-Sofia*, which stipulates the use of official and working languages in a very detailed way<sup>120</sup>.

\* In terms of recommendation, one should particularly emphasise the importance of this provision in the euroregions' statutes, and this issue should be formally regulated by the statutes as comprehensively as possible, especially in the case where the external relations of the euroregion concerned is one of its national members (*see the next point*). It would appear suitable if the statute always contain provisions stipulating both the official and the working languages. This will be of relevance for, and should be in close relation with, those statutes' provisions dealing with matters relating to "statutes' interpretation".

## 6) *Euroregions' external communication*

Some statutes envisage that the euroregion's external relationships with third parties outside the euroregion's membership, shall be exercised by only one of its members. This is the case with the Euroregion *Morava-Pcinja-Struma*, where (as stipulated by Article 4.4. of its statute) such a task is given to the headquarters from the Macedonian side, which acts as an office-representative of the euroregion, communicating with other parties from outside the territories of the three states concerned. Also, this is the case with the Euroregion *Belasica*, where the headquarters of "*Aristotelis*" (the Greece founding organisation) is acting as a representative office of the euroregion concerning communications with third parties outside the respective countries. Both these statutes clearly regulate these offices' tasks and obligations related thereto, but neither of them specify the official and/or working language to be used while communicating to the others sides' headquarters about the correspondance and documentation received in the name of the euroregion (*see the previous recommendation*).

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<sup>120</sup> Please see the Article 3 (5) of the Statute of *Danube-Drava-Sava*, which stipulates that "the official Euroregional bodies' language shall be the languages of the Euroregional members". In this regard, more specific is the Statute of the Euroregion *Nis-Skopje-Sofia*, the Article 15 of which reads as follows:

"15.1. *The official languages of the Euroregion shall be Serbian, Macedonian and Bulgarian.*

15.2. *The general Assembly shall be held in the official languages. The relevant documents shall be available in these languages.*

15.3. *The meetings of the Council and Working Committees shall be held in the language or languages decided by the Council – including English, having regard to the composition of the said bodies. The same rule applies to the working documents.*

15.4. *The working language of the secretariat of the Euroregion and the national offices shall be English".*

## 7) *The NGOs role and their formal involvement in the euroregions*

None of the selected euroregions' statutes pay special attention to the NGOs role and the specific inputs which may come from them in the context of the implementation of the statutes' main aims and objectives.

\* Taking into consideration the very recent development in the Euroregion *DKMT*, one may most strongly recommend that this issue is paid proper and timely attention while drafting the future euroregions' statutes<sup>121</sup> and/or while amending the existing ones, with a view to promoting and strengthening the partnership between public administration and non-governmental organisations in the euroregions, as a means of citizen participation in achieving the aims of euroregional co-operation, and to increasing the contribution of the civil sector in cross-border co-operation in the euroregions.

## 8) *The euroregions' relation to the public*

It is only the Statute of Euroregion *Danube-Drava-Sava*, which, unlike all of the other statutes<sup>122</sup>, regulates in a very strict and detailed way the very euroregion operational openness<sup>123</sup>. Namely, it is its Article 7 which reads as follows:

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<sup>121</sup> This is line with the second recommendation of the Timiscoara Declaration on Cross-Border Cooperation in South-eastern Europe, and which reads as follows: "*Governments and other authorities are urged to give better recognition to the role of NGOs in the development of cross-border cooperation. Citizens and their associations and organisations should be encouraged and supported to become involved in cross-border cooperation including regional NGO networks*". In this regard, please also see the Petition of the non-governmental organizations from the *Danube-Kris-Mures-Tisza* Euroregion (as from March 23, 2002) to the to the Forum of Presidents from DKMT and to the President in charge of the Forum of Presidents, with which the civil sector of the DKMT Euroregion requested the modification of the Protocol of Regional Cooperation in the sense of including representatives of non-governmental organizations, designated by the civil sector, in the decision-making bodies of the DKMT Euroregion and setting-up a DKMT Euroregional fund to support cross-border cooperation, including civic organizations initiatives.

In this regard, please see the Resolution as was adopted by the Please also see the Founding Declaration of the *Duna-Körös-Maros-Tisza* Euroregion's Youth Alliance, Szeged, 14 December 2001. The basic aims of the Alliance within the Euroregion include: coordination and improvement of youth scientific activity and research; coordination and improvement of nurture, education, ability expansion and dissemination of knowledge; promoting cultural and sports activity; shielding children and youth, improving the representation of children's and youth's interests; protection of human and civil rights; promoting the preparations of EU integration and youth's mobility; moderating the differences within the region with concrete and abstract means; spreading European values within you; promoting and protecting the sustainable development of the Euroregion's society. Further emphasised aims of the Alliance include: improving the image of the Euroregion; constructing international civil contacts; involving the region's youth in European affairs.

<sup>122</sup> In the case of the statute of euroregion *Nis-Skopje-Sofia*, this matter is regulated in a very dispersed way; namely, this is done by its Article 9.6., which lists the Council' s duties which

*“The Euroregional activities and its bodies` operation shall be public.*

*The Euroregion shall provide for the operational openness by virtue of Euroregional members` information on all the relevant issues from the Euroregional scope of activity, delivery of materials pertinent to the Euroregional bodies` sessions and other notifications, thru the publicity of its bodies` sessions and public information via media and other public communication resources.*

*The Euroregion shall also safeguard its operational openness thru the issuance of publications of its own pursuant to a decision promulgated by a body authorized by this Statute”.*

\* As a recommendation, the aforesaid example may well serve as a very good model and it should be always taken into consideration while drafting the future euroregion statutes and / or while amending the existing ones.

#### **9) Euroregions` statute final (or “concluding”) provisions**

Not all statutes have “*final provisions*” as a special part thereof<sup>124</sup>. However, the relevant matters which may be put under this chapter may be found under the other statute chapters<sup>125</sup>. Where such a chapter exists, there is still a difference from one statute to another in terms of their content.

#### **10) Euroregions` statutes – amendment related procedure**

One may clearly notice that not all statutes contain specific provisions for the proceedings to their amending / changing. Among those few having such

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include (*among others*) the elaboration of public relations guidelines for the Euroregion; Article 11.4. according to which "the Executive Director (*among others*) represents the Euroregion on a daily basis towards third persons concerning the activities of regular management", and Article 13, according to which the "national offices of the Euroregion (*among others*) serve as information centers for all institutions and persons interested in cross-border activities".

<sup>123</sup> In the case of the *DKMT* Euroregion, its open character is regulated in a very general way within the "final provisions" of its statute.

<sup>124</sup> For example, the Statute of Euroregion *Belasica* does not have such a chapter dealing with those matters.

<sup>125</sup> This is the case with the Statute of Euroregion *Morava-Pchinja-Struma*, the last two chapters are entitled as a "*The Agreement` territorial coverage*" and "*The Agreement` time validity*".

specific provisions are both the Statute of Euroregion *Nis-Skopje-Sofia*<sup>126</sup> and the Statute of *DKMT*<sup>127</sup>.

\* As a recommendation, one should emphasise that this aspect is very important and thus it should be always taken into consideration while drafting the future euroregions statutes and / or while amending the existing ones. This matter is in a very close relation to the other matters including the euroregion's structure, type and membership and the like.

## 11) **Euroregions' termination**

Most of the selected statutes contain provisions regulating the case of euroregion termination<sup>128</sup>. Of course, again, these provisions differ from each other in terms of the extent to which they regulate the relevant matters related to the euroregions' termination. In most cases, the statutes only determine what body shall decide upon the matters relating to the euroregion termination, and the relevant procedures related thereto, without precisely stipulating the reasons for the termination<sup>129</sup>. In this regard, one may single out the Statute of Euroregion *Nis-Skopje-Sofia* which regulates this matter in a more detailed way<sup>130</sup>.

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<sup>126</sup> Please see its Article 17, which reads as follows:

*"17.1. These statutes can be amended by the general Assembly, upon proposal of the Council or of a tenth of its members.*

*17.2. The relevant proposals must be communicated to all members at least 30 days before the meeting of General Assembly. The General Assembly decides by a majority vote".*

<sup>127</sup> Please see the Article 11, according to which *"the suggestions for changing the protocol are reported in writing to the President at least 30 days before the ordinary meetings. The Forum of the Presidents decides about modification of the protocol"*.

<sup>128</sup> Among those which do not have such a provision is the Statute of Euroregion *Morava-Pchinja-Struma*, Article 8 of which only stipulates that *"the contracting organisations of this Agreement may terminate its validity upon their common agreement"*.

<sup>129</sup> This is the case, for example, with the Statute of the Euroregion *Belasica*, Article 11 of which reads as follows:

*"The termination of Euroregion Belasica can only take place through a specially covered Joint Steering Committee for this purpose and for which two months notice must be given. for a termination a unanimous decision in order.*

*The Joint Steering Committee also decides on the type of liquidation and the transfer of finances to a non-profit making institution. If the Joint Steering Committee does not decide to the contrary, all member of the JSC act jointly as representatives for liquidation"*.

<sup>130</sup> Please see Article 16 of this Statute, which reads as follows:

*16.1. The Euroregion is established for unlimited duration.*

*16.2. The Euroregion can be terminated by decision of the General Assembly, adopted at the absolute majority of the members.*

*16.3. In case of termination of the Euroregion, all rights and obligations of the Euroregion are to be shared equally among the three National Associations, unless the General Assembly decides otherwise.*



\* As a recommendation, this matter is to be always incorporated and regulated in the euroregions' statutes as comprehensively and clearly as possible, and this may be an integral part of "*the final and/or concluding provisions*" of the statutes.

## 12) **Co-operation between the euroregions**

It is only the Statute of the Euroregion *Belasica* which (in Article 3, paragraph 3) clearly stipulates that "*the Euroregion's activities include the cooperation with other Euroregions as well*", and such a provision should be strongly welcomed and recommended with a view to being properly taken into account while drafting the future euroregions statutes and /or while amending the existing ones. This may also be done in more detailed way in terms of stipulating specific arrangements, that is, mechanisms coordinating / ensuring such co-operation.

## 13) **Euroregions' relations with central government**

It is only the Statute of Euroregion *Nis-Skopje-Sofia*, Article 6.5. of which stipulates that: "*the governments of the states whose local authorities participate in the Euroregion have the right to get any information on the activities of the Euroregion and the decisions of the its bodies. They may also communicate to the bodies of the Euroregion any information, request or official decision likely to affect the functioning of the Euroregion*".

\* As a recommendation and comment: in relation to the above, one may very strongly state that it is not necessary to formally incorporate such a provision in the euroregion statutes, since the statutes are designed to regulate the relations between the euroregions' contracting parties, while simultaneously there are other domestic laws regulating the overall mutual relations between the governments of the states whose local authorities participate (on one side) and those local authorities (on the other side), and on the basis of which the governments may exercise such rights. In addition, those governments are not contracting parties to these statutes, and thus such a provision may not serve as a legal basis on which the governments may exercise such rights in relation to the euroregions' members. In addition, all this "effect" may be achieved through making a specific provision in the statutes, which will strictly stipulate such a

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16.4. *The causes of termination can be: the failure of the implementation of objectives and set for the Euroregion, as recognised by the Council in a motion addressed to the General Assembly; the decrease in membership having as a consequence that the remaining full members belong to one National Association only*".

task and/or obligation on the part of one of the euroregions' bodies. Lastly, as to the above cited example, one may also say that Article 6 of the abovementioned euroregion is entitled "Responsibilities of members and bodies", which does not correspond to its 4<sup>th</sup> paragraph stipulating such a right for those governments.

#### 14) **Euroregions' statutes - related interpretation**

It is only the Statute of Euroregion *Nis-Skopje-Sofia*, Article 18 of which ("Interpretation") stipulates that: "*All disputes about the implementation of these Statutes shall be brought before the Council, that shall decide the issue. In case of disagreement, the Council may appoint two legal experts that shall in turn appoint a third one. The three legal experts shall deliver an independent opinion to the Council*".

\* As a comment and recommendation: *firstly*, one must state that unlike its title, the above indicated Article 18 of the Euroregion *Nis-Skopje-Sofia* Statute concerns the issue related to "disputes about the implementation of these Statutes", which (according to the author of this paper) indicates that it is about a situation which is to be regulated with the other Statute's provisions regulating "the responsibilities of members and bodies" (Article 6 of the Statute) and thus it does not indicate that it is always about a dispute between the euroregion's members in terms of the different interpretation of the same article/s by the members and / or bodies. In any case, and irrespective of the aforesaid, one may very strongly recommend the stipulating of such a provision in the euroregion statutes, with a view to resolving the matter related to resolving disputes between its members when they interpret differently the Statute's specific article.

\* **General final recommendation:** As was indicated earlier in this paper, one must state that it was impossible and it would be inappropriate to select the best Euroregion Statute from among those selected for this comparative survey, but one may very strongly suggest the combining the individual "best elements / components" of these statutes into one, which may later may serve as an additional input in broader research designed to find out the euroregion Statutes which serve as a suitable model.

### III. Selected overview of euroregions in the region<sup>131</sup>

#### 3.1 Danube-Kris-Mures-Tisza Euroregion

The DKMT Regional Co-operation was born on 21th November 1997 as a special cross-border co-operation in the larger district of Hungarian-Romanian-Serbia and Montenegro borders. The *Danube-Kris-Mures-Tisza* Euroregion, established in 1997, proves both the virtues and the shortcomings of cross-border co-operation in the region. Historically, the euroregion's embryo was the bilateral co-operation agreement signed by Timis County in Romania and the Csongrád County in Hungary in 1992. Two years later in 1994, the first version of The Protocol of the Danube-Mures-Tisza Regional Co-operation emerged. The document added three other partners to the original arrangement: Arad County in Romania, the Békés County in Hungary, and, unofficially at first, the Yugoslavian province of Vojvodina. In 1996 The Protocol underwent minor changes due to the recent affiliation of other two Romanian counties (Caras-Severin and Hunedoara) and two Hungarian counties (Bács-Kiskun and Jász-Nagykun-Szolnok) The current Protocol of the Danube – Mures – Tisza Regional Co-operation was signed on 21th November, 1997 by the presidents of all nine Romanian, Hungarian and Serbian regional authorities. The event took place after the signing of the Treaty between Romania and Hungary - which marked the elimination of certain limitations included in the Romanian local public administration law - and almost simultaneously with the introduction of the concept of regional development in Romania<sup>132</sup>.

According to the Protocol, the primary aim of cross-border co-operation between Romania, Hungary and Serbia is to create a climate of trust that in its turn will facilitate the social and economic development of the regions involved, as well as of the entire area of co-operation. It also envisages “the development of the relationship between the local communities and the regional authorities in the fields of economy, education, culture, science, and sports, and the collaboration towards integration in the modern processes of Europe” (Art. 3). The co-operation functions by means of several political, administrative, and technical bodies. The centre of power of the partnership is the Forum of Presidents, made up of the nine presidents of the county councils and of the region of Vojvodina. This body has extensive powers, dealing with both

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<sup>131</sup> This overview covers only few of the selected euroregions due to the short period of time to carry out this research. It is designed just to illustrate the practice of those euroregions in terms of their main achievements and recent and / or ongoing work.

<sup>132</sup> *DKMT* Euroregion; <http://dkmt1.regionalnet.org>

deliberative and executive aspects. The consensus based decisions regard modifications of the Protocol, admitting new members, approval of co-operation projects and programs, election of the president, measures meant to increase the efficiency of the other cross-border bodies, and mediation of possible conflicts among members. The Forum makes its decisions based on the documents and suggestions provided by a so-called consultative – deliberative body, made up of leaders of authorities without regional responsibility (de-centralised territorial departments and services, local and regional agencies, etc.)

Normally, the executive functions belong to the current President, one of the nine forming the Forum of Presidents. The President is appointed by consensus and stays in office for one year. The presidency is taken up by rotation by the representatives of the Romanian and Hungarian counties, and the province of Vojvodina. Another body defined by the Protocol is the secretariat, normally the apparatus of the President, performing specific functions. According to The Protocol again, the common programmes and projects are elaborated by the working groups appointed by the Forum of Presidents. They are made up of specialists and experts from different domains.

Cross-border co-operation within the *DKMT* Euroregion plays an extremely important part in this geographical area, metaphorically called “a Europe in small” because of its rich intercultural context (more than 30 ethnic groups and a great cultural diversity). Its main purposes are to stimulate mutual knowledge among the local communities; to develop and expand the relationships between communities and the representatives of the local authorities; to strengthen social cohesion; to support the European integration process of the countries member<sup>133</sup>.

### **3.2 Euroregion "Belasica"**

Euroregion *Belasica*, established 24th February 2003 in Kilkis, is a unity of three non-profit cross-border organisations which are in fact networks of Local Authorities, Entrepreneurial and Social Partners of the common border between “the former Yugoslav Republic of Macedonia”, Greece and Bulgaria. One of the very few euroregions in the Balkan area and one of the very few euroregions, the membership of which consists of three founding partners: one from EU member state, one from EU candidate member and one from non-member country.

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<sup>133</sup> Please see the paper "A Free Mind for DKMT" by Dan Nicolescu.

The Euroregion *Belasica* is a trilateral region between Bulgaria, Greece and “the former Yugoslav Republic of Macedonia”. Considering the importance of cross-border co-operation at all levels, the aims of Euroregion *Belasica* refer to the establishment of peace and stability at a regional and European level, to the free movement of goods, investments, technologies and people, to the achievement of sustainable development and social cohesion in the region while maintaining the historical, cultural and ethnical characteristics of each country. Acknowledging the potential of the co-operation between the three organisations for overcoming legislative differences, for the alleviation of administrative and organisational obstacles to true activities and overcoming of historical and ethnic biases, contaminated in previous periods, Euroregion *Belasica* is aimed developing partnership and joint projects for promoting regional infrastructure, development of rural border areas, industrial development, cultural exchange, protection of the environment, competencies at European, national and local level, better coordination of EU policies, creation of equivalent living conditions as well as coordination between EU aid programmes.

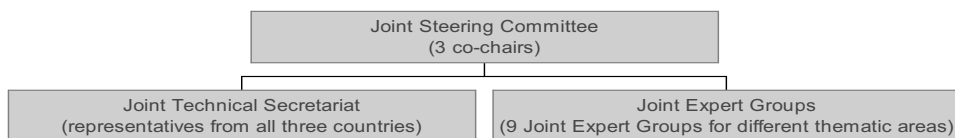
- **Membership**<sup>134</sup>: At its 2004 annual assembly, its membership was increased by new members from “the former Yugoslav Republic of Macedonia” (municipalities of Gevgelija, Konopiste and Delcevo).

- **Organisation**: The Cross-border Euroregion BELASICA has management and operating bodies of its own. The basic organisation chart of *Belasica* is presented below:

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<sup>134</sup> **Members**: *Greece* (municipality of Kilkis, members from Thessalonica; municipalities of Axios, Chalastra, Kallithea, Neapolis, Michonia; Gallikos; Herso; Mouries; Chamber of Small and Medium Industries of Thessalonica; Nonprofit Corporation for regional and International cooperation and development “Poseidon”; chambers of Kilkis; Federation of Industries of Kilkis; Federation of Industries of Thessalonica; Municipal Company for Watering & Drainage of Kilkis; Municipal Company for Tourist and Cultural Development of Kilkis; Action & Partners - Development Consultants; “*the former Yugoslav Republic of Macedonia*” (municipalities of Strumica; Gevgelija; Novo Selo; Bosilovo; Murtino; Vasilevo; Radovis; Valandovo; Kuklis; Delcevo; Regional Chamber of Commerce Strumica; Foundation of Small and Medium Enterprises Development – Regional center, NGO “DENICA”); **Bulgaria** (municipalities of Petric; Sandanski; Blagoevgrad; Strumjani; Kresna).

Euroregion Belasica



- **Fields of joint activities:** the sixteen fields of activities that are being developed in the euroregion are: Regional Development; Economic Development; Tourism – Entertainment; Culture and Society; Transfer of Technology and Innovation; Energy; Transport and Infrastructure; Ecology and Environment; Management of Waste Products; Agriculture; Social Co-operation; Health Services; Communication; Protection against Disasters and Damages; Education; Social Security.

- **Recent and ongoing / planned activities:** During the last few years<sup>135</sup>, the euroregion has been intensively working on reinforcing the co-operation in all of the priority fields. 40 applications have been submitted so far in relation to totally 40 projects, several of which have been accepted and are presently being implemented. The most important of the later includes the following:

\* GMF-German Marshal Plan- Drafting Regional Master Plan for the Region Development Plan. The Project is an analysis of the region’s economic potential, presenting 100 priority projects and 10 Detailed Plans (projects), which were submitted for the purposes of funding;

\* GR-Plan for the Balkans Reconstruction- Project for Decentralisation of the municipalities; the Project is both a study and a fund for the reconstruction of the municipalities within the region (stage I) and the reconstruction of all of the municipalities concerned in “the former Yugoslav Republic of Macedonia”. The project was aimed at ensuring an easier acceptance of decentralisation – financing of all soft activities within the framework of each municipality and providing for equipment for the new offices for the municipalities’ future new competences.

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<sup>135</sup> Cross-border co-operation between the Greek Partner, legally represented by the Mayor of Kilkis Mr Dimitrios Terzidis, and the Macedonia Partner, legally represented by Mrs Snezana Janeva has been very intense from the beginning of the euroregion’s establishment. Currently, the two leading partners provide technical assistance to the Bulgarian Partner in order to be able to participate efficiently in all planned activities and the implementation of joint projects.

\* *Accademia Italiana* – University for Modern Design from Firenze; The University is the response to the problem which presently exists in the region; an appropriate building for this project has been provided by the Ministry of Defence, and its reconstruction will start shortly.

- Project for the Region’s Cultural Development: organising cultural events in the three countries concerned; the first meeting took place in Kukus (August 2004) and the meeting and competition of the dancing associations from the region;
- Project for Developing the Carnival in the municipality of Strumica and region;
- Project for Protection against Floods along the river Strumica and Depos Overhaul;
- Project for Constructing Modular Cleaning Stations for Waste Waters;
- Interreg 3A for several projects for soft activities.

The most successful event in the above regard was the very recent Regional Investment Fair (B2B meeting) in “the former Yugoslav Republic of Macedonia”, during which 15 direct investments were agreed.

✓ As concerns the new action plans, there are many project-proposals, as were presented by the municipalities during last year Annual General Assembly of the Common Organising Committee, Higher Administrative Committee of the Euroregion Belasica (Kilkis, April 24th, 2004).

In addition to the above, (*and as was agreed at the aforesaid Assembly*) the Euroregion *Belasica* today:

- is presented in the official website of the Council of Europe, having an analytical link;
- is presented by the Special Negotiator of the Stability Pact in SE Europe as an example of cross-border co-operation;
- has direct access and support from the national authorities of all three countries for the promotion of its aims;
- is in direct communication with representatives of Eastern Europe services, such as the Europaid Co-operation Office, and is informed about programmes that concern it;
- has been presented in more than 15 international congresses on cross-border and inter-country collaboration promoting its members and future collaborations with corresponding institutions of Central Europe;
- has established strategic collaborations with big networks of Central Europe;

- is in list of priority of financing by institutions as the GTZ;
- is in the beginning of implementing the first basic work that is the development of the Master Plan of the Euroregion under the financing of the Balkan Trust for Democracy of German Marshall Plan;
- is broadened with the attendance of Municipalities and Enterprising Institutions from Thessaloniki.

A great number of the proposals for the year 2004 were concentrated in the calls for proposals of Interreg IIIA. The basic criteria for success constitute the readiness of institutions from the Greek side for the implementation of projects, the documentation of return on the neighboring country (which in the case of the euroregion is self-evident) and the high quality of the proposals. In the case of collaboration with Bulgaria, the euroregion contributed in the submission of proposals in the PHARE for the co-financing of Interreg programmes from the Bulgarian side<sup>136</sup>.

### **Activities of the Euroregion *Belasica* during 2005:**

During 2005 the euroregion made several significant changes in the region's structure and in the field of regional co-operation. It drafted several projects during the year and participated actively in building up the regional strategy for border co-operation.

A short description of the activities includes the following:

- i. The euroregion has been significantly broadened by the accession of both the Regional Organisation for Border Co-operation "Poseidon" (Salonika, Greece) and the municipalities from the area of Salonika, as well as of several NGOs and regional chambers of commerce. In Bulgaria, the municipality of Blagoevgrad has been accepted as a new member of the euroregion;
- ii. The euroregion participated at the annual Assembly of AEBR (in Greece) during which it actively participated in drafting the development strategies for the region at European level;
- iii. In terms of the Project "Akademija Italjana", the project has remained the top priority project of the euroregion. During 2005, a memorandum on co-operation was signed with the "Academia Italiana" (from Firenze, Italy) with a view to opening the University, while a location for the University has been

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<sup>136</sup> As was agreed at the aforesaid Assembly.



provided for by the Defence Ministry. This Project aims at opening the University on the 1<sup>st</sup> September 2006. To this end, an agreement has also been concluded with a consulting house from Skopje, while the project is supported by the USAID, GTZ, the Macedonian Governmental Secretariat for European Integration, and the municipalities of Strumica, Salonika, Blagoevgrad and Kukus;

iv. “Akrila” Project for producing construction materials from industrial and agricultural waste materials;

v. Within Interreg 3 A, the euroregion has submitted 14 projects during 2005, out of which 4 have been accepted, concerning cultural co-operation, ecology, infrastructure and connection. The implementation of these projects will start in January 2006;

vi. Project “Wine Road” which is supported by the Macedonian Ministry for Economy and is aimed at promoting wine tourism in “the former Yugoslav Republic of Macedonia”;

vii. A fair in the municipality of Gevgerlija (“Gevgelija Ekspo”): the euroregion *Belasica* has concluded an agreement with the Skopje Fair on organising regional fairs. The first fair of this type was organised in Gevgelija and was aimed at promoting border co-operation and connecting of the business actors from “the former Yugoslav Republic of Macedonia”, Bulgaria and Greece. On this occasion, several protocols for co-operation were signed between the chambers of commerce of the municipalities Kukus, Strumica and Blagoevgrad, all of which are aimed at connecting and joint activity at third markets;

viii. The euroregion’s interregional co-operation includes the signing of the Protocol on Co-operation with two regions in Italy (regions “Marche” and “Calabria”) for joint activity on interregional projects for economic development, infrastructure, social assistance and education;

ix. GMF- German Marshal Fund: Project for drafting Regional Strategy for Economic Development. The Regional Strategy has been drafted and it will be promoted at the euroregion’s annual assembly to be held on the 10th December 2005 (Greece).

**Relations with other Euroregions:** In this regard, one should particularly stress this Euroregion’s ongoing very good co-operation with the Euroregion *Nis-*

*Skopje-Sofia*, both of which have already submitted joint applications for specific projects.

### **3.3 Euroregion Morava-Pchinja-Struma**

This euroregion was established on 6.June 2003 in Vranje<sup>137</sup> (Republic of Serbia and Montenegro) when a Framework Agreement on Establishing the Euroregion was formally signed by the following mentioned founding-members from “the former Yugoslav Republic of Macedonia”, Serbia and Montenegro and Bulgaria, i.e. it is composed of the following three legal entities:

i) in “the former Yugoslav Republic of Macedonia”, there is Foundation for Cross-Border Co-operation “Morava-Pchinja-Struma”, as was established by: Foundation for Small and Medium-Sized Companies, Regional Centre-Kumanovo, the municipalities of Sveti Nikole, Probitip, Rankovce, Kriva Palanka, Kratovo, Delcevo, Kocani, Orasac, Staro Nagoricane, Valandovo, Lipkovo, and Regional Development Agency of Kriva Palanka.

ii) in Serbia and Montenegro, there is a Fund for Trans-border Co-operation, as was established by the municipalities of Leskovac, Lebane, Vlasotince, Medvegja, Bojnik, Crna Trava, Vranje, Vladicin Han, Trgoviste, Bosilegrad and Surdulica.

iii) in Bulgaria, there is a Regional Association of Municipalities and NGOs, “Struma” as was established by the municipalities of Radomir, Treklino, Sapareva banja, Dupnica, Nevestino, Trn, Zemen and Kocerinovo, as well as the Association for Environment Protection, Balkan Natural Protective Association.

As stipulated in its Framework Agreement, the euroregion acts in the following fields: economic development, tourism and tertiary sector, culture and sport, transfer of technologies and innovations, transport, energetics, ecology and environment protection, depos, rural economy, social co-peration, health protection, communications, protections against damages, education, social security.

The euroregion’s results achieved so far include (*among others*): created euroregion structures; web-site; euroregion map, legitimacy and song. And its

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<sup>137</sup> The Euroregion *Morava-Pchinja-Struma* is a full member of the AEBR as from 27.06.2003.

recent activities include the agri-stock exchange and drafting the framework for the preparation of Strategy for Development and Growth in Capacity of the Euroregion which was to be finalised by the end of the year 2004 (*see more below*). This also includes the drafting of a Project on Information System for Small and Medium-Sized companies;

- **Major Problems / Obstacles:** As presently is stressed in the aforesaid draft-Strategy for Development and Growth in Capacity of the Euroregion, “no strategy has been drawn up for development, and no concrete actions or measures have been undertaken in priority sectors, despite the signed agreements for collaboration between the three countries”. As further indicated in the background of this draft: “this project is aimed at improving the process of integration and the living standards of the people living in the border areas by preparing a strategy with accents and priorities in four main sectors which will be used as a means of drawing up projects and plans of action with measurable results including for applying for project funding under the PHARE Program for cross-border co-operation which was expected to start in 2005, for the first time covering the three countries”<sup>138</sup>.

Furthermore, other major obstacles / problems in the above regard may be found in the aforesaid draft-document (under “*Strategy for Institutional Development and Sustainability*” on page 17), which specifically stresses the following:

The creation of the euroregion was with the aim of providing for a necessary cross-border structure including within itself territorial communities, economic, public and cultural institutions within the three countries. Unlike what was formally proclaimed at the time of this Euroregion establishment<sup>139</sup>, however,

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<sup>138</sup> It is expected that "by carrying out the activities under the project, the capacity of the newly-created cross-border structure will be increased, as will relations both horizontally and vertically. As a result of the project, the Euroregion shall have trained experts and specialists available in different areas which will create an opportunity for participation in the preparation of a document for joint-programming between the three countries for 2005".

<sup>139</sup> "The three countries will establish business incubators for stimulating development of small and medium enterprises in the fields of services, crafts and light industry and will provide finances for their realization. Business centres for management training, business consultations, and communication, information, technical, administrative and other services will also be established. Euroregion members intend to organise business forums where cross-border co-operation will be discussed and priorities will be identified based on the existing natural, environmental, cultural, demographic, human and other resources. The public will be regularly informed of the activities of the euroregion through advertising materials and the euroregion web page. The relations among the three countries in the fields of culture and education are planned to be improved as well", as stated in the EU Newsletter, Delegation of the European Commission, August 2003, No 41 (available at <http://www.delmkd.cec.eu.int>).

one should stress the following specific and practical points in terms of the above<sup>140</sup>:

- the euroregion's total isolation from the international scene (i.e. the relevant international organisations including the relevant directorates of the Council of Europe, the Stability Pact) and the absolute total lack of updated relevant information about these organisation's current working agenda in terms of any funding programme concerned<sup>141</sup>;
- the AEBR invited them to attend some meetings but they were not able to go due to lack of funds;
- they don't know "precisely to who, how and where to make the relevant contacts" with a view to making the euroregion appear far more "visible"; in this regard, it was stressed that they have more than 20 projects already prepared but they have no idea how, to whom and where to submit their projects-proposals<sup>142</sup>;
- complete negligence by the government of "the former Yugoslav Republic of Macedonia", including the Governmental Sector of European Integration; that is, they do not receive any kind of information / support and / or the like<sup>143</sup>;

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<sup>140</sup> This is to be seen as from the perspective of the Macedonian part of the euroregion, and more specifically, the below information was noted during the meeting with Mr. Blage Mladenovski (President of the "*Foundation for Cross-Border Cooperation*", the Macedonian founding member of this euroregion).

<sup>141</sup> In this regard, and as was confirmed by Mr. Mladenovski, there is also no project activity by the respective EWI which appears presently so actively involved in undertaking / funding activities aimed at promoting / supporting many other Euroregions in the region. This also includes the respective GTZ.

<sup>142</sup> The list of the already prepared draft-projects of the euroregion includes the following ones dealing with: making of handbook for small and medium sized enterprises and many more who want to start their own business in the Euroregion *Morava-Pchinja-Strumae*; the fair of small business in border of the Euroregion *Morava-Pchinja-Struma*; forming business club from the companies from this area; development fruits nurture in frames of euroregion MPS "pilot programme to community Sv. Nikole"; increasing the knowledge capacity of the staff in the towns members of the euroregion, NGOs and presenters from the small and medium-sized enterprises in the frames of the euroregion; establishing talents network with "the former Yugoslav Republic of Macedonia"; making pro-business internet centres and making WEB-pages in the frames of the Euroregion; - meaning and role of youth organisations for development of the trans border cooperation between "the former Yugoslav Republic of Macedonia", Bulgaria and Serbia; forming of television in the euroregion; thermo-power station with cogenerative installation for producing electric and thermal power for the needs of the towns involved in the euroregion; - publishing of the magazine "Euroregion"; national strategy for eco-tourism in the euroregion; - including ISO 9000 standards in the frames of the euroregion, as a base for increasing the export; forming a bank in the euroregion; forming of an investment fund in the euroregion; forming stock-exchange in the euroregion; shoes, strategic product of the euroregion; project for development on effectual civic sector in the euroregion; generation on monitoring and control with satellite information technology in the euroregion.

<sup>143</sup> They have formally contacted / requested an assistance from the Macedonian Ministry for Finance, but there was no positive outcome of this.

- they have no support from or any working relation with the European Agency for Reconstruction-Skopje and the European Delegation in Skopje and or any other relevant international organisation present in the country;
- they have neither “*de jure*” nor “*de facto*” any relation with the existing euroregions including a founding member from “the former Yugoslav Republic of Macedonia” (i.e. the Euroregions *Belasica* and *Nis-Skopje-Sofia*) nor have they been invited to agree on some possible relevant joint efforts;
- (due to the abovementioned), the publishing of this euroregion’s magazine’s first issue, which is expected to appear at the end of 2005, will be funded from their Foundation money;

In the above context, one should mention the recent “Agreement on Working Out of the Project for applying for within the CARDS Neighbouring Programme between Bulgaria and Macedonia” (as signed on 23 September 2005 by a number of Macedonian and Bulgarian relevant actors including municipalities members of the euroregion) on the topic entitled “Working Out of Regional Development Conception in the Priority Fields of the Infrastructure, Energy and Ecology in the Trans-Border Area covered by the “Neighbourhood” Programme”. In this regard, and as stipulated by Article 3 of the Agreement: the Project activities shall be carried out in close coordination and only in the agreement of the parties (projects participants), and they shall be aimed at achieving the following aims: *exchanging information and the realisation of joint working meetings between experts and specialists with a view to a better coordination while working out the projects; mutual assistance while overcoming eventual obstacles and problems while drafting the projects; the projects activities to be harmonised with the EU tendencies, by means of mediation and using of European experts from the related fields, etc*”.

As a general comment on this euroregion: one must say that there is a very strong feeling of “being disorientated, blocked and /or obstructed” domestically and internationally at this euroregions’ highest managerial levels.

The above becomes much clearer when one tries to compare the ongoing “status quo” in the functioning of this euroregion (at least as seen from “the former Yugoslav Republic of Macedonia”’s part of the euroregion) with what took place in meanwhile in the neighbouring euroregion *Nis-Skopje-Sofia* in terms of the international support provided to this euroregion<sup>144</sup>. The same may be also

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<sup>144</sup> To mention just few: the *EWI/SP/CoE/OSI Working Sessions with the European Union (EU) Commission in Brussels* (representatives from AIDCO and DG RELEX.), the result of which included the following results: EWI has provided input vis-à-vis the design of the Terms of Reference for this CARDS program; and SP Steering Committee has named the regions in which

done in relation with what is presently taking place within the GKP-Initiative (as outlined in next section)

Consequently, one may suggest that some up-dated SWOT analysis is made for this euroregion, and with the appropriate logistic support by all relevant respective international actors.

### **3.4 Euroregion Niš-Skopje-Sofia (Euro Balkans)<sup>145</sup>**

The background of this euroregion was the initiative of the Council of Europe for launching a long-term process to foster transfrontier co-operation between the border regions of Bulgaria, “the former Yugoslav Republic of Macedonia” and Serbia. The overall objective of this initiative is to employ intensified cross-border co-operation as a tool for regional economic development and integration within this Euroregion EuroBalkans, as well as to foster conditions of prosperity, security and peaceful co-existence between neighboring peoples and states. If one looks at this micro-region from an international point of view, if not generally well known, than most Western European citizens know the triangle between Niš, Skopje and Sofia at least as cross-roads when travelling on one of the main Trans European routes (Corridor 10) to Greece, Turkey or the wider Black Sea area. During and after the disruption of Former Yugoslavia, it was realised that war threats and the collapse of economic standards can lead to the distancing of people from each other, even if a small notion of a common micro-regional identity is kept alive, as were the economic activities, especially small trade. Since the triangle here has not been a place for direct war actions, the level of trust between people across borders is still high, compared to other Balkan areas, and the potentials of cross-border co-operation and economic development are even higher.

In the above context on 21 September 2003, the mayors of Sofia, Niš and Skopje signed the agreement and statute officially launching the *EuroBalkans* Euro-region in Sofia. This euroregion encompasses the municipalities within the *Niš-Sofia-Skopje* triangle. Activities of Cross-border co-operation between Niš (Serbia and Montenegro), Sofia (Bulgaria) and Skopje (“the former Yugoslav Republic of Macedonia”) were formalised on 26 October 2002 by establishing

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EWI is active in SEE (1. Prespa/Ohrid, 2. Southern Adriatic, 3. Nis-Sofia-Skopje Triangle, and the Kumanovo-Preshevo-Gjilan micro-region), top priorities for cross-border action. In addition, one may add here EWI/SP/CoE/OSI Working Sessions with the European Union (EU) Commission in russels(representatives from AIDCO and DG RELEX.), the results of which included:Advocacy has resulted in Aidco committing to launch a call for proposals under CARDS for cross-border cooperation end 2003/beginning 2004.

<sup>145</sup> <http://www.eurobalkans.net>

the euroregion, with the support of the East West Institute and the Council of Europe. Working groups on the following issues were established: Regional Economic Development, Environment and Education (university co-operation) and Culture.

The objectives and tasks of the Association are:

- to organise and co-ordinate the activities that promote the co-operation between the members on the fields of economy, ecology, culture, science and education;
- to help and assist in elaborating concrete projects and plans concerning common interests;
- to promote and facilitate contacts between the people living in the area of the Association including the relationship between experts in different fields;
- to promote good neighbourly relations between its members;
- to identify potential fields of multilateral co-operation among the members;
- to mediate and facilitate co-operation of its members with international organisations, agencies and institutions.

The euroregion is also aimed at encouraging and developing the co-operation in the Gnilan-Giljane, Preshevo and Kumanovo (GPKT) micro-region. The Euroregion Achievements/Outputs (2001-2003) included (*among others*):

- studies developed by the local experts on obstacles and opportunities for TFC in spheres of economic development and higher education: “*Sustainable Regional Development through Institutionalized Trans-frontier Cooperation in the Niš-Skopje-Sofia Triangle -Towards the Establishment of a Euroregion*”, and “*Transfrontier Co-operation in the Niš-Skopje-Sofia Triangle in the field of Higher Education: Current Conditions, Problems and Opportunities*”;

- Priority cross-border themes identified and Working Groups established (Regional Economic Development WG-Steel Committee, Environmental Protection WG, Cultural Cooperation, WG-Educational Co-operation, WG-Media, WG-Legal experts (Statute development) and 10 WG sessions were facilitated;

**Euroregion membership** include the following municipalities: Belogradčik; Berkovica; Blagoevgrad; Botevgrad; Custendil; Dupnica; Godech; Pernik; Petrič; Plevan; Razlog; Sofia and Zlatica (**from Bulgaria**); Aleksinac; Babušnica; Bela Palanka; Blace; Bojnik; Boljevac; Bor; Bosilegrad; Bujanovac; Crna trava; Dimitrovgrad; Doljevac; Gadžin Han; Jagodina; Kladovo;

Knjaževac; Kruševac; Kuršumljia; Lebane; Leskovac; Majdanpek; Medveđa; Merošina; Niš; Niška Banja; Pirot; Preševo; Prokuplje; Ražanj; Soko Banja; Surdulica; Svrlijig; Trgovište; Vladičin Han; Vlasotince; Vranje; Zaječar and Žitorađa (**from Serbia**); Berovo; Centar; Čair; Delčevo; Đorđe Petrov; Gazi Baba; Karpoš; Kisela Voda; Kriva Palanka; Kumanovo; Novo Selo; Pehčevo; Skopje; Šuto Orizari and Veles (**from “the former Yugoslav Republic of Macedonia”**).

Following a period of consultations on each side of the border, on the 14-15 June 2002, representatives of local and regional authorities, Chambers of Commerce, SME and Business/Regional Development Agencies, Universities and private businesses from the border regions of Bulgaria, “the former Yugoslav Republic of Macedonia” and Serbia and Montenegro met for a two-day Session of the Working Group on Regional Economic Development. The session focused on building a consensus and a common position on: *a*) its establishment as a common leadership **structure** for the long-term strategic economic development of the cross-border region, and *b*) joint **priorities** for economic development of the cross-border region, drawn on the basis of a comprehensive SWOT analysis on regional economic development of the Nis-Sofia-Skopje Triangle. The following priorities were identified by the Working Group on Regional Economic Development as a result of the below presented **SWOT Analysis** (Strengths, Weaknesses, Opportunities, Threats)<sup>146</sup>:

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<sup>146</sup> As agreed, the Working Group on Regional Economic Development’s main purpose and goals are the following: to provide a cross-border institutionalized framework for leadership in regional economic development, capable of identifying and promoting priority needs in the Euroregion EuroBalkans; to promote the establishment of functional cross-sectoral, cross-border networks for business promotion and economic development, allowing for contacts and relations to be built leading to joint ventures as well as public-private partnerships; to systematize and yield concrete output in the form of a **well researched common policy briefs** identifying the barriers to cross border cooperation in the field of economic development, including a set of recommendations to the three national governments; to provide a venue for the systematic exchange of best practices in a number of fields, bringing the region closer in line with EU standards and norms and placing the region as a whole in a favorable position vis-à-vis potential EU cross-border funding, as Bulgaria moves towards entering the Union, and as “the former Yugoslav Republic of Macedonia” and Serbia move towards the accession process; to serve as a political force and constitute a viable and recognized channel for the common presentation of cross-border initiative vis-à-vis national and international policy and financial institutions and the donor community at large; to create a set of concrete project proposals and cooperative funding initiatives more attractive to funding, to be presented at international fund-finding forums; to develop a Comprehensive Regional Economic Development Strategy for the Euroregion EuroBalkans as one of its its long term goals. Membership in the Working Group on Regional Economic Development is voluntary and open, while its resolutions and recommendation have an advisory character. It is chaired by **Three Co - Chairpersons** (one from each side of the border) and will operate through a Core Committee and several Thematic Sub Groups. **The Core Committee** is expected to act as a think tank, composed of *10 permanent members* from each of the three countries – including, designated experts from the municipalities of the region, the leader of each thematic sub group, and practitioners and local and



- Utilising the Academic Potentials of the Region for Business Development Purposes;
- Infrastructure Development (i.e. Utilising the Potentials of Corridors 8 and 10 for the Economic Benefit of the Niš-Sofia-Skopje Triangle)
- Creating and Strengthening Public-Private Partnership;
- SME Development and Financing; Capacity Building of SMEs;
- Regional Information System Development;
- Environmental Protection as a Tool for Economic Development;
- Regional Co-operation for Combating Organised Crime and Terrorism;
- Co-operation in the field of Tourism;
- Harmonisation of the Legislation and Administrative Regulations Affecting the General Business Environment;
- Sharing of Experience and Best Practices Exchange;
- Capacity Building of the Municipalities;
- Cluster-building to Finalise the Production Process.

**STRENGTHS** (*positive aspects, internal to the entity*) include: good political will of the local governments; geo-strategic position of the region; good potential of the steel industry, (dual compatible) steel capacities; good cooperation in the construction industry - infrastructure development; electronic industry and IT knowledge; well-qualified and highly educated people; university facilities in the three cities; existence of many well-functioning SMEs; existing working initiatives as a basis for co-operation (Trade initiative for SEE, SECIPro committees); existence of many transport corridors (job creation and new joint venture opportunities); economic potential of natural resources (tourism); existence of informal trans-border entrepreneurs' co-operation (although often in the gray-sector); well functioning industrial and trade associations; similarities in languages, national identities and mentality.

**WEAKNESSES** (*negative aspects, internal to the entity*) include: lack of common regional strategies; lack of modern transport / communication

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national government officials, to be designated by the **National Coordinators**, in consultation with the larger community of leaders in the field of economic development. The Core Committee are responsible for the development of a work plan for the Working Group on Economic Development and for ensuring its implementation through regular consultations.

The participants on the basis of the common priorities of the Euroregion *EuroBalkans* identified the following Thematic Sub groups: Small and Medium Enterprises Development; Steel Committee; Public-Private Partnerships; **Infrastructure**; **Information Systems**; **Tourism and Research and Analysis**

The above are 'de facto' the first steps from an underdeveloped peripheral position of to a "sustainable" better life.

infrastructure; no institutional / legal framework for combating organised crime, corruption and terrorism (preventing foreign investments); lack of capacity for TFC of SMEs (lack of self-confidence in people to start SMEs); insufficient information flow regarding international funding opportunities, TFC partner capacities, and transfer of know-how; high level of unemployment, emigration, brain drain; low level of realisation/finalisation of products/services (no standardisation of quality in the private sector); traditional and conservative ways of operations of the Chambers of Commerce; no ownership mentality (low living standards); unawareness of the connection between industry, economy and environment; lack of financial opportunities (weak banking sector, inappropriate legal framework).

**OPPORTUNITIES** (*positive aspects, external to the entity*) include: the institutionalisation of TFC efforts; institution building on a sub-regional level; change of mindsets of the local population; joint venture creation and joint projects and fundraising; introduction of international standards and quality controls; sharing of experiences and technical support between partners through TFC; EU support and training for projects; interest on the part of European and financial institutions; Stability Pact initiative and political framework; the international community's efforts for stabilisation of the region.

**THREATS** (*negative aspects, external to the entity*) include: problems with Corridors 8 and 10; loss of interest on the part of international institutions; favoritism towards different countries and nations; international transit transport as a threat to environment (for example damages without economic benefit); inflow of money laundering activities; untimely or slow reaction of the international community, inadequate actions triggering ethnic problems; the desire for fast economic development with no regard for long-term goals and sustainability; potential for eruption or stimulation of ethnic problems

As was agreed at the abovementioned meeting, the thematic sub-groups adopted (*among others*) the following conclusions:

**a) Steel Committee<sup>147</sup>**: Need for the development of a regional strategy on the

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<sup>147</sup> On the occasion of the second meeting of the Regional Economy Development Work group within the Euroregion EuroBalkans, the representatives of: **BETON Skopje, GLAVBOLGARSTROY-PLC. Sofia, GIP MORAVA AD Krušce-Niš, INSTITUTE OF EARTHQUAKE ENGINEERING SEISMOLOGY, JNU, UNIVERSITY "ST.CYRIL AND METHODIOS" Skopje.** These parties have identified the: growing demand in elaborating a detailed proposal on the Regional strategy in the field of Civil Engineering development for neighboring/bordering regions of Serbia, Bulgaria and "the former Yugoslav Republic of Macedonia"; necessity for the immediate reconstructing/ restructuring and pre-testing of the existing civil engineering capacities in order to enable both their functioning under local market conditions,

steelwork industry and metallurgical complex in the triangle: Niš –Sofia – Skopje; Agreement with and support for the Regional Initiative Proposal: “Steel European Star 2001”, which is in line with the main tasks of the Stability Pact, and will embody an international, legal and political framework for the activity of the Committee; the need for an urgent and immediate restructuring of the existing facilities and capacities of the steelwork industry and the metallurgical complex, in order to enable them to operate in market-oriented conditions; the need for a joint consulting organisational form to facilitate the joint presentation of products at the regional and wider markets.

**b) SME Development:** Building on the presentations of the practitioners of this sub group, the participants brainstormed on the problems and resulting need for training of the SMEs and the SME supporting institutions, and briefly presented some of their concrete proposals and proposal ideas.

Need for training in the fields of:

- Marketing;
- Legal and institutional business environment;
- Business plan development;
- Business principles;
- Matchmaking between big and small companies, cooperation between them;
- Access to European and other international funds;
- Delegation of activities and support services;
- Transfer of international knowledge on Trade and Production; know-how transfer;
- IT;
- Information sharing and best practices exchange;
- Vocational training;
- Re-qualification programs.

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and broader, on the level of regional and world market; need of designing a common installation system and other systems of erecting industrial and residential buildings in the territory of the broader region and wider; necessity of setting-up a joint consultancy organisation which will enable common presentation of civil engineering possibilities.

Based upon the recognized necessities as explained above, the representatives of the mentioned companies have achieved an agreement to initiate the formation of a Civil engineering Committee within the frame of the future Euroregion to include the territory of the said bordering region. The task of the proposed Committee to operate under the authorization of the Regional Economy Development Work Commission will be to function as its subgroup. This Committee will be fully devoted to the strengthening of the market economy in the neighboring region. The comparative advantages each of the participating parties in this project will result in more favorable prices of construction and simultaneously to the creation of better climate for entrepreneurship, employment policy, social policy and improvement of general living conditions.

As agreed, the seat of the Steel Industry Committee is in the premises of the company MAKSTIL A.D., Skopje.

### Concrete project ideas:

- Training for the Euroregional Chamber of Commerce staff;
- Euroregional Information System (Municipalities, NGOs, CoCs);
- Development of a Tourist Guide for the Triangle;
- Chambers of Commerce Twinning project;
- Project “TRIANGLE Vizija”;
- Training of Local Government and SME supporting Agencies Staff on Proposal Development and Funding Opportunities, Regional Enterprise Support Center Skopje;
- Research paper on the identification of clusters in the Niš-Sofia-Skopje Triangle.

In addition, and on the occasion of the second meeting of the Regional Economy Development Work group within the Euroregion EuroBalkans, the representatives of BETON Skopje, GLAVBOLGARSTROY-PLC, Sofia, GIP MORAVA AD Krušce-Niš, the Institute of Earthquake Engineering Seismology, JNU, the University “St.Cyril and Methodios”, Skopje, and based upon the recognised necessities as explained above, have achieved an agreement to initiate the formation of a Civil engineering Committee within the frame of the future euroregion to include the territory of the said bordering region. The task of the proposed Committee operating under the authorisation of the Regional Economy Development Work Commission is to function as its subgroup. This Committee is expected to be fully devoted to the strengthening of the market economy in the neighboring region. The comparative advantages each of the participating parties in this project is expected to result in more favorable prices of construction and simultaneously to the creation of a better climate for entrepreneurship, employment policy, social policy and the improvement of general living conditions<sup>148</sup>.

The most recent developments related to this euroregion include (*among others*):

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<sup>148</sup> The above parties have identified the: growing demand in elaborating a detailed proposal on the Regional strategy in the field of Civil Engineering development for neighboring/bordering regions of Serbia, Bulgaria and “the former Yugoslav Republic of Macedonia”; necessity for the immediate reconstructing/ restructuring and pre-testing of the existing civil engineering capacities in order to enable both their functioning under local market conditions, and broader, on the level of regional and world market; need of designing a common installation system and other systems of erecting industrial and residential buildings in the territory of the broader region and wider; necessity of setting-up a joint consultancy organization which will enable common presentation of civil engineering possibilities.

*i.* the research, which has been carried out in order to tackle the question of potentials of the three universities of Nis, Skopje and Sofia to take a leading role in cross-border educational and scientific co-operation, and after which a protocol on trilateral co-operation has been signed. In this regard, the actors agreed to work on the compatibility with worldwide and European adopted standards, recognised in the Bologna Declaration, to build Regional Academic Centres for strategic decision-making stakeholders of the region, to create a Commission for the harmonisation of educational programmes, to finalise the mutual recognition of diplomas. The needs and priorities of these border regions in this sphere involve producing the knowledge and skills, which are expected to support the endogenous development of the area. Further needs include upgrading and creating new skills (e.g. information and communications technologies, marketing and management) to improve the competitiveness and market access of the private sector, and to promote the efficiency and effectiveness of the public sector. One of the many reasons why the long term success of euroregional development will depend on the parallel improvement of the educational sector;

*ii.* the forming of the **EuroBalkans Fund** (at the beginning of 2005) which is designed to support crossborder co-operation and regional development, and

*iii.* the start of process of forming a "**EUROBALKANS TV**" which is a regional broadcast on the territory of the Eurobalkans region using the networks of three (Serbian, Bulgarian and Macedonian) local television stations. As an authentic overview of the region, in a modern TV form, the EUROBALKANS TV covers current social, cultural and economic events, but it also promotes cultural and creative values as well as potentials of the region and promoting prosperity through co-operation within the *Eurobalkans* region (and other euroregions in the future).

*iv.* **EmunIS project** (*e* municipality is recognised as common target of each municipality in the region)<sup>149</sup>

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<sup>149</sup> This is one of the activities of the Information Technology Working Group to be included the representatives of IT firms, universities, other cities, and other partners from the region which are included in municipalities IT development and implementation. Namely, each city - member of the IT Coordination Unit is expected to organize and carry out the coordination with other institutions involved in the activities of the Information Technology Working Group in its region.

**Definition of future common projects:**

- **G region** - *GIS Geographic Information System of the Region, development and pilot implementation of core Municipal Information System for GIS and geo-data based government (G-Government) as well as the tools for providing GIS and geo-referenced data services (G-services) to public;*

In addition to the above, one should particularly mention the environment, which has a direct relationship to the economic development of regions, and is generally an important field of activity in our euroregion. The quality of the environment of a region (air, water, physical characteristics of the landscape, buildings and infrastructure) is a key aspect of the quality of life for people living there, and increasingly, has an influence on the potential for developing new economic activities and employment. The emphasis in policy on the promotion of sustainable forms of development in tourism and economic activity generally involves avoiding activities, which are harmful to the environment and natural resources, and a focus on promoting activities, which have a positive environmental impact. Therefore one of the tasks and challenges of the euroregion will in terms of economic development, be that economic development policies and actions must focus on the sustainable use of natural resources; and ensure that industrial and production activities are not harmful to the natural environment and the ecological balance of the area. Environmental quality is an important factor in attracting investment and new business location based on the services sector and using “clean technologies”, market development and the marketing of products of regions (especially food, crafts) as well as new service industries in tourism and leisure. A high environmental quality is also important in retaining and attracting people to border regions - to live, to work and to visit. In our euroregion, the improvement and management of the environment needs to be undertaken in the framework of cross-border co-operation and planning in order to effectively address problems which affect the region as a whole. In promoting sustainable development, there is a growing understanding that environmental issues must be integrated into regional planning and development. This is therefore a “natural” area for cross-border co-operation since environmental issues such as problems of air pollution and

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- **Tourist info station** - *Tourist info kiosk, station or other facilities implementation focused on best services for visitors on next Olympic games in Athens 2004*
  - **WEB Portal of the Region** - *WEB Portal about activities, strategies, projects, important events and other information in EU Region Nish - Skopje - Sofia Triangle*
  - **IT Support Center ( Local Self Government Agency)** - *IT Training, know how and best practice in the region - implementation of the IT Support Center ( Local Self Government Agency) for IT development, training, best practice and know how focus on implementing new technology;*
  - **Municipalities Public Procurement Transparency** - *Development of e public procurement IT System for the municipalities in the region;*
  - **Citizens participants program - e democracy** - *providing transparency of the local self government and strengthening the citizens initiatives, suggestions and proposals as well as their participation in the activities of the City Councils, establishment of e - City Council, Counselor's Internet kiosk and computerized administration office;*
  - **ECDL Regional training center for municipal officers** - *Implement the Regional Training Center for certificate the European Computer Driving License for municipal officers.*

polluted waterways and the impact of major infrastructure projects in border regions cannot be contained within national boundaries.

### **3.5 Transfrontier co-operation in THE GJILAN/GNJILANE-KUMANOVO – PRESEVO MICRO-REGION<sup>150</sup>**

#### **Background**

The initiative for GKP micro-region co-operation dated following the Joint Declaration (“*Kumanovo Memorandum of Co-operation*”) issued by the mayors of 15 municipalities from Kosovo, Serbia, Bulgaria and “the former Yugoslav Republic of Macedonia” (who met in June 2002 upon an invitation by the mayor of Kumanovo city). The Declaration clearly expressed the respective mayors’ wish and preparedness to intensify political and economic co-operation. The co-operation is to be seen as an instrument for overcoming the problems dating from the last decade, and with a view to exchanging their experience and co-ordinating the work on the joint development strategy. As a response to the specific needs which were identified in the aforesaid memorandum, and in co-operation with the EastWest Institute and *SEE Change 2004*, a project has been initiated for supporting the institutional trans-frontier co-operation, with the aim of stabilising and developing the micro-region<sup>151</sup>. The GKP initiative has been launched within the framework of the broader Euroregion *Eurobalkan*, with the strong support of the SEE Stability Pact. In May 2004, it was decided by the GPK Mayors to engage the municipality of Trgoviste in Southern Serbia in the micro-region’s activity. Thus, the micro-region is known under the name *Gjilan/Gnjilane-Presevo-Kumanovo-Trgoviste (GPKT initiative)*.

The *GPK initiative* is based on the assumption that the instability and the trans-border crime, both of which are the main characteristic for the region between Gnjilana/Gjilana (Kosovo), Preševo (South Serbia) and Kumanovo (“the former Yugoslav Republic of Macedonia”), are more a consequence of the social-economic isolation and underdevelopment of the region (which used to be marketly active one) than of the ethnic conflict.

The Project’s global aims in this regard are:

- to follow-up the social reform, and

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<sup>150</sup> This part of the paper was based on the written materials and information provided for by Mrs. Elizabeta Cvetkovska ( Head of the Citizens’ Information Centre, Kumanovo Municipality, GKP-Project - Local coordinator), and which was preceded by a meeting with Mr. Slobodan Kovacevki (Major of Kumanovo municipality). Please also see GPKT website ([www.gpkt.org](http://www.gpkt.org))

<sup>151</sup> The majors decided in May 2004 to include the South Serbian municipality of Trgoviste in this micro-regional activities.

- to ensure a stability between the ethnic communities through joint resolving of the transborder local problems and overcoming the basic obstacles to economic and social co-operation.

Following the project-related activities beginning in Spring 2003, cross-border co-operation in the *GPKT* micro-region has advanced substantially.

### **Structural-organisational state of affairs**

To achieve the above, municipal coordination points have been established which support and facilitate a range of activities in various fields. Presently, several Working Groups (drawn from the four communities, and comprising representatives of all ethnic groups) have been established, and are engaging in regular co-operation activities and initiatives. These working groups include the following:

- the *Working Group on Education*, formed by the *GPKT* Education Committee in November 2004, and which has been undertaking joint activities, such as the School Children's Art Competition in Trgoviste in February 2005 (the first multi-ethnic activity to be held in the municipality), and the ongoing work on collaborative children's theatre performances;
- the *Working Group on Media*, which has been working on joint documentary programme production, to increase the level of awareness of key issues of all *GPKT* communities;
- the *Working Group on Youth*, as was established by itself as the *GPKT* Youth Council in December 2004, and is moving ahead with several activities, including the first cross-border multi-lingual youth publication in the region ("Youth Bridges");
- the *Working Group on Women's Rights and Gender Issues*, which is presently planning further advocacy training and activities on gender-related issues.

The main goals of the Working Groups (as presently envisaged) are:

- to provide the necessary initial micro-regional framework for effective cross-border co-operation, capable of identifying and promoting strategic development priorities in the *GPKT* area;



- to create the venue for systematic and functional cross-sectoral trans-frontier co-operation;
- to operate as a recognised forum for elaborating cross-border policies to be presented to national governments and international bodies;
- to develop a series of small-scale as well as large-scale project proposals according to donor standards and against the TFC concept;
- to ultimately develop a Comprehensive Micro-Regional Development Strategy for the benefit of all stakeholders in the *GPKT* area and in consultation with the larger community of leaders in various fields.

### **Most recent activities / events**<sup>152</sup>:

**-Capacity-building** for all Working Groups and key municipal representatives has been implemented including formal training, experience sharing and strategic planning, and in order to facilitate ‘learning by doing’ and establish norms of co-operation, cross-border micro-grants have been disbursed in two rounds, leading to working partnerships between NGOs on all sides of the borders in GPKT and the ongoing implementation of various key projects benefiting GPKT communities;

**-Policy work** has progressed with the publication of expert-authored research on border management in the micro-region, and upcoming research on conflict and development and gender mechanisms in local government in *GPKT*. In addition, high level meetings in both regional national capitals and in Brussels for *GPKT* representatives have advanced the needs of the micro-region on policy- and decision-making agendas;

-The 2005 year has also seen the start of the integrated development planning process, which, building on the empirical research undertaken by the European Stability Initiative (ESI), resulted in producing (with the municipalities) an **Integrated Development Plan** for the micro-region, along with proposals for key infrastructure projects.

The most important events during this (2005) year include (*among others*):

- i. **Policy Roundtable** (on 17 February), which was held with a view to optimising the opportunities for discussion of *GPKT* related issues. With the four Mayors participating as panellists, this roundtable brought together key

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<sup>152</sup> For a detailed overview of all specific activities undertaken over the previous two years, please visit the web-site of the East West Institute; <http://www.ewi.info>

institutional actors from various European institutions, representatives of the regional government think-tanks, NGOs and the media to discuss the challenges and opportunities lying ahead for the *GPKT* micro-region; the forum focused on the economic status of the area and its long-term repercussions for security, and the question of border regimes and management, including implications for this volatile multi-ethnic border area. The roundtable presented a ground-based perspective of challenges and policy obstacles and prompted frank and open discussion between local and national authorities and the international community regarding new ideas and recommendations in the spheres of both economic development and border management.

ii. Between 16 and 19 February 2005, the EastWest Institute hosted key representatives from the *GPKT* micro-region for a set of high-level meetings in Brussels. The Mayors of Kumanovo (“the former Yugoslav Republic of Macedonia”), Gjilan/Gnjilane (Kosovo), Presevo (Southern Serbia) and Trgoviste (Southern Serbia), and the four Municipal Co-ordinators who accompanied them, were able to use the visit for meetings with key representatives of the European Council, European Parliament, and the European Commission, as well as participating in a Policy Roundtable on the *GPKT* micro-region. The purpose of the visit was to convey lessons from the successful *GPKT* initiative to the Brussels policy community and to address the key remaining barriers to local socio-economic development and transfrontier relations through facilitating locally-formulated policy input and recommendations for long-term stabilisation of this volatile and strategically important transborder region of the Balkans. The meetings also allowed the *GPKT* municipal representatives the chance to become more familiar with the various EU institutions and agencies involved in policy-making relevant to the micro-region.

iii. A *GPKT* related Strategic Mayoral Meeting (held on 19 May 2005 in Kumanovo), during which *priorities for the second phase of GPKT* were discussed and agreed, and the importance of *community relationship building* was particularly underlined by the meeting participants. In addition, the rationale for and objectives of the below-mentioned conference for the *GPKT* Project were presented to participants. Noting the needs and priorities expressed during the meeting, EWI staff confirmed that preliminary planning for the conference outline included three main sessions on the three main areas of needs expressed: economic development, where the final *GPKT* Integrated Development Policy Plan will be presented, including the presentation of specific proposals for infrastructure projects to donors; border management, where the recommendations from the *GPKT* Border Management Policy Brief will be presented and discussed with high-level central governments

representatives; and, community development and conflict prevention, issues which underpin progress on the previous two thematic areas.

iv. The Conference "*Trans-frontier Co-operation in the GPKT area between Kosovo, Serbia and "the former Yugoslav Republic of Macedonia": Progress, Challenges and Next Steps*", as held on 11-12 July 2005 in Skopje. The Conference was organised by EWI together with the Stability Pact for South Eastern Europe and the Council of Europe. The conference was aimed at:

-promoting and raising awareness of the significant results achieved to date through systematic trans-frontier co-operation in the micro-region itself, as a potential model for inter-community stabilisation and development;

-presenting the critical remaining needs of this area and seeking further support from the relevant national governments, international organisations and agencies for the Project's work on building sustainable, local, cross-border capacities.

-highlighting the international support programmes and frameworks available to further facilitate co-operation in the region, from the Council of Europe's Outline Convention on Transfrontier Co-operation to the EUs / EAR's and UNDP's development programmes; and

-advocating, and gaining support for the implementation of, specific policy directions in key areas related to the Project's success, such as integrated development planning, conflict management and community development activities, and improvement of border management systems.

Expert presentations on specific areas of policy research (border management, conflict, integrated development, etc) as combined with ground-based input from the *GPKT* municipalities and communities, and speakers from relevant central authorities, were expected (at the conference) to present policy needs and challenges to decision-makers. Participants at the conference, therefore, were expected to include high-level representation from: the Serbian and "the former Yugoslav Republic of Macedonia"'s national governments; from UNMIK and Kosovo institutions, and from key international organisations and agencies such as Stability Pact for SEE, the Council of Europe, the European Commission, OSCE, UNDP, EAR, etc.

## Priorities for the second phase of *GPKT*

The current priorities of the *GPKT* have been identified at the last *GPKT* related Strategic Mayoral Meeting (as was held on 19 May 2005 in Kumanovo), and they include:

\* *the economic development*, which is a serious fundamental priority and one of the greatest challenges for all municipalities. In this regard, as was indicated at the meeting: “the second phase of *GPKT* Project activity would, on the basis of the substantial research and background work undertaken in the first phase, focus on supporting municipalities’ implementation of the Integrated Development Plan for *GPKT* and related assistance, such as capacity building of municipal staff, support for business skills training and vocational training programmes”;

\* *the border regimes*, which is another priority area of need, particularly as border regimes and management link closely to economic potential<sup>153</sup>. The need to maintain ongoing policy advocacy efforts since the improved border regimes would greatly assist economic and trade development<sup>154</sup>.

\* *The importance of community relationship building*: Vital not only for increased stability and conflict prevention, this strengthening of relations between all communities in *GPKT* is of paramount importance for the overall development in the micro-region, including economic development. Without improved inter-ethnic relations and normalisation, economic development will not progress in a sustainable way. For economic progress to be genuine and sustainable over the long term, it must be, and must be perceived to be, equitable for all groups – otherwise it is very likely that instability will continue and will prevent long-term maintenance of such economic development and improvement of living standards will not be possible. Both the relaxation of border regimes and economic progress depend very much on stability and good relations between all groups and communities in the area, and thus the comprehensive work on relationship building, social and cultural exchange, and collaborative activities among *GPKT* communities is a fundamental component

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<sup>153</sup> Please see the *GPKT* Border Management Policy Brief, written by Henry Bolton, and as was presented at *GPKT* Brussels Policy Roundtable (February 2005).

<sup>154</sup> In this context is also the recent question of possible Kosovo-Macedonia reciprocal taxation polices, which had also been discussed within this Project, as was the continuing problem of restricted and problematic movement across borders for all communities. The problems of families separated by the imposition of borders, and the vastly reduced possibilities for trade, as well as employment in towns across the border, (as had been the case before the borders/boundaries were imposed), is also underlined by the Project as continuing challenges for all *GPKT* communities.

of the ‘package’ of measures implemented within the framework of the *GPKT* Project<sup>155</sup>.

### 3.6 Ohrid-Prespa Euroregion

#### **Euroregion Establishment**

Since the latter half of 2001, the border communities of Albania, “the former Yugoslav Republic of Macedonia” and Greece have been supported by the EastWest Institute (EWI) in their endeavour to build trust and co-operation among themselves in order to bridge the long-standing rifts that destabilise the region. To institutionalise cross-border co-operation, the EWI, its local partners the Regional Development Agency (RDA) of Korca, the Regional Enterprise Support Centre (RESC) of Bitola and the Centre for Inter Balkan Co-operation (CIBC) of Kozani, as well as the local and regional authorities, are working towards the formal establishment of a *Prespa/Ohrid* euroregion. At the same time a number of concrete Pilot initiatives for co-operation in fields ranging from NGO co-operation to education and economic development have been led: these intend to demonstrate the direct benefits of practical co-operation to the communities of the region. The “Trans-frontier Institution Building Project for the Prespa/Ohrid Region 2003-2005 - Towards the Establishment of the Euroregion” is financed by the Swedish Agency for International Development (SIDA), which has a long-standing commitment to the region and is present with offices (among others) in Ohrid and Korca<sup>156</sup>.

The signing of the trilateral protocol formally establishing the *Prespa/Ohrid* Euroregion has been postponed until the primary logjams to positive bilateral relations between Greece and “the former Yugoslav Republic of Macedonia” have been resolved. Until then the Greek government has withdrawn its support

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<sup>155</sup> Please see footnote 152.

<sup>156</sup> In addition to the EWI and SIDA, since 2002, when it gathered local tourism experts for a Tourism Development Conference, the German Technical Co-operation Company (GTZ) has also been active in promoting sustainable tourism in the Prespa/Ohrid region. In recent years, GTZ has spent considerable resources on developing and promoting cross-border village tourism, preserving and documenting national heritage, and supporting local constituencies in the form of micro-projects. In co-operation with local partners, GTZ/Ohrid has elaborated a multilingual brochure of the region, created a regional website, and promoted the region for international experts and tourists. GTZ/Ohrid continues to work together with other stakeholders, including international donors and local tourist managers, to further the tourism potential of the region. *For more* information visit: [www.magiclakes.com](http://www.magiclakes.com).

For more detailed information about the geographic and thematic scope of the Euroregional activities please refer to the Prespa-Ohrid Euroregion Newsletter No.1, as available at: <http://www.ewi.info>

of an official inauguration of the *Prespa/Ohrid* Euroregion. As originally planned, the Euroregion Inauguration will serve as a platform for local, regional and national governments as well as international organisations to come together with the communities of the area to address the achievements and future of the *Prespa/Ohrid* region and witness the signature of the trilateral Euroregion Protocol by representatives of the local and regional authorities.

The *Prespa/Ohrid* Euroregion Council is the steering body of the *Prespa/Ohrid* Euroregion. It consists of fifteen members and equally represents each border community (of Albania, Greece and “the former Yugoslav Republic of Macedonia”) participating in the *Prespa/Ohrid* Euroregion. Each side is represented by five members from associations of local and regional authorities, development agencies and (in one case) chambers of commerce consisting on each side of the borders. The Euroregion Council met on 1 June and from 15 – 16 June 2005 to discuss the regional development priorities for *Prespa/Ohrid* that had been suggested by the euroregion member associations. Involved in the elaboration of the euroregion development priorities were also administrative experts from those local and regional authorities participating in the euroregion and representatives of various *Prespa/Ohrid* Euroregion working groups (Higher Education, NGO Network, Tourism). The Administrative Experts and Working Group Representatives had met for the elaboration of the development priorities in between the two council meetings from 8 – 9 June 2005 in Ohrid. At the aforesaid Euroregion Council it was suggested that next to council meetings the presidents of the three national associations (making up the euroregion) should meet to reach agreement on the broad framework for the euroregion goals and activities.

***Development Priorities for the Prespa-Ohrid Euroregion*** include the following<sup>157</sup>:

#### *Euroregion Sustainability*

Feasibility Study on Local Co-Financing of Euroregion Structures (at local/regional authority and business levels alongside external sources of funding) including the work of the euroregion Council, euroregion secretariats and the euroregion working groups.

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<sup>157</sup> As based on recommendations by the *Prespa/Ohrid* Euroregion Council and the Prespa Economic Task Force; Please see the *Annex A* to the Report from the 2nd Council Meeting (Bitola, 15 - 16 June 2005): TRANS-FRONTIER INSTITUTION BUILDING PROJECT FOR THE PRESPA/OHRID REGION 2003-2005, TOWARDS THE ESTABLISHMENT OF THE EUROREGION. <http://www.ewi.info>

### *Physical Infrastructure*

Feasibility Study on Main Road Infrastructure; For example: Korca – Ohrid (ext. Struga) Resen – Bitola (ext. Prilep) – Niki – Florina (ext. Kastoria, Grevena, Kozani).

### *Business*

Follow up Research Study (to the ETF Report) on the Economic Base and Interconnectedness of the Prespa/Ohrid Euroregion (first, second and third sector) as basis for well targeted local economic development projects; Annual Prespa/Ohrid Business fair rotating among the main exhibition centres in the region (Kozani, Bitola and Korca) to become one of the main fairs in the Balkans.

Long Term Goal: Establishment of Prespa/Ohrid Free Economic Zone.

### *Working Groups:*

University Co-operation: Towards common curriculum design of the Universities in Florina/Kozani, Kastoria, Bitola and Korca;

Tourism Co-operation: Develop the Prespa/Ohrid Region as one destination for local and foreign tourists

Civil Society: Strengthening of the NGO Network.

### *Outreach/Marketing*

Elaboration of the *Prespa/Ohrid* Euroregion Website

### *Advocacy*

Improvement of Border regime and management (especially Visa); opening of a border point at Agios Germanos/Markova Noga

**Development Priorities for the *Prespa/Ohrid* Region Problems & Solutions** include the following<sup>158</sup>:

**Tourism related Problems**: lack of information connected with cultural and natural attractions that could be presented; lack of access to the countries (border crossings are time consuming); lack of inexpensive accommodation;

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<sup>158</sup> As elaborated by Local Authority Administrative Experts and Working Group Members on 16<sup>th</sup> June 2005 in Bitola. Please see the Annex B to the Report from the 2nd Council Meeting (Bitola, 15 - 16 June 2005): TRANS-FRONTIER INSTITUTION BUILDING PROJECT FOR THE PRESPA/OHRID REGION 2003-2005, TOWARDS THE ESTABLISHMENT OF THE EUROREGION. <http://www.ewi.info>

lack of entertainment and cultural activities; lack of transport (lake bus, lake boat); lack of joint projects in tourism; lack of standardisation of tourism facilities; lack of international promotion of the region; no web site with booking possibilities; lack of promotional materials (maps, guides...); lack of trained human resources (tour guides, rescue teams, tourist staff...); lack of joint ventures of tourist agencies; no signage

### **Tourism Projects and possible solutions:**

#### *I Research*

a) Market research, feasibility study (tourism facilities, environmental and cultural resources, defining host families).

#### *II Promotion of the tourism sector of the euroregion*

- a) Web-site (information on tourism facilities, booking possibilities, links, information on cultural and natural resources);
- b) Brochures, DVD, promotional material (maps, guides, etc);
- c) Participation in international fairs;
- d) Familiarisation visits (tourist operators, media, travel guides);
- e) Facilitate collaboration of tourist agencies on the three sides of the border;
- f) Campaign for Signage;

#### *III Training*

a) Human Resources (rescue teams, hotels/restaurants on customer service, hosting families, tourist guides, staff of tourist agencies).

#### *IV Advocacy for Visas (tourists, businessmen).*

**Business-related Problems include:** lack of information on co-operative legislation and trafficking of goods; lack of information on the available funding, donors and credit lines; lack of info on what companies are active (their industrial capacities, and other characteristics – no directory); lack of common fairs; problems of communication (language); no smart visas and special cross-border passes for business people; no standardisation; lack of appropriate translations of labels; no information on available seasonal jobs;

### **Business Projects and possible solutions include:**

#### **I. Expansion of activities of the 3 centers (CIBC, RDA, RESC)**

Providing information on co-operative legislation, trafficking of goods, on available funding and credit lines and active companies (website, print material and providing information on request-on-line helpdesk); training seminars for business people (include standardisation); research study.



## **II Promotion of the business sector**

- a) across the borders and internationally (website, print material, etc);
- b) rotating common fair.

**NGOs Problems include:** overlapping of projects; no joint activities among NGOs; NGOs not working together on specific issues; don't have efficient equipment

no support centers in Albania and Greece; no sufficient funding; little communication; no collaboration of development institutions; no NGO Council; problems with visas; little transparency of NGO activities; no certification programs; lack of co-operation with local and governmental authorities; not enough media coverage of NGO; no study of institutional capacities.

### **NGO Projects and possible solutions include:**

**I. Establishment of an NGO council/forum of the Euroregion** (co-operation with local self government, dissemination of existing information on NGOs, trust-building, NGO certification, media coverage, collaboration with development institutions and donors, coordination of NGO activities in the region)

## **II Study on Institutional capacities of NGOs**

**Culture-related Problems include:** No database on cultural monuments; no database of cultural events, festivals; no database on spoken traditions; declining of the use of traditional handicrafts; lack of visits to cultural monuments; no or few cultural joint ventures and research; no regional conference on cultural heritage and its use for development (culture tourism); lack of professionalism and clarity of presentations; lack of exchange and collaboration of cultural institutions from three countries; lack of international promotion of the culture of the region; underdeveloped commercial potential of cultural heritage (branding, marketing, shop for handicrafts); lack of information on the available funding.

### **Culture Projects and possible solutions include:**

**I. Promotion and Packaging of cultural resources** (website, brochures, clarity of presentation, branding, training, shops for handicrafts, fairs);

**II. Exchange between cultural institutions;**

**III. Research study (cultural monuments, cultural events, spoken tradition, etc)**

**University collaboration-related Problems include:** no co-operation between the universities; no information on the curriculum; no staff exchanges; no student exchanges; no joint research work; no common meetings, workshops and summer schools; no joint projects for EU funding; no easier procedures for academics.

**University Projects and possible solutions include:**

- I. Joint EU funded projects (Tempus)**
- II. Summer school, workshops, common meetings (Ohrid, Prespa)**
- III. Continuation of academic exchanges (staff, students, curriculum)**
- IV. International Student ID cards**
- V. Advocacy for visa for academics**

### **3.7 South Danube Euroregion**

Within the EU pre-accession process of the central and Eastern European countries, which includes Bulgaria and Romania, new concepts which arose include cross-border co-operation and the establishment of euroregions. This phenomenon emerged from the necessity to determine and keep the environmental dynamics and technical-economical characteristics of the area belonging to Euroregion *South Danube*. This euroregion was established in August 2001 and complied with European structures. According to the Agreement for cross-border co-operation, technical Working Groups were set up for the following domains:

- infrastructure;
- economy;
- environmental protection;
- education, culture and sport.

The establishment of the euroregion aims to promote cross-border co-operation for:

- cultural exchanges;
- communications;
- transportation;
- health;
- sports and tourism;
- environmental protection;
- common actions in case of natural disasters;

- development of co-operation relationships between neighbourhood inhabitants;
- collaboration between organisations, institutions and the business community.

Within the PHARE Cross Border Co-operation Programme, specific projects that brought together Romanian and Bulgarian children and young people were developed. These projects include: “Towards friendship through sport,” “Make a friend on the other side of Danube river,” “Radio Katranov,” “Balkan youth forum,” “Share your dreams, share your reality.” These are only few examples of such projects which lead to closer relations between the inhabitants of the *South Danube* Euroregion.

### ***Resources and natural potential of the South Danube Euroregion***

#### *Location, territory, borders*

The *South Danube* Euroregion includes three cities from Bulgaria (Svishtov, Belene and Nikopol) and four cities from Romania (Zimnicea, Turnu Măgurele, Alexandria and Rosiori de Vede). Their territory is situated in the Low Danube Plain and belongs to two Bulgarian regions (Svishtov belongs to Veliko Târnovo zone and Nikopol and Belene belong to Pleven zone) and one Romanian county (all four Romanian cities belong to Teleorman County). The surface of the *South Danube* Euroregion measures 1,326.9 km<sup>2</sup> on Bulgarian territory, and 6,500 km<sup>2</sup> on Romanian territory.

#### *Geographical characteristics*

The soils along the valleys of Osam, Yantra, Olt, Vedeia and Teleorman rivers are predominantly alluvial, sandy or argillaceous yellow soil. The relief is formed of long plains and wetlands. The Danube banks are characterised by a geographical asymmetry: the Northern bank (between Turnu Magurele and Zimnicea, including the great lake Suhaia) is low and marshy while the Southern bank (the area around the cities of Svishtov and Nikopol) is higher and steep. More than 95% of the euroregion territory has an altitude of 100m above sea level, which favours the intensive development of the agriculture, the improvement of the transportation infrastructure with low investments, the set up of an irrigation system etc.

#### *Climate*

The territory of the euroregion has a moderate continental climate, summer temperatures exceeding 30°C. The winter season is characterised by negative temperatures with values between -1 and -10°C, and frost periods lasting 2-3 weeks. The climate is a restrictive factor for the certitude of good and constant harvests.

### *Vegetation*

The forests cover approximately 35% of the euroregion surface, and willows, oaks, elm trees and poplars are the predominant species. The predominance of marshy vegetation and easily flooded forest is caused by the existence of numerous lakes on the Romanian bank.

### *Population*

The population of the *South Danube* Euroregion is of 73,249 inhabitants on Bulgarian side and 117,000 inhabitants on Romanian side.

## **3.8 Euroregion Drina-Sava-Majevisa<sup>159</sup>**

The Euroregion *Drina-Sava-Majevisa* (*DSM*) was established on 7 May 2003 in Brcko district. Its membership includes municipalities and cities from Bosnia and Herzegovina, the State Community of Serbia and Montenegro, as well as other areas the territory of which gravitate along the line of both the rivers of Sava and Drina and the mountain Majevisa. The euroregion's founding members included municipalities and cities from Bosnia and Herzegovina (municipalities of Bijeljina, Zvornik, Lopare, Ugljevik and Brčko District), and municipalities Loznica, Bogatić, Šabac and Mali Zvornik (from Serbia and Montenegro), and presently it includes around 16 municipalities from Bosnia and Herzegovina, Serbia and Montenegro and Croatia. Against this background, it is strongly hoped that this euroregion has a good future since it covers an area of about one million citizens and with extraordinary potentials which would be a factor for peace and stability in the Balkan area.

The common interest of the members is the cross-border co-operation for the purposes of: connecting and improving the common natural resources and traffic connections; realising mutual joint regional projects; stimulating co-operation with the citizens, cultural and public institutions; activating the economic actors and the potentials of its members, development of agricultural production; developing the ecology and protecting the human environment; determining common interests and strategic development of its members; mutual information and co-operation; creating and organising common institutions with the aim of easier accomplishment of human rights; developing a free flow of articles and persons, as well as developing and improving the multi-ethnic connection of citizens from the euroregion's members.

The Euroregion *DSM* is tasked with improving, assisting and coordinating regional cross-border co-operation; it may develop activities, draft and carry out

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<sup>159</sup> <http://eureg-dsm.org/>

programmes and projects, search for financial means, receive those means and to have them at its disposal. It works on behalf of its members without paying attention to the borders, with a view to making their comprehensive interests noticeable by the international, national and other organisations. The euroregion improves cross-border harmonisation and coordination between the public-legal institutions, governments and the social groupings. It provides advice for its members, citizens, companies, unions, governmental and other institutions on cross-border related issues. The euroregion promotes support for the reinforcing of local government, develops and acts as lobbyist for a strong framework for implementing its objectives through legal provisions in the legislation of its countries.

The Euroregion *DSM*'s regional cross-border co-operation (in terms of improving, assisting and coordinating the regional cross-border co-operation) takes place particularly in the following fields: legal development; traffic and transport; use of economic possibilities of certain area; protection of nature and environment; culture and sport; health; energy; use of tourism and recreation; agricultural development; innovations and technology transfer; schools and education; social co-operation; saving and protection against catastrophes; communications; public security.

As stipulated by the abovementioned Agreement, the euroregion is seated in Bijeljina and it has the following organs: President, Steering Committee and Assembly, while the region's work is being done through commissions concerned.

In the above context, one may stress the first meeting of businessmen and chambers of commerce from the area of this euroregion (held on 17 June 2004) when it was agreed that "all preconditions were met for successful co-operation between all economic actors within the region". The meeting participants also signed a Joint Declaration, and (as was agreed) specific agreements on co-operation were to be additionally signed by the interested economic organisations concerned. In this regard, one should add the euroregion's second business conference (held 18 October 2005) and which was an occasion for all participating businessmen to exchange their experiences and establish business contacts. The conference was designed to serve as an occasion to consider the potentials and possibilities for investment through proposals and initiatives for common projects. It ended with a roundtable devoted to the initiatives for a strategy on regional development of the Euroregion *DSM*.

### 3.9 Adriatic Euroregion

#### ***Background:***

The Adriatic Sea is a semi-enclosed arm of the Mediterranean Sea between Italy and the Balkan Peninsula. It extends for around 800 km from the Gulf of Venice, at its head, to the Strait of Otranto, which leads to the Ionian Sea. It is from 93 to 225 km wide, and has a maximum depth of approximately 1,250 metres. Italy, Slovenia, Croatia, Serbia and Montenegro, Bosnia and Herzegovina, Albania and Greece border the Adriatic Sea.

The Adriatic Sea is a highly sensitive marine area, where fishing is an important activity, although it has gradually declined in past years. A number of acute problems can be found in the Adriatic Sea and coastal regions, mostly related to eutrophication, over-fishing, pollution, shipping, coastal development and tourism<sup>160</sup>.

The Adriatic Sea links its coastal states, all members of the Council of Europe, into a distinct European region, bringing together EU and non-EU members. Historical linkages, a common cultural heritage, and a common responsibility for the sea that they share, unites the countries and peoples of Adriatic countries, but these countries also share diversity, disparity in wealth and development, and the problems associated with recent conflict in South-Eastern Europe. In this respect, regional and local authorities, the private sector and civil society all have an important role to play in the future of the region in order to achieve sustainable development, peace, democracy, stability, and European integration. The political situation in the region makes the need for co-operation beyond frontiers even more important, as transnational co-operation enriches culture and brings peace and stability.

Recent meetings to strengthen interregional co-operation in the Adriatic include the following:

i) a meeting on Interregional Co-operation in the Adriatic Basin (Pula, Croatia, 28 June 2004): This meeting was a joint initiative of the Congress of Local and Regional Authorities of the Council of Europe, and the Region of Istria. Its main outcome was a Declaration on International Co-operation where the representatives of the local and regional authorities of the Adriatic coast proposed to pave the way for setting up an *Adriatic* Euroregion, which could co-ordinate the use of EU Structural Funds for the period 2007-2013 through the

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<sup>160</sup> Please see the Council of Europe's Parliamentary Assembly **Resolution 1446 (2005) on co-operation and sustainable development in the Adriatic Basin.**

INTERREG programmes. The meeting further set a working group (the ‘Pula Group’) to regularly monitor and assess the progress made;

ii) a meeting held in Dubrovnik, Croatia, on 6 September 2004, at the initiative of the Congress of Local and Regional Authorities of the Council of Europe and the Municipality of Dubrovnik, as a follow-up of the ‘Pula Declaration’ that launched the idea of creating an *Adriatic* Euroregion. The meeting identified the major issues for co-operation in the Adriatic region (environment; tourism; agriculture; fisheries; and transport) and also discussed the institutional framework of the future *Adriatic* Euroregion;

iii) a colloquy on ‘Sustainable development of the Adriatic: Co-operation between Local and Regional Authorities’ (Chioggia, Italy, 23-24 September 2004), which was organised by the Committee on the Environment, Agriculture and Local and Regional Affairs of the Parliamentary Assembly. The main themes of the meeting were (i) the sustainable development of the Adriatic, and in particular the ecological situation of this sea, its marine resources and the fisheries sector; and (ii) transfrontier co-operation in the region, at the governmental and parliamentary level. The colloquy aimed at strengthening transfrontier co-operation between the countries, regions and communities bordering the Adriatic Sea, on issues of common concern such as sustainable development, fisheries, tourism, and shipping in highly sensitive areas. A key issue to ensure the future sustainable development of the area lies in the reduction of the pressure and threats to the Adriatic Sea and its coastline. The need for close transfrontier co-operation among Adriatic regions through a single body was highlighted at this meeting, as the way forward to realise the sustainable development of the region. Participants in this colloquy agreed in their support for an *Adriatic* Euroregion, and pointed to the need to address its legal framework, funding, and activities.

iv) an international Conference on the Adriatic Euroregion: A contribution to European Integration (Termoli, Italy, 8-9 November 2004), as was organised by the Congress of Local and Regional Authorities of the Council of Europe; the meeting provided strategic direction to co-operation in the Adriatic region. It addressed key issues for bordering countries, such as fisheries, the marine environment, transport, tourism and culture. The main outcome of the meeting was the full support given to the creation of a euroregion through the signature of a ‘**Protocol on the Establishment of the Adriatic/Ionian Euroregion**’. The Termoli Protocol marked the beginning of the ‘operational phase’ of this initiative on the basis of a temporary ‘Council of the Adriatic’ and five ‘permanent committees’ (on *environment; tourism and culture; agriculture; fisheries; and transport infrastructures*). The Protocol further details that the activities of the future euroregion should concentrate on the following objectives: stability; sustainable development; social and economic cohesion; integration into the EU; and co-operation in the framework of EU projects.

v) a meeting of the *Adriatic* Euroregion Partners (Pula, Croatia, 22 April 2005): The meeting discussed a draft version of the Statute of the *Adriatic* Euroregion and decided to circulate it for further input. A revised version of the Statute was to be prepared incorporating the comments received as well as legal advice. The final launch of the *Adriatic* Euroregion was foreseen to take place in Venice, Italy, in the last quarter of 2005.

The inclusion of countries bordering the Adriatic Sea, all members of the Council of Europe, in a future *Adriatic* Euroregion is one of its most innovative and strongest features. The overall goal of achieving stability, democracy, and prosperity in Adriatic countries and the region as a whole presents both opportunities and challenges, but the best guarantee of success will be the support of authorities, communities and citizens alike.

#### *Legal and institutional issues*

On 9 November 2004, a '**Protocol on the Establishment of the Adriatic/Ionian Euroregion**' was signed by the representatives of international, national, regional and local authorities of Europe present at the International Conference held in Termoli, Italy, under the aegis of the Congress of Local and Regional Authorities of the Council of Europe. The Protocol includes a preambular section with references to (i) the value of transfrontier, transnational and interregional co-operation among the regions, provinces and cities of the Adriatic and Ionian coast; (ii) the importance of EU enlargement to include South-Eastern European countries; and (iii) the contribution that local and regional co-operation can make to the promotion of peace, stability and prosperity in Central and South-Eastern Europe. The signatories of the Protocol specifically 'decided to enter an operational phase' for the creation of an *Adriatic* euroregion, and agreed on the objectives that activities of the euroregion will focus on: stability; sustainable development; social and economic cohesion; EU integration; and co-operation in EU projects. The 'Termoli Protocol' further included the institutional framework of the future euroregion, with a temporary 'Council of the Adriatic' and five 'permanent committees':

The Adriatic Council was planned to include representatives from the Council of Europe and the EU, governments, national parliaments, local and regional authorities, and non-Governmental Organisations. The five permanent committees are expected to cover the following issues: fisheries, agriculture, transport, tourism and culture. The committees were to be chaired by representatives from the different institutional levels concerned, and they could call on the expertise of the EU, the United Nations, and relevant scientific institutes and organisations.



The draft version of the Statute of the *Adriatic* Euroregion, discussed at a meeting on 22 April 2005, includes in its Article 1 a definition of the *Adriatic* Euroregion as ‘a voluntary international association of regions and municipalities’ located on the Adriatic coast and forming a geographical entity. Furthermore, Article 3 of the draft statute gives the legal status of a non-profit organisation to the *Adriatic* Euroregion.

The *Adriatic* Euroregion is a model of integration and sustainable development supported by the Council of Europe, the novelty of which concerns the Sea managed directly by local authorities: all the issues concerning the *Adriatic* will not be managed at governmental level (i.e. during the few meetings among the Foreign Offices of the various States) but will be directly assigned to the local and regional authorities of the countries involved in this Treaty<sup>161</sup>. The principle is that sea is not a property of the governments, but is of peoples who live around it. And people should choose the kind of developing strategies needed to make it a real wealth and, at the same time, to keep safe its ecosystem, in order to gain the maximum of advantages without spoiling it. The *Adriatic* euroregion is expected to move competencies applying the subsidiary help principle, according to an advanced administrative model, the aim of which would be to relieve bureaucratic procedures; this is a revolutionary delegation of powers that strengthen co-operation and democracy: national states make a step behind assigning competencies to local authorities that in this way tend to move closer and to internationalise<sup>162</sup>.

### **3.10 Danube-Drava-Sava Euroregional co-operation**

The Republic of Croatia and Republic of Hungary’s cross-border co-operation (CBC) has a long and rich tradition. The territories connected by geographic, historical, economic, cultural and other components and directed toward mutual co-operation have maintained intensive contacts during a considerable period of their common history and in the same national community for centuries. In recent times, while continuing the co-operation between the former Slavonia District and Baranya County, the cities of Osijek and Pécs have established mutual co-operation in 1967, crowned by their twinning in 1973. This co-operation was also followed by a regional one, formulated in the Co-operation

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<sup>161</sup> Please see the statement by Mr. Ivan Jakovčić, President of the Region of Istria (President of the Provisional Adriatic Council) as available on the Euroregion’s web-site:

<http://www.adriaticeuroregion.org>

<sup>162</sup> Please see the article of Monica Vignale as published on 5<sup>th</sup> November 2004 and which is available on [http://www.primonumero.it/attualita/speciali/era/index\\_en.php](http://www.primonumero.it/attualita/speciali/era/index_en.php)

Agreement between the then Osijek-seated Municipalities' Association (of the Slavonia region) and Baranya County.

The results produced in municipal and regional co-operation have been confirmed even in the most unpropitious times, in the time of the Homeland War, when Baranya County homed numerous expatriates from this portion of Croatia escaped from war destruction, rendering them human and material assistance in the war-problem resolution.

The historically based CBC between Osijek-Baranja County and Baranya County from the Republic of Hungary was also formally designed in 1995 by the agency of a Co-operation Agreement. The direction of these territories toward mutual co-operation has also brought forth an initiative to establish the first euroregion in this area, encompassing, in addition to these two counties, the region of northeastern Bosnia as well. Nevertheless, the Euroregional Co-operation has not neglected bilateral CBC but provided new impetuses thereto.

The *Danube-Drava-Sava* Euroregional Co-operation is an international organisation of counties and cantons, their county or cantonal seats, and chambers of commerce from the territories of the Republic of Hungary, Republic of Croatia, and Bosnia and Herzegovina, established upon the signature of the Statute in Pécs on November 28, 1998. By virtue of this signature, Baranya County, the county seat of Pécs, and the Pécs-Baranya County Chamber of Commerce and Industry from the Republic of Hungary; Osijek-Baranja County, the City of Osijek, and the Croatian Chamber of Commerce—Osijek-Baranja County Chamber of Commerce in Osijek from the Republic of Croatia; and Tuzla-Podrinje (Drina Basin) Canton, the Municipality of Tuzla, and the Chamber of Commerce of the Tuzla Region from Bosnia and Herzegovina became its founders and members. In 1999, the Euroregional Co-operation was approached by the City of Bars and the county seat of Szekszárd from the Republic of Hungary; in 2000, by Virovitica-Podravina (Drava Basin), Koprivnica-Križevci, and Požega-Slavonia Counties, with their respective county seats and county chambers of commerce, from the Republic of Croatia, as well as by Somogy County from the Republic of Hungary; while Vukovar-Sirmium County, the City of Vukovar, and the Vukovar-Sirmium County Chamber of Commerce, as well as Brčko District of Bosnia and Herzegovina, approached the Co-operation in 2001. The Brod-Posavina County approached the Co-operation in 2002. This organisation is not a juridical person. It is of an

open character, which denotes its openness toward the admission of new members<sup>163</sup>.

A motive for the assembly of Co-operation founders was the project of construction of the European highway (Transeuropean Motorway Project, TEM) that would pass through the European V/c transportation corridor and would even more closely connect these regions, enabling them also to establish better communication with Central Europe in one direction and the Adriatic Sea in the other. Transportation connection favours the establishment and extension of collaboration in all fields, so that the formation of a region that would develop harmoniously and secure the well-being of its inhabitants,

- cementing the economic and cultural ties between the regions involved;
- harmonising economic development programmes;
- making these regions attractive to the investors;
- establishing ties with educational, scientific, and research institutions;
- launching and supporting the environmental programmes; and
- rendering its assistance to the understanding and recognition of different cultures,

thus preparing these regions for the process of Central European and Euro-Atlantic integrations of their parent countries, becomes a set goal.

The Euroregional Co-operation encompasses the territories of three states, having a total area of 27,950 km<sup>2</sup> and a population of about 2.4 million inhabitants.

The Euroregional Co-operation is governed by its bodies: the President-chaired Presidency, comprised of the Member States' heads, the Secretariat, and 12 Working Committees (for economic affairs, infrastructure and logistics, tourism, informatics, agribusiness, science and innovations, sports and cultural affairs, education, national minorities, environmental protection, health services and social welfare, and administration). The scope of activities and competences of these bodies are stipulated by the Statute of the *Danube-Drava-Sava* Euroregional Co-operation.

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<sup>163</sup> Serbia and Montenegro has a observer status, i.e. the Euroregion includes also the following municipalities: Apatin (since June 22, 2002); Baè (since June 22, 2002); Sombor (since June 22, 002) and Subotica (since June 22, 2002);

### **3.11 Euroregion Danube 21**

The idea of this euroregion, the centre of which is the river Danube, was for the first time initiated during the year 2000. Its initiator was the Association of Danube municipalities from Bulgaria and Romania. The Serbian municipalities were able to join this project only after the democratic changes in the country. The Project's implementation started on 18 January 2002 when the mayors of the cities Vidin (Bulgaria) and Kalafat (Romania) and the president of the assembly of the municipality Zajecar (Serbia) met in Vidin (Bulgaria). An agreement on establishing the first European region in that part of the Balkans, as named as Euroregion *Dunabe 21*, was reached at this meeting.

The establishment of this Association was stimulated by the governments of Serbia, Bulgaria and Romania for the purposes of reinforcing these peripheral regions, being unhappy with poverty and isolation.

The euroregion includes the following municipalities: Zajecar, Bor, Knjazevac, Negotin, Sokobanja, Boljevac, Kladovo and Majdanpek (*from Serbia and Montenegro*); Vidin, Belogradchik, Lom, Ruzici, Cupreme, Dimovo, Makres, Kula and Novo Selo (*from Bulgaria*); as well as Kalafat, Pojane Mare, Desa, Chiuprcheni and Chetate (*from Romania*).

The Association's primary aim is "to join the efforts in resolving the most important problems with which this part of South Eastern Europe is faced, and under the circumstances of which the Association's members would have more chances to receive a support by the European Union and other relevant international associations with a view to implementing different development programmes".

Within the Association there is a number of commissions including on: strategic development; culture and education; economy development and infrastructure; sport, tourism and youth activities; ecological safety; agroculture, and health protection and social activities. The commissions' membership include representatives of all regions' members of the Association.

### **3.12 Southern Adriatic Transfrontier Co-operation Forum**

On 19-20 October 2001, the EastWest Institute co-organised an international conference in Dubrovnik, Croatia, Regional and Transfrontier Co-operation in South-Eastern Europe: Practical Steps Towards Stability, Prosperity and European Integration. The conference involved a one-day roundtable which convened representatives of local and regional authorities, NGOs, youth organisations, Chambers of Commerce, tourist agencies and the private sector

from the border regions of Croatia, BiH and Montenegro, as well as representatives of the international community in SEE (Council of Europe, OSCE, UN). The aim was to allow for local actors to probe the potential for developing local interest-based transfrontier co-operation in this post-conflict cross-border region. The roundtable laid the foundations for the EastWest Institute Project on transfrontier co-operation for this micro-region, defining areas in which there is local cross-border consensus on the need to entrench systematic co-operative practices. With the support of the EastWest Institute's Programme on Transfrontier Co-operation, a series of consultation meetings and roundtables were held over the course of this year in the region, leading to the establishment of Working Groups in each of the fields identified at the October, 2001 conference as high priority: 1. Co-operation in the field of Natural Resources Management (Ecology, Water, fire fighting); 2. Co-operation in the field of Private Sector Development (Tourism and SME development); and 3. Youth and Cultural Co-operation. Separate Round Tables held for each working group have identified more narrowly the specific needs for co-operation and have launched work towards the elaboration of common strategies as well as priority cross-border initiatives. The **EWI** Project for this cross-border region actively seeks; to intensify communications in common-interest fields leading to the elaboration of local cross-border strategies and initiatives; to progressively establish self-sustainable cross-border structures for the systematic and cost-efficient treatment of priority issues; and to further institutional and financial support for cross-border initiatives developed in this region. At the same time, the OSCE has increasingly supported cross-border co-operation in the Southern Adriatic, namely in the fields of fire-fighting and water management. And the Council of Europe has, for its part, been a long term supporter of transfrontier co-operation throughout East and South Eastern Europe, disseminating Local Democracy Agencies and promoting the establishment of euroregions for the institutionalisation of mutually beneficial co-operation and for the further integration of the European continent.

### **3.13 Cross-border Co-operation in South Eastern Europe within the Regional Environmental Center for Central and Eastern Europe (REC)<sup>164</sup>**

#### **Introduction**

The REReP projects of cross-border nature establish dialogue among the SEE countries<sup>165</sup>. This note outlines the existing REReP cross border projects and

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<sup>164</sup> The below information is based upon the information note as prepared by the REReP Task Force Secretariat for the 6<sup>th</sup> Task Force meeting in Brussels, on November 7, 2003. <http://www.rec.org/REC/Programs/REREP/RerepTaskForce.html>

their results, summarises the signed and negotiated memoranda of understanding or other co-operation agreements within the region. It also calls for establishing more cross-border projects under REReP in future, because of the added value of co-operating with the neighboring countries in the field of environment. It has to be added here, that countries often need financial assistance to decide on the modalities of cross-border co-operation and facilitate it. It has to be also underlined here that countries of the SEE region are parties of the numerous multilateral environmental agreements, calling for regional co-operation too. Initiatives such as the Sava River Basin Initiative are also present in the region.

### **Formal instruments and sites of cross-border co-operation**

At the time of preparation of this note the REReP Task Force Secretariat had the following information on the formal instruments for cross-border co-operation.

Albania has signed a Memorandum of Understanding with the Republic of Montenegro, a Memorandum of Understanding with “the former Yugoslav Republic of Macedonia” is drafted and the signing of such an instrument with Croatia is planned. Bulgaria has signed an agreement on a joint environment monitoring system with Romania. Croatia has signed a Memorandum of Understanding with Serbia and Montenegro and the ones with Albania and “the former Yugoslav Republic of Macedonia” are planned to be signed.

A Memorandum of Understanding under REReP project concerning Drina River is planned to be signed. Another possible site for future cross-border co-operation is Transpark, established by one of the REReP projects, covering Djerdap National Park (Republic of Serbia) and Iron Gates National Park (Romania). Kosovo (territory currently under UN interim administration) and Albania have ministerial plans to initiate cooperation on the management of neighbouring National Parks “Sharri” and “Bjeshket e Nemuna”.

One of the best existing example of cross-border co-operation are the joint activities of Albania, Bosnia and Herzegovina, Bulgaria, Croatia and Serbia and Montenegro on the protection of shared natural resources in Neretva River Delta, Skadar Lake and West Stara Planina. These activities led to the improved

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<sup>165</sup> The REReP Task Force’s main objective is to facilitate the implementation of the priority policy components of the Regional Environmental Reconstruction Program (REReP) for South Eastern Europe. In particular: institutional strengthening and policy development; environmental civil society building; emergency assistance for combating war damage; reinforcement of existing cooperative mechanisms and structures and development of regional cross-border projects, and support to priority national and local environmental projects

protection of biodiversity in these sites, improved information on their biodiversity and public participation in their management. They also contributed to a rising of public awareness on the importance of the sites. The project has also contributed to environmental education in local schools. In addition, rural-tourism strategy has been drafted for Neretva River Delta. In order to facilitate co-operation on the project, Albania and Montenegro signed the Memorandum of Understanding.

Co-operation within the project on Transpark included the identification of common problems on biodiversity protection in Serbian and Romanian National Parks, the creation of biodiversity inventories measuring human impact on both parks and assigning staff to maintain communication and further exchange information. The project aims at establishing a common administration management system and a transboundary biosphere reserve.

The Drina River project concerns peaceful and constructive co-operation at municipal level of Bosnia and Herzegovina and Serbia and Montenegro to design a solution to prevent waste accumulation in Lake Peruac and Drina River.

## **Conclusion**

The promotion of regional co-operation, including cross-border initiatives, is at the heart of REReP. The assistance provided for all REReP priority areas is implemented through regional dialogue. However, support to selected, targeted cross-border activities is vital for environment protection in the SEE. The capacity of environmental institutions in the region and environmental civil society have grown since the launch of REReP. It is believed that the number of cross-border projects will also grow in the coming years.

In a meeting held in the Ramsar site of Hutovo blato of the Federation of Bosnia and Herzegovina (BiH) on 3 May 2003, momentous decisions were taken to implement transboundary collaboration on the Neretva River and its wetlands. The example of the transboundary Prespa Park was presented and analysed during the meeting, and it was agreed that it was a valid model to adopt. The three studies that have been carried out in relation to the Neretva (the pilot work on the Lower Neretva within the framework of the MedWet2 LIFE Third Countries project in 1996-1998, the LIFE project on Hutovo blato and the Ramsar SGF project on transboundary collaboration, the last two just completed) were discussed, as they provide very useful information and conclusions, complemented by work on orthophotography and GIS mapping of the area, funded by the Spanish government.

After a thorough debate on technical and administrative issues concerning the Neretva area, the following actions were agreed:

- Signature on 6 June 2003 of a memorandum of collaboration between the two countries (the Federation of Bosnia and Herzegovina and the Republic of Croatia), supported by the Principality of Monaco and Ramsar / MedWet.
- Establishment of a 7-member Neretva Co-ordination Committee to implement the collaboration consisting of three members from each side (representing the central authorities, local government and NGOs), with MedWet as an observer.
- Convening of the first meeting of the Committee, as soon as its members are appointed, by MedWet.
- Priority given to the preparation of a Strategic Action Plan, based on the previous studies for the area and on similar work done for the Prespa Park.

Finally, representatives of the two states expressed their wish to attend the next meeting of the Prespa Park Coordination Committee to understand better its role and operation.

#### **IV. Selective overview of related regional initiatives/projects as led by NGOs<sup>166</sup>**

##### **4.1 BalkanKult**

*BalkanKult* is the only regional association whose main task is to collect, exchange and redistribute data concerning cultural life and to initiate mobility of information, people, expertise and cultural production within SEE, as well as performing research and publishing activities. It therefore seemed natural that many representatives of euroregions in SEE have suggested that implementing an agency for cultural co-operation should be established within BalkanKult: "Euroregions in SEE are now in the process of shaping concrete programmes and projects, establishing co-operation with the euroregions in other parts of Europe, as well as with international institutions and associations. In this context, it is imperative to establish a constant flow of information. Without question, the success of transborder cultural co-operation will depend on being well-informed, as well as on the frequency of meetings of professionals and artists, on educational programmes, etc. The conclusions of all previous meetings on transborder co-operation in euroregions in SEE stressed the need to

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<sup>166</sup> This selective overview is designed just to illustrate some regional initiatives / projects as led by non-governmental organisations the work of which is more or less closely related to some specific aspects covered by the SEE Euroregions' main focus.



establish an implementing agency for cultural co-operation in the euroregions in SEE. This idea has also been supported by regional and European experts<sup>167</sup>.

*Description of the Project:* The Tasks of the *BalkanKult* Implementing Agency would be to collect and distribute documents and information in connection with concrete projects, euroregional events, cultural production in euroregions and cultural institutions (public, private and NGO) which are directly involved in euroregional cultural co-operation in SE Europe. The agency would also work on initiating cultural co-operation in euroregions in SEE by organising expert panel discussions, training courses, seminars, exchange of experts, study trips, job-shadowing programmes, etc. At the moment there are seven active euroregions (triangles) in SEE: The *Danube 21*, the *EuroBalkans*, The *Danube-Kris-Mures-Tisza*, the *South Adriatic*, and the *Danube-Drava-Sava*, the *Prespa/Ohrid* and the *Drina-Sava-Majevisa*.

The activities of the *BalkanKult* Implementing Agency include: the support of cultural exchange as an example of good practice for co-operation in other social and economic fields; the encouragement and initiation of interregional co-operation (seminars, workshops, educational programmes etc.); the affirmation of culture for the function of better recognition among different co-existing cultures in SEE; research and publishing activity; informing the wider public on cultural co-operation possibilities; the free flow of information; the support of the mobility of people, ideas and expertise; the encouragement of the use of new information technology;

*Expected results:* The most important results of the *BalkanKult* Implementing Agency would lead to reconciliation in the SEE region and the building of trust on a long-term basis as well as the promotion of a mutual interest between artists, institutions and functions of culture which would include: building partnerships; developing transborder co-operation projects; developing a transparent cultural environment in SEE; broadening the cultural market; suggested Designers of the Project.

*BalkanKult* previous activities include (among others):

- [EuroBalkans Culture Map](#) - *BalkanKult* has recently created an on-line database of cultural institutions and functions of the *EuroBalkans* Euroregion in co-operation with EastWest Institute's office in Nis;
- Cultural Tourism in the *Danube-Kris-Mures-Tisza* Euroregion -

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<sup>167</sup> Please see more details on the *BalkanKult* web-site: <http://www.balkankult.org>

BalkanKult is currently working as an implementing agency on the project entitled “The Developmental Aspects of Cultural Tourism in the DKMT region”. The project is supported by the Executive Council of AP Vojvodina. The role of BalkanKult as an implementing agency is to establish and coordinate regional and international co-operation with other euroregions and international expert institutions. As a first step, BalkanKult has organised two expert meetings: “Culture tourism in the *DKMT* Euroregion / Museums and Archaeology: Possibilities of Co-operation” and “Cultural Tourism in the *DKMT* Euroregion / Creation of Tourism as a Product” as well as an international conference “The Developmental Aspects of Cultural Tourism in the *DKMT* region”.

### **Prespa/ Ohrid roundtables for the EastWest Institute.**

BalkanKult has made proposals for the organisation of two roundtables entitled “Cultural Tourism in the *Prespa/Ohrid* Region: Museums and Heritage sites” and “Cultural Tourism in the *Prespa/Ohrid* Region: Creation of Tourism as a Product”.

Recently, BalkanKult has started working on a very interesting project which is not based on the geographical borders but on interests in the field of culture. This project includes the co-operation between the cities of Novi Sad, Osjek and Mostar with Triangle Region in Denmark. This co-operation is proving to be a very successful model for future co-operation and networking in the West Balkans region.

## **4.2. IGMAN Initiative<sup>168</sup>**

The Igman Initiative, comprised of more than 140 non-governmental organisations from Serbia and Montenegro (SaM), BiH, and Croatia, works toward renewing co-operation and normalising interstate relations within the Dayton Triangle<sup>169</sup>. Its mission is to promote and facilitate local and regional

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<sup>168</sup> In addition to the below information, please also see the Igman Initiative’s web-site: <http://www.igman-initiative.org>

<sup>169</sup> The forerunner to the Igman Initiative was a conference entitled “Prospects for Bilateral Relations Between BiH and the FRY,” which took place in Banja Luka (BiH) in February 2000. Attended by representatives from approximately 80 NGOs from the two countries, the meeting was convened at the time when political parties that were responsible for instigating the war were in power in both countries. These parties did not look favorably on the normalization of relations or on the establishment of cooperation. To this end, the conference discussed the possibilities and prospects for establishing cooperation in the sphere of politics, economy and culture, covering substantially new ground. In November 2000, in Zagreb, the follow up conference, “Prospects of Relations Between Bosnia-Herzegovina, the Republic of Croatia and the FRY” was convened. The

dialogue in the fields of politics, economy and culture; to promote confidence building and advocacy of democratic values; to monitor and apply positive pressure on the three Dayton Triangle governments to bring about a faster normalisation of their relations; to confront and question governmental policies when human rights are violated; to create a space in which people can openly express opinions, feel comfortable responding to one another and act on behalf of their communities; and, finally to foster initiatives in South Eastern Europe to help this region become a zone of peace, co-operation and tolerance with open borders.

It is an umbrella association whose projects are implemented at both micro- and macro-levels. It comprises NGO representatives, political and economic analysts, media, and local government representatives, who present, assess and design projects at joint sessions. To ensure quality analysis and impact on the ground, multi-sector expert groups are occasionally established to deal with specific topics. The Igman Initiative is governed by three co-Presidents from Croatia, BiH, and S&M. The Council is comprised of 18 members, six per country.

The Igman Initiative advocates cross-border co-operation, normalisation of relations, respect of human rights, reconciliation and democratic values; proposes legislation changes; raises public awareness of problems and proposes solutions; monitors implementation of bi-lateral and multi-lateral agreements. All the Igman Initiative activities are planned and evaluated at the plenary sessions. Its recent micro-projects include the Agreement on Inter-Ethnic Tolerance<sup>170</sup> and the Co-operation Triangle Dubrovnik–Herceg Novi–

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conference gathered more than 100 NGOs from the Dayton Triangle<sup>4</sup>. Participating organizations agreed to institutionalize their activities that aimed to establish and normalize relations among the three countries. The new institution would give the organizations a greater influence on the governments and the public in all three countries and would speed up the process of normalizing the relations. At the second session of the conference, held in Novi Sad in March 2001, the umbrella movement Igman Initiative was established and a Council was appointed.

Founded by the Center for Regionalism (Novi Sad, SaM), the Forum of the Democratic Alternative BiH (Sarajevo, BiH) and the Civic Committee for Human Rights (Zagreb, Croatia), the Igman Initiative was established with financial support from Freedom House, which continues to provide funding for nearly all Igman Initiative projects today.

<sup>170</sup> The “Agreement on Inter-Ethnic Tolerance Tuzla–Osijek–Novi Sad” was presented at the third session of the Igman Initiative, in Sarajevo, May 2001. The expert group conducted the main research project on the state of inter-ethnic relations in the three cities. On the basis of this research, an agreement was drafted obliging the local governments of the three cities, as well as three NGOs (Center for Regionalism, Citizens’ Forum from Tuzla and the Center for Peace, Non-Violence and Human Rights from Osijek), to sign the agreement and to foster cooperation between the three cities in the fields of economy, education, exchange of information, sport etc., contributing to the improvement of inter-ethnic relations. This agreement, which was signed in Tuzla on January 21,

Trebinje<sup>171</sup>, while its recent macro-projects include: Expert teams for Citizenship, Property, and Movement of Goods, People and Capital; Free-trade zone and the mini-Schengen in the Dayton Triangle; The truth about the past, the foundation for the future; Bilateral Agreements in the Dayton Triangle – NGO Monitoring of the Signing, Ratification and Implementation and the Expert Assistance to their Drafting.

Experiences collected in the Igman Initiative project were implemented in the CIVIC DIALOGUE project on rebuilding relations and co-operation between civil sectors of Kosovo and Serbia. The project goal is to help reduce current tensions and normalise relations to prepare the grounds for the successful completion of the official dialogue between Belgrade and Pristina by connecting NGOs and other civil society players. This becomes even more important given the fact that co-operation between civil sectors of Kosovo and Serbia was almost completely terminated after military actions and war crimes. Representatives of civil organisations from Kosovo and Serbia, notably representatives of youth and women organisations and media representatives attended several sessions, during which future co-operation and joint projects were agreed upon. During the course of the Civic Dialogue, a network of over 150 NGOs from Kosovo and Serbia was created. The implementers of this project are: the Center for Regionalism, Novi Sad and Humanitarian Organisation “Mother Theresa,” Pristina (under the auspices of OSCE Mission in Kosovo). Freedom House and the Rockefeller Foundation also supported this project.

### **4.3 The Corridor VIII LED Network**

The Corridor VIII LED Network is an alliance of local governments, local government associations and private sector organisations located on or near Trans European East West Transportation Corridor VIII, which will connect the Black and Adriatic Seas through Albania, “the former Yugoslav Republic of Macedonia” and Bulgaria. The Network is dedicated to applying the principles of participatory local economic development through public-private partnerships and cross-border co-operation. Its mission is to promote the continued long-term development and integration of the Southern Balkan Region. The Network focuses on Corridor VIII development for the mutual benefit of the communities and citizens of the region. The corridor is expected to bring improved highway,

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2002, also represents a nucleus of a new regional integration, which would cover North-Eastern Bosnia, Eastern Slavonia and Vojvodina.

<sup>171</sup> The cooperation in the triangle Dubrovnik–Trebinje–Herceg Novi was agreed by the participants of the fourth session of the Igman Initiative in Dubrovnik, and it covers the fields of water supply, fire fighting and ecology.

rail, pipeline and utility linkages to the region from which all nationalities and ethnic groups of the region will benefit.

The original membership of institutions that form the alliance includes local government associations, capital cities and private sector institutions from the three nations through which the Corridor passes--Albania, Bulgaria and “the former Yugoslav Republic of Macedonia”, plus Kosovo and the US<sup>172</sup>.

The Network is comprised of a Board of Directors representing the institutional members that makes policy decisions related to the Network and its programmes. It operates through its Standing Committees, which include an Advocacy Committee, LED Committee, Cross-Border Project Committee and Budget and Fundraising Committee, as well as *ad hoc* committees and task forces appointed by the Board of Directors<sup>173</sup>.

The Network’s focus on LED is designed to help give local governments and private business associations that have a vested interest in the Corridor’s development a voice in the decision-making process, and to help them optimise the benefits of its development. As is often the case with developing nations, the strategic planning and project implementation of the Corridor VIII Project has been carried forward with very little involvement of those who will be most

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<sup>172</sup> Its new members include: Municipality of Durres, Chamber of Commerce of Durres, Tirana Chamber of Commerce and Industry, Union of Chambers of Commerce and Industry of Albania Municipality of Vlora, Chamber of Commerce and Industry of Vlora, municipalities of Elbasan, Fier, Lushnje and Pogradec, Association of Communes of Albania, Commune of Maminas-Durres, Commune of Rashbull, Durres, Regional Development Agency of Tirana and Association of Water Supply & Sewerage Enterprises (**from Albania**); Stara Zagora Regional Economic Development Agency, Municipality of Bourgas, Urban International Associates, Bulgarian Industrial Capital Association, Bourgas Marine Association and Association of Bulgaria Ports and Port Operators (**from Bulgaria**); municipalities Debar, Gostivar, Kumanovo, Struga, Kocani, Kriva Palanka, Zelino, Centar, Karpos, Stip, Kicevo, Srebrenovo, Kamenjane, Prilep, Tetovo and Bogovinje, as well as the Euroregion Belasica and the American Chamber of Commerce of Macedonia (**from “the former Yugoslav Republic of Macedonia”**), and the Kosovo Association of Municipalities.

<sup>173</sup> These Network Standing Committees were established by the Board of Directors at their meeting in Skopje on May 20, 2005. This board meeting constituted the inaugural event for newly registered association. Up until this time, the Corridor VIII LED Network had functioned as an informal alliance of organisations with common interests related to the Corridor and local economic development of municipalities along and near its route. *For more details please see* the Network’s web-site: <http://www.corridor8led.net>

directly affected—the local communities and their business entities. Mayors and private sector leaders are seldom invited to “sit at the table” and often not even consulted when important decisions are being made on large infrastructure development projects. This is true even though the localities will often be called upon to implement those decisions, and ultimately are the ones who will have to live with the results, good or bad. Vertical intergovernmental co-operation, which was originally virtually nonexistent in the countries of the region, and been improving. But the situation is still a long way from satisfactory.

The Corridor VIII Network serves as a regional coordination mechanism for local interests along the corridor. It provides: assistance in intergovernmental relations through an information sharing and coordinated advocacy programme to support further international donor support for corridor construction and development, valuable knowledge sharing to and among members about current Corridor VIII development plans and progress, assistance to localities in developing and coordinating local economic development strategies that take the regional Corridor VIII development project into account, and help to members in generating concepts for cross-border development projects and identifying funding sources for them<sup>174</sup>.

#### 4.4 The Citizens’ Pact for South Eastern Europe<sup>175</sup>

The Citizens’ Pact for South Eastern Europe (CP) is a network of NGOs and municipalities throughout SEE, aiming to contribute to the development of the civil society and stability in South Eastern Europe, through strengthening of cross-border co-operation and partner relations among local governments and non governmental organisations. It was founded in response to the signing of the Stability Pact Sarajevo, July 1999. Many civic organisations welcomed the

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<sup>174</sup> The Corridor VIII transportation project, although it predates the Stability Pact, directly supports the regional economic cooperation that the Pact visualizes. It develops a system of transportation that clearly would foster improved trade between Albania, “the former Yugoslav republic of Macedonia” and Bulgaria. It would bring economic development benefits to the sub-regions and municipalities along its route and better connect inland localities to ports on both the Adriatic and Black Seas, allowing better access to raw materials and markets. Corridor VIII development is also a focus of the U.S. government. For five years, the U.S. government supported development of the Corridor through the **South Balkan Development Initiative** that expired in 2001. However, renewed U.S. support for the corridor has been shown through the subsequent **Southeast Europe Initiative** program designed to continue stimulating road, rail and oil pipeline development throughout the region, and expand to include similar support for airports, energy and telecommunications development. In this context, *please also see* the document “Regional Infrastructures Strategies and Projects in South Eastern Europe” (Working Table 2 of the Stability Pact, Sofia, 117 May 2005).

<sup>175</sup> The below information was taken from the CP web-site: <http://www.citizenspact.org.yu>

Stability Pact but believed it focuses too much on the governmental level. To counterbalance this, several activists from SEE founded the Citizens' Pact in July 2000 as a new platform through which people from SEE can meet, exchange ideas, develop projects and get their voices heard. The Inter Church Peace Council (IKV, The Hague, The Netherlands) has actively promoted and supported the birth of the Citizens' Pact. The International Development Agencies NOVIB and Hivos (The Netherlands) are financially supporting the CP network till June 2004. Regional co-operation serves to integrate South East Europe into the European regional institutions on both a civic and governmental level. The ideals of peace, democracy and tolerance are promoted as an alternative to nationalism and xenophobia, engaging citizens in conflict resolution and prevention.

The CP network members are municipalities and NGOs from 9 countries and regions in SEE. Presently, the network has 109 members, 20 municipalities and 89 NGOs from Albania, Bosnia and Herzegovina, Bulgaria, Croatia, "the former Yugoslav Republic of Macedonia", Moldova, Romania, Serbia and Montenegro. It has a few tools to support members in their roles, generating projects that are creating connections on a cross-regional basis to promote "Stability from Below". Co-operation between municipalities and NGOs is especially valued, because it is a powerful tool in narrowing the gap between authorities and citizens, and a unique feature of the Citizens' Pact to have the two sectors in one network.

In the past three years, 32 cross-border co-operation projects were realised by the CP members with a big variety of different topics which is in keeping with the membership structure, where NGOs from all fields of interest and work are accepted and act together with local authorities. These projects have one or more of the following objectives: democratisation; community building; capacity building of organisations and institutions; harmonisation of inter-ethnic relations; reconciliation, active citizenship. Its campaigns included: the Visa Abolishment Campaign with the aim to enable the abolishment of visas within South Eastern Europe and the liberalisation/abolishment of the visa regime based on the Schengen Treaty; the campaign for the establishment of series of "Protocols on interethnic tolerance" with the long term objective to create an atmosphere of inter-ethnic tolerance in local communities of the region and in the region as a whole; citizen participation in local governance with the aim to promote active citizenship, and especially participation through development of new initiatives in local communities and creating links among existing ones in the region.

#### 4.5 Euroregional Centre for Democracy<sup>176</sup>

The *Euroregional Centre for Democracy (CED)* is a non-governmental and non-profit organisation, that promotes democracy and stability in Central and South Eastern Europe. CED is located in Timisoara, a city in the western part of Romania. Timisoara represents an ideal learning location for a laboratory seeking to devise programmes of great importance for the future of democracy and regional stability. This multi-ethnic and multi-cultural space encourages the dialogue between individuals and institutions that promote democratic values.

The euroregional Center for Democracy is a member of Soros Open Network, a network of Romanian independent organisations whose common aim is to promote the open society values. Its aims include the following:

- **to build and consolidate democracy** by providing innovative ongoing and long-term opportunities for communication through interactive seminars, workshops, panels, in order to help democratic institutions;
- **to promote partnership** between regional, national and local non-governmental organisations and institutions and help them develop regional projects, as well as undertake joint efforts;
- **to strengthen the institutional capacity of the NGO community** through programmes that ensure the development of available human resources, as well as of the organisational, institutional and legal framework in order to facilitate the elaboration of long-term strategies for viability and sustainability;
- **to raise regional community awareness** of common transition-related issues and of the relationship between diversity and democracy by initiating debates on contentious issues in order to overcome prejudices, stereotypes and isolation.

The recent CED activities include the following:

- the fourth edition of the Regional NGO Fair (as organised in Timisoara, Romania, between October 20-23, 2003) which was organised under the name of SOUTH EAST EUROPEAN YOUTH NGOS FORUM – “Regional Cooperation: Resource and Tool for Youth NGOs Efficiency” and was a joint effort of CED and RYCID – the Regional Youth Centre for Information and Documentation in South Eastern Europe. It was an opportunity for representatives of the youth and youth-serving NGOs from South Eastern Europe to have direct contacts, to know each other and each other's projects, to discover new areas and possibilities for networking;

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<sup>176</sup> The below information was taken from <http://www.regionalnet.org>



- SOUTHEAST EUROPE YOUTH INITIATIVE FUND, as is aimed at supporting the cross-border co-operation by financing activities that bring together youths from across South Eastern Europe. The programme has financed only projects that emphasise a partnership with an organisation/institution from at least one of the following countries: Yugoslavia, Albania, Bosnia-Herzegovina, Croatia, "the former Yugoslav Republic of Macedonia", Slovenia, Bulgaria, and Moldova. The Youth Initiative Fund provides grants to organisations which implement projects that encourage tolerance, understanding, inter-ethnic dialogue, responsibility, self-reliance, volunteerism, leadership, democratic values, multiculturalism, non-violent conflict resolution and school-to-work transition activities. Since the implementation of the Youth Initiative Fund programme in Romania, the Euroregional Center for Democracy has organised five project contests.

#### **4.6 Transboundary Prespa Park**

The Prespa Park was established with a Joint Declaration of the Prime Ministers of Albania, Greece and "the former Yugoslav Republic of Macedonia", on the occasion of the World Wetlands Day, 2 February 2000, in Aghios Germanos, Greece. The Park, which includes the Micro and Macro Prespa Lake and their surrounding mountains, constitutes the first transboundary protected area in the Balkans. The main purpose of its establishment is the environmental protection and sustainable development of the wider area for the benefit of nature conservation and for the prosperity of its inhabitants and future generations. As mentioned in the joint Prime Ministers' Declaration, "the conservation and protection of an ecosystem of such importance not only renders a service to Nature but it also creates opportunities for the economic development of the adjacent areas that belong to the three countries. Furthermore, the long history of the human presence in the area proves the compatibility of traditional activities and knowledge with the conservation of nature". The Declaration further defines the objectives of the Prespa Park as follows: a) to maintain and protect the unique ecological values of the area, b) to prevent and/or reverse the causes of its habitat degradation, c) to explore appropriate management methods for the sustainable use of the Prespa Lakes water, and d) to spare no efforts so that the "Prespa Park" becomes and remains a model of its kind, as well as an additional reference to the peaceful collaboration among the three countries. The ultimate aims of the Transboundary Prespa Park are: the distinct improvement of the local people's living standards, through the conservation of the unique natural and cultural values and the character of the Prespa Park basin; the promotion of friendship and co-operation between the three countries, which could constitute an effective experiment and ultimately a model for the

development of similar mountainous areas in the Balkans and elsewhere; the assurance of the protection of Prespa's ecological values and biodiversity via the wise management of the waters of the Prespa Lakes and the adoption of a common monitoring system, which will enable a clear assessment of the condition of the environmental and of certain human activities in Prespa; the promotion of the wise use and sustainable development of the natural resources and human activities through the application of innovative and pilot development programmes so as to ensure the implementation, to the largest degree possible, of sustainable agriculture, small-scale cattle breeding and common fishing regulation; the management of residential and agricultural waste with environmentally-friendly methods; the implementation of an appropriate eco-tourist standard for the area, in combination with the preservation and promotion of traditional architecture, Byzantine and other monuments; the improvement of basic infrastructure for communication and transport; the improvement of the health-care system and other social services available to the residents of the area; the preservation and promotion of the cultural and historical significance of the Prespa area, as a point of exchange of ideas and experience between three cultures and traditions, and the strengthening of such links, etc<sup>177</sup>.

In order to promote the co-operation among the three countries, so as to achieve the environmental protection and sustainable development of the Prespa Lake and their surroundings, a trilateral Prespa Park Co-ordination Committee (PPCC) has been established, with government, local society and non-governmental representation of all three countries. The PPCC has also appointed a Secretariat consisting of three persons from the collaborating non-governmental organisations<sup>178</sup>. The aforementioned organs have already undertaken a series of activities and joint programmes, in order to translate the political commitment into a tangible reality for the environment and the people of Prespa.

Following the Declaration of the Prime Ministers of Albania, Greece and “the former Yugoslav Republic of Macedonia”, on the creation of the transboundary Prespa Park, the three neighbouring countries were faced with the necessity for the development of a joint strategy for the preservation of the unique values and

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<sup>177</sup> <http://www.resen.gov.mk>

<sup>178</sup> The PPCC Secretariat consists of three persons, one from each collaborating NGO, member of the Co-ordination Committee, namely, the Protection and Preservation of Natural Environment in Albania (PPNEA), the Society for Protection of Prespa (SPP) in Greece and the Macedonian Alliance for Prespa (MAP). The Secretariat is located at the SPP headquarters in Aghios Germanos (Greece).

the promotion of sustainable development for the region. Towards this direction the “Strategic Action Plan for the sustainable development of the Prespa Park” (SAP) was elaborated aiming at the clarification of a common vision for the area and the setting of specific objectives for the future. This was the first joint project elaborated by three countries.

According to the SAP, the main aim of the Prespa Park is *the preservation of the valuable natural and cultural characteristics of the whole of Prespa through management methods and development initiatives, that enhance the standard of living of its inhabitants as well as promote peace and friendship between the three peoples, and lead to economic and social prosperity and convergence.*

Based on the aforementioned document, the joint strategy for the Prespa Park and the main policy fields to be pursued, could be summarised as follows: conservation of the ecological values and the biological diversity in the Prespa Park area; enhancement of opportunities for the sustainable economic and social development of local societies and the wise use of natural resources for the benefit of both nature and people; preservation of the cultural values in the Prespa Park area, such as monuments, traditional settlements and traditional human activities and cultural elements that promote sustainable management of natural resources; participation, co-operation and involvement in decision-making of the local stakeholders in the three countries. To this direction the promotion of a culture of peace in the area and strengthening of the local stakeholders so that to increase their participation in the management of the area is pursued<sup>179</sup>.

### **Joint Activities in the Prespa Park**

Since the declaration of the Prespa Park, stakeholders from the three countries have met several times to exchange information, discuss and plan their joint work. The first concrete products of this innovative co-operation are: the establishment of a Co-ordination Committee with representation from the three countries (with government, local society, and environmental NGO participation) and from the international Ramsar/Medwed system, and of a Secretariat consisting of participating NGOs; the completion of a Strategic Action Plan for the sustainable development of the Prespa Park that lays down common strategic policy and management axes, and assesses the priorities for specific projects and activities in the region; the development of the future multi-year joint programmes for the integrated ecosystem and resource management in the Prespa Park area that will be funded by the Global

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<sup>179</sup> <http://www.medwet.org/prespa/park/strat.html>

Environmental Facility (GEF) and other major donors; and the joint proposal for a much-needed hydrological study to define the water balance of the basin and permit harmonised management interventions in the future. Several other ambitious plans are also under way, e.g. for the establishment of basic infrastructure and a joint monitoring system in the Prespa basin, and for many other projects where the added value of co-operation and interaction becomes more evident by the day<sup>180</sup>.

#### **4.7 Peripheral civic networking for the implementation sustainable development in the Ohrid-Prespa region of Albania and “the former Yugoslav Republic of Macedonia”**

While several NGO’s from Albania and “the former Yugoslav Republic of Macedonia” from the Lake Ohrid region in 2001 signed an Agreement to Co-operate in achieving these goals, the network remained inactive due to a lack of concrete organisational and operational guidelines, networking skills, and a vision and strategy through which to affirm the network identity, purpose, and legitimacy, and the capacity to act in the public interest. This network initiative, once dead in its tracks, was brought back to life in August 2004 when the “Interim Board” of the “Prespa and Ohrid Sustainability Network” was established by 7 organisations including environmental, youth groups and women’s associations. At the meeting the Interim Board confirmed that its principal purpose is to establish the capacity to go beyond the national, ethnic, and religious divide to value and nurture local civic, transboundary, multi-ethnic co-operation for the promotion of democracy, diversity, and sustainable development. In the Board’s understanding, in achieving these goals the Network should:

- establish the network as a formal grassroots-based, professional civic organisation on the periphery;

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<sup>180</sup> In this regard, one may also mention (for example) the first Working Meeting of the Fire-fighting authorities of the Prespa region (as was held in Lemos, Greece, on 30<sup>th</sup> October 2003) when the importance of this cooperation initiative for the effective protection and combating of forest fires, and its contribution towards the preservation of the unique values of the Prespa region, i.e. the need for a joint contingency plan for Prespa park were stressed. The participants discussed particularly preparation of Protocols of Cooperation between the three countries, that were expected to improve greatly the level of cooperation, to enhance the fire-response times, and to equip transboundary areas with fire-fighting vehicles, with the support from various funding mechanisms, such as the INTERREG III and other programmes. The participants agreed on the establishment of initial regular contacts and meetings, while the first step in this regard was the appointment of contact persons from each country who will co-operate for the drafting of the joint contingency plan. *For more details please see on <http://www.resen.gov.mk>*

- develop a solid framework for the implementation of sustainable development through civic network consolidation and capacity building;
- carry out concerted civic action to implement sustainable development;
- increase visibility and importance of consolidated civil society and its role in improving the quality of life through the implementation of sustainable development.

The project **“Prespa and Ohrid Sustainability Network – Peripheral civic networking for the implementation of sustainable development in Ohrid-Prespa region of Albania and Macedonia”** helps the network make the first, critical step, that is, establish itself as a formal transboundary network organisation through a gradual process of institutionalisation based on *trust* and *legitimacy*. Financed under the “Micro-Project Launch Fund” of the **“Prespa/Ohrid Transfrontier Institution Building Project for the Prespa/Ohrid Region 2003-2005 Towards the Establishment of the Euroregion”** implemented by the EastWest Institute with the support of the Council of Europe and within the framework of the Stability Pact for South Eastern Europe, the project is implemented by the *Alliance for Lake Cooperation on Ohrid and Prespa* (Ohrid, “the former Yugoslav Republic of Macedonia”, and Mala Gorica, Albania) and the *Environmental Association “Areal”* from Struga, “the former Yugoslav Republic of Macedonia”, in three phases:

**Phase I:** During the first phase the Interim Board convened on 6 March 2005, in Ohrid, “the former Yugoslav Republic of Macedonia”, to establish the criteria and procedure for selecting additional civic organisations to become the “core members” of **POSNet** (The Prespa and Ohrid Sustainability Network). Following this meeting, the following organisations comprise the “core members” of POSNet:

- ALLCOOP-Alliance for Lake Co-operation on Ohrid and Prespa (Ohrid, “the former Yugoslav Republic of Macedonia”, and Mala Gorica, Albania)<sup>181</sup>

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<sup>181</sup> ALLCOOP - Alliance for Lake Cooperation on Ohrid and Prespa focuses on promoting and supporting the cross-border activities in the protection of the environment in the region of Lake Ohrid and the Prespa lakes aiming at sustainable development of the region. The approach includes development of cross border cooperation and co-ordination between the relevant states and above all local governments and NGOs in order to ensure the active participation of the local communities. ALLCOOP - Alliance for Lake cooperation on Ohrid & Prespa is a nongovernmental organization that promotes transboundary cooperation in the Region of Ohrid and Prespa Lakes, bordered by “the former Yugoslav Republic of Macedonia”, Albania and Greece. ALLCOOP was established on January 15th, 2000 and formally registered on June 16th, 2000.

- Turkish Women Association “Hayat”, Struga, “the former Yugoslav Republic of Macedonia”
- Association “Tourism and Environment”, Pogradec, Albania
- Environmental Association “Jagoda”, Lescoec, “the former Yugoslav Republic of Macedonia”
- Environmental Association “Areal”, Struga, “the former Yugoslav Republic of Macedonia”
- Environmental Association “Green Forest”, Pogradec, Albania;
- Organisation for Integration of Women and Children, Mala Gorica, Albania;
- Cultural Association “Our Struga”, Struga, “the former Yugoslav Republic of Macedonia”;

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The Assembly of ALLCOOP adopts the policy and the strategy upon a proposal of the Presidency developed by the Advisory Board. The Presidency of the organisation consists of five members and is responsible for the implementation of the Programme of Activities adopted by the Assembly at its annual meetings.

ALLCOOP has also established an Advisory Board consisted of representatives of different institutions and NGOs in the region. ALLCOOP cooperates with many NGOs from other lake regions in Europe and worldwide, such as the Peipsi Center for Transboundary Co-operation, Estonia, Association of Balaton, Hungary; and Bodensee Stiftung, Germany, the Centre for Environmental Policy and Law, Hungary, the Global Nature Fund, Germany, LakeNet, USA.

**Projects:** “Institutionalisation of a cross border NGO Network in the *Prespa/Ohrid* Euroregion”, with Cultural Triangle of Prespes, Greece, financed by the Balkan Trust (2005-2006); Ohrid and Prespa Sustainability Network – peripheral civic networking for the implementation of sustainable development in Ohrid and Prespa regions (Albania and “the former Yugoslav Republic of Macedonia”), with the Environmental Association Areal, “the former Yugoslav Republic of Macedonia”; financed by the East-West Institute (2005); Old life-styles – new opportunities: pilot project for conservation and promotion of traditional patterns of production and consumption in rural communities in mountainous areas in Macedonia”, financed by the Environmental REC (2005); “Grafting our future onto the old roots: community-based in-situ conservation of traditional fruit tree varieties and the associated traditional agricultural landscape in the Region of Ohrid and the Prespa Lakes (Albania, Greece, and “the former Yugoslav Republic of Macedonia”)”, with Society for Protection of Prespa – Greece and ALLCOOP – Albania, financed by GTZ (2003-2005); “Establishing financial mechanisms for conserving biodiversity in the Balkan region: sustainable development through eco-tourism and environmental education in protected areas”, with Children of the Earth - Bulgaria, Tourism and Environment – Albania, Association for Educational Improvement – Serbia and Montenegro, financed by REC and GTZ (2002-2003); “Save Transboundary Cherava River: Development of Cherava River Basin Management Plan” with Tourism and Environment - Albania, Peipsi CTC – Estonia and Central European University – Hungary, financed by “East-East” programme of Open Society Institute from “the former Yugoslav Republic of Macedonia” and Albania (2002-2003); “Strategies for Public Participation in the Management of Transboundary Waters in Countries in Transition: Lake Ohrid and Lake Peipsi Case Studies”, with Peipsi CTC – Estonia, financed by “East-East” program of Open Society Institute from Macedonia (2001-2002); “Public Participation and NGO Involvement in Transboundary Water Management: Implementing the International Standards”, with Peipsi CTC - Estonia (Financed by Charity Know How, United Kingdom (2001-2002)

- Civic Association “Mbela”, Struga, “the former Yugoslav Republic of Macedonia”;
- Civic Association “Lihnidos”, Ohrid, “the former Yugoslav Republic of Macedonia”;
- Civic Association “Fruit-Net”, Zavoj, “the former Yugoslav Republic of Macedonia”;
- The Center for Environmental Policy and Law (CEPL), based in Budapest, Hungary.

**Phase II:** Representatives of all “core members” of POSNet met in Ohrid, on April 3, 2005, to discuss and agree upon the principles element the draft Charter of POSNet, such as the vision statement, mission statement, organisational structure, and by laws, as well as outline a draft action plan for *civic action* in implementing sustainable development in the region.

**Phase III (ongoing).** The Project Coordinator, the Project Assistants and experts from ALLCOOP and CEPL were expected to hold a series of meetings with each member organisation to discuss their comments, recommendations and suggestions on the draft Charter, to seek common solutions and negotiate the pre-final version of the Charter, which was to be revised and officially endorsed at the meeting of the “core group” on 8 May 2005, in Struga, “the former Yugoslav Republic of Macedonia”. With the official adoption of the Charter the “core group” will be constituted as the Management Board of POSNet.

## V. Some concluding remarks and recommendations

Based on the research undertaken for the purposes of this study, the following conclusions and recommendations can be drawn accordingly<sup>182</sup>:

1. The regional transfrontier co-operation in South Eastern Europe developed so far around the concept of a euroregion varies across the region and it is mainly still far for being fully and properly implemented into practice, which comes from, and reflects the equally "problematic" regional co-operation in the region (in its broader sense) which still remains firstly to be "*fully stabilised*" and later "*properly associated*": the levels of readiness are definitely

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<sup>182</sup> This part of the Report takes also into account the general principles and values stipulated in all relevant conventions and other instruments of the Council of Europe. It is also based on the discussions and conclusions of the CoE / ISIG Regional Conference on Cross Border Cooperation in the Balkan-Danube Area: Implementing the SWOT Analysis (29-30 September 2005, Sofia).

high while the institutional actors in most of the countries concerned are still not fully and practically mature enough to fully and successfully engage in cross-border activities and regional co-operation concerned. Cross-border activity is most often hampered by the poorly functioning and underdeveloped institutions and the lack of readiness of these institutional actors to develop cross-border relations; the lack of such institutional support and especially “state centralisation” currently create one of the serious obstacles to cross-border activity. Mostly, the relevant actors suffer from a lack of both financial and human resources, and in certain cases from non-existent and / or very limited support from the national authorities concerned. Thus, combining the grass-roots approach with high level politics seems to be the best way of achieving tangible long term results in that regard.

Despite the fact that the greater part of the euroregions in this part of Europe are still “too young” to be properly compared, this paper (*among others*) shows that the notion of *regional co-operation* around the concept of “euroregion” is as equally problematic as the notion of regional co-operation itself: regional co-operation in South East Europe is mostly defined by the obstacles to the process rather than its actual potential and benefits. More than elsewhere in Europe, some factors conducive to co-operation still tend to become obstacles; when compared with the other sub-regional groupings in Central Europe and the Baltic area, South Eastern Europe clearly still lacks in both regional focus and optimum co-operation results.

2. In terms of the euroregions’ statutes (as covered in this study) one may presume that the statutes are different one from another in many aspects, but (what is most important) there is the need to ensure that these euroregions function according to a solid legal basis, both domestically and internationally. In this regard, it is almost impossible for the time being to select both the most effective institutional arrangement and the best euroregion’s statute from among those in South Eastern Europe. Rather, this research’s findings may be further developed in a more comprehensive way through a deeper analysis of all existing euroregions in this region including those from other parts of Europe. In this regard, one must particularly encourage the ongoing Council of Europe’s work on drafting the third protocol to the Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning the legal status of euro-regional co-operation grouping.

In the above context, furthermore, existing euroregional (cross-border co-operation) frameworks can be examined in a detailed way by using a “*best practices and lessons learned*” based-approach.



3. In the above light, one should nevertheless stress that the establishment of *euoregions* is becoming a very important and positive development in the region of South Eastern Europe. While encouraging and supporting the establishment of new euoregions in this part of Europe, however, one must not forget those which already exist, especially those presently faced with a lot of serious problems (see, for example, the case with the Euroregion *Morava-Pchinja-Struma*). In line with this, one should particularly stress the need to urge both the relevant states authorities (at central level) and the international organisations to consider the most efficient ways to provide for support and assistance for those existing euoregions. With a view to avoiding disappointing results, relevant follow-up support (in terms of further institutional capacity building and transfer of cross-border co-operation experiences) and encouragement must be ensured especially by all international relevant actors. In this regard, one should particularly stress the need for developing special technical training programmes for euoregion management and the legal frameworks for transfrontier co-operation, as well as programmes for transfer of experience particularly from other parts of Europe and European cross-border institutions.

In the above context, and at a more general level, it also appears that probably there was a need for more individualised assistance programmes in South Eastern European countries compared to the approach for the Central European countries. Especially in the current financial weakness of the countries in transition, the use of the programmes for supporting regional co-operation, mostly the EU ones, can help a lot if they take into account some specific problems related to the region, for example the lack of experience in applying for and participating in international projects and programmes<sup>183</sup>. In line with the aforesaid, the CBC initiatives in the region's strategy need a good methodological framework and resources have to be defined and increased to make those initiatives more effective. Successfully strengthened cross-border

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<sup>183</sup> In this please also see the following Recommendations as were adopted at the *Wilton Park Conference*, Dubrovnik, 10 June 2004:

- *From 2007 onwards, every South East European state that concludes a Stabilisation and Association Agreement should be offered the status of EU candidate, and should have full access to pre-accession programmes, irrespective of whether it meets the criteria to begin full membership negotiations.*

- *Cohesion should be an explicit objective of EU policy in the whole of South Eastern Europe. SAPARD and ISPA should be continued beyond 2006 and programmes directed at improving the human capital in the region, modelled on EU social fund efforts, should be introduced.*

- *Assistance levels and funds for the European Union's South Eastern Enlargement should be sufficient to ensure that the gap between present candidate countries, such as Bulgaria and Romania, and future candidate countries does not grow further. There needs to be adequate provision for a pre-accession strategy in the whole of South Eastern Europe in the financial perspective 2007-2013.*

co-operations need appropriate legislative frameworks in terms of local governance, local administration reform and capacity building. The EU's commitment and the international community's assistance need to be matched with the commitment of non-EU governments to implement necessary political and economic reforms, to establish the required administrative capacity, and to co-operate amongst themselves. This success depends on the strengthened political co-operation, the enhanced support for institution building, the promotion of economic growth by increasing the regions' export opportunities through concrete trade measures, and the possibility for the countries of the Western Balkans to participate in an increasing number of Community programmes concerned<sup>184</sup>.

One should particularly stress that the issue of euroregional co-operation should be given special attention while drafting the national CARDS programmes by both the national governments and the European Agency for Reconstruction, and in doing this, the euroregion-related NGO sector should be formally involved on an equal footing as well. The later would be designed for the purposes of ensuring direct means and access for the NGOs concerned (and not only for the central authorities), with the aim of providing for financial means for co-funding in terms of the EU's projects for an equal participation of the euroregion-related partners therein. At the same time, and at national level, the central governments may also take into consideration the idea of establishing a foundation for co-funding, with a view to enabling the NGOs to directly apply for the Brussels projects / funds concerned. In this regard, building up and / or reinforcing national networking / partnerships between the central government authorities and all NGOs concerned will be of crucial relevance. The latter will serve as a platform for the purposes of providing or regularly exchanging relevant up-dated information on the funding opportunities with the special focus on the EU's New Neighbouring Programme and co-operation with the EU partners, and the same may include measures and activities designed to increase the awareness of EU regional development and cross-border co-operation related issues.

In the above context, and a more general level, one should particularly stress the broader issue of training and education for local authorities, NGOs and other actors involved in the euroregions. At this point, however, one may state that the

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<sup>184</sup> In this regard, please also see the aim of "promoting the creation of a forum for matchmaking between international donors, SEE partners and implementing agencies for the professionalisation and depoliticisation of local administrations and support the follow-up of the Donors' Assistance Mapping Exercise developed with the OECD/DAC and LGI-OSI", as included in the Core Objectives for 2006 of the Stability Pact for SEE.

conferences, youth exchange programmes and / or organising summer school on cross-border co-operation are the most common form of available training but they are not held regularly, and (more importantly) the existence of these courses or conferences is not widely known. To this aim, special attention should be given to the promotion of the need of regular ("institutionalised") training including master degrees on border issues including transfrontier co-operation by the universities and research institutions in the SEE and the fostering of partnerships between the latter and those existing in other parts of Europe, with a view to forming national forums for permanent exchange and discussion, as well as facilitating co-operation among scholars and practitioners that deal with public law and European law within euroregions. To this aim, one may (*for example*) consider the idea of translation and dissemination of the relevant Council of Europe's publications/research papers<sup>185</sup>, as well as wide dissemination in the SEE region of both the most recent research findings field studies/policy recommendations and the ongoing/forthcoming research projects at EU level in the field concerned<sup>186</sup>, both of which may also appear as an appropriate complementary activity.

In dealing with the aforesaid, one should take into account in particular the fact that the work of the existing euroregions in SEE is still not sufficiently and properly known among either public administration or the domestic broader public. In the case of the latter, the role of media should be particularly emphasised<sup>187</sup> and the idea of designing specific national strategies may be taken into account for the purposes concerned<sup>188</sup>. The respective Council of

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<sup>185</sup> For example, the CoE document entitled "**Training Institutions in Transfrontier Cooperation**" (*An Overview* by Paolo Pasi, 2005), as well as the CoE's **Handbook on Transfrontier Cooperation** (by Prof. Charles Ricq; document No.LR-CT (2005) 5).

<sup>186</sup> This includes (*for example*) of the EXLINEA project (as supported by the European Commission under the Fifth Framework Programme) which is aimed at analysing relationships between regional "problematiques" and opportunity structures for dialogue and cooperation in a range of borderlands, especially after the EU enlargement when new border regions are created, and the focus of which also includes some border areas in the SEE region. *Please see* the Project's website: [www.exlinea.org](http://www.exlinea.org)

<sup>187</sup> Please see the study on "PROMOTION OF TRANSFRONTIER MEDIA AT LOCAL AND REGIONAL LEVEL" as prepared by the Select Committee of Experts on Trans-frontier Co-operation, (Directorate of Co-operation for Local and Regional Democracy, DG I – Legal Affairs of the Council of Europe) Transfrontier co-operation in Europe, No. 8, Council of Europe Publishing.

<sup>188</sup> In this regard, as an example of good practice in this regard, one may refer to the Regional Media Foundation "Segedin" (an organisation of public use), which acts in the area of Euroregion "DKMT", and the aims of which include: territorial reinforcement of the regionalism and euro-regionalism; assisting the regional and inter-regional media and artistic activities; reinforcing the journalist expert links in the Euroregion DKMT, supporting cross-border media cooperation in the European spirit, and the likely. In this regard, one should also add the "**EUROBALKANS TV**" which is a regional broadcast on the territory of the Eurobalkans region (Nis-Skopje-Sofia) using the networks of three (Serbian, Bulgarian and Macedonian) local television stations.

Europe and European Commission Representations/Information Offices in the SEE region may have a very crucial role to play in that regard<sup>189</sup>. More specifically, in this context, one must encourage particularly the Council of Europe to further develop, in each South Eastern European country, training strategies related specifically to the existing euroregions involving the elected representatives and personnel of local and regional authorities as well as strategies for local democracy development. This issue may also be seen from the perspective of the implementation of the ongoing follow-up work to the Zagreb Ministerial Conference on Effective Democratic Governance at Local and Regional Level and the Council of Europe Action Plan as adopted at the Third Summit of Heads of State and Government of the Council of Europe (Warsaw, 16-17 May 2005), and in this regard one must also take into consideration the most recent “Co-operation Agreement on Local Government Assistance in South East Europe between the Council of Europe (CoE) and Organisation for Security and Co-operation in Europe (OSCE)”<sup>190</sup>.

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<sup>189</sup> Decentralized government is effective in its own right as a defining factor of good governance and also as a prerequisite for effective trans-frontier cooperation. The degree of autonomy of local authorities varies considerably from one country to another in the region. Legislation in this regard often does not provide clear definitions. In many respects the municipalities remain weak and there is obvious necessity for the transfer of additional powers and relevant resources to the local level. The implementation of legislation reforms on local governance, capacity building, raising awareness on decentralization, strengthening professionalism, transparency and accountability of local administration and improvement of its services, enforcement of the dialogue between all parties concerned, development of local leadership and strategic management, ensuring the participation of local civil society, are also of crucial importance for the Euroregional cooperation in the SEE.

<sup>190</sup> It is about a new co-operation agreement ( as was signed by the Secretaries General of the CoE and the OSCE on 17<sup>th</sup> November 2005) providing for joint action to assist with building effective democracy and good governance at local and regional level in South-East Europe, and with a view to complementing and making the best use of the respective capacities and strengths of each organisation. The agreement, the first of its kind, is designed to create a practical partnership between the two organisations in this sector. It should enable them to exploit fully the special capacities and strengths of each, including the long experience of the CoE in promoting European co-operation and setting standards on local democracy and the strong local presence and knowledge of the OSCE field missions in the beneficiary countries. More specifically, and as stipulated in Article 3 of the Agreement: "In the context of local government reform the Parties may co-operate in the following field: The provision of policy and legislative assistance in support of the development of the institutional framework of local government, covering such areas as: territorial reform; basic legislation on local/regional government structures and operation; institutional dialogue; relationships and co-ordination between levels of government; inter-municipal and inter-regional co-operation. In the context of the development of national capacity-building programmes the Parties may co-operate in the following areas: leadership and strategic management; best practice; performance management; financial management; training strategies; communications strategies; community engagement and citizen participation; cross-border co-operation; local economic development". In doing the aforesaid, and as stipulated in Article 2 of the Agreement, "both organisations commit themselves to the principles of local ownership and the strengthening of national institutions".

In the above context, one should also recall that re-establishing and re-vitalising transborder artistic and cultural ties in SEE are not only important for the improving of cultural life or as concrete support of cultural diversity. It is, as well, a precondition for reconciliation, for the return of mutual trust and for moral and economic reconstruction of the region. In this respect, the strengthening of cultural co-operation within euroregions in South East Europe, their interconnection and connection to other euroregions in Europe would definitely make a significant contribution to transborder co-operation and openness of the borders in the entire territory of SEE. In this regard, one may very strongly welcome the idea of establishing an implementing agency (within the *BalkanKult*) for cultural co-operation in the euroregions in SEE<sup>191</sup>. **More** importantly, in this regard, one may also consider the idea of involving the SEE euroregions in Regional Cultural and Natural Heritage Programme for South Eastern Europe (2003-2005), as drawn up by the Council of Europe in association with the European Union<sup>192</sup>.

4. In addition and in parallel to the above, there is the absolute need to promote the further ratification of the Madrid Outline Convention and its protocols, especially in relation to those South Eastern European countries having not yet ratified these most fundamental legal instruments. To this aim, information seminars and/or round tables on the Convention with a view to examining the implications of the ratification of the Convention for the states concerned, as well as the measures to be possibly adopted in order to give its full effect to the Convention, are advised. This exercise will also provide a proper insight of the Convention, its provisions and (more importantly) the flexibility it grants to the contracting parties, the ratification-related domestic procedure, as well as the role of both central government and territorial authorities in the implementation of the Convention provisions. This may be later accompanied by providing for legal assistance to be given for those states with a view to assisting them in bringing their domestic legislation into conformity with the provisions of the Convention. The target groups for this exercise should include both state and non-state actors<sup>193</sup> including the NGOs, business and academic communities, and the broader general public including the media from the countries concerned. To this aim, and as a preparatory step/

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<sup>191</sup> The Tasks of the *BalkanKult* Implementing Agency would be to collect and distribute documents and information in connection with concrete projects, Euroregional events, cultural production in Euroregions and cultural institutions (public, private and NGO) which are directly involved in Euroregional cultural cooperation in SE Europe. Please see on page 72.

<sup>192</sup> The regional programme covers Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Kosovo, Romania, Serbia & Montenegro and “the former Yugoslav Republic of Macedonia”.

<sup>193</sup> In addition to the foreign ministries, the state authorities should include all other relevant ministries including (*among others*) ministries of justice and internal affairs (Border Police).

activity, a detailed analysis of the legal, administrative, financial and all other relevant obstacles / reasons for non-ratification of the Convention by those states<sup>194</sup> may also be carried out accordingly.

Furthermore, and as seen from the broader perspective of transborder cooperation, there is also a need to promote the ratification of other relevant Council of Europe's conventions, including the **European Charter of Local Self-Government** (which is still not ratified by Serbia and Montenegro<sup>195</sup>), the **European Convention on Trans-frontier Television**<sup>196</sup> and the **European Convention on Regional or Minority Languages** (both of which are not ratified yet by some of the countries in the region<sup>197</sup>). This also includes the **Council of Europe (European) Landscape Convention** (CETS: No.176, as entered into force on 1 March 2004)<sup>198</sup> and which is aimed at encouraging public authorities to adopt policies and measures at local, regional, national and international level for protecting, managing and planning landscapes throughout Europe. Other Council of Europe conventions include (*among others*): the **European Cultural Convention** (CETS No.: 018), the purpose of which is to develop mutual understanding among the peoples of Europe and reciprocal appreciation of their cultural diversity, to safeguard European culture, to promote national contributions to Europe's common cultural heritage respecting the same fundamental values and to encourage in particular the study of the languages, history and civilisation of the Parties to the Convention. The Convention contributes to concerted action by encouraging cultural activities of European interest; **Convention on the Conservation of European Wildlife and Natural Habitats**, which aims to ensure conservation of wild flora and fauna species and their habitats, while the Parties of which undertake to promote education and disseminate general information concerning the need to conserve

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<sup>194</sup> These include "the former Yugoslav Republic of Macedonia", Bosnia and Herzegovina, Serbia and Montenegro and Greece (as seen from the Council of Europe web-site (Treaty Office), status as of: 28/2/2006.

<sup>195</sup> As seen from the Council of Europe' web-site (Treaty Office), status as of: 28/2/2006.

<sup>196</sup> This includes the Protocol amending the Convention on Trans-frontier Television (ETS No. 171) which is also still not ratified by some countries from the region.

<sup>197</sup> These states include Albania, Bosnia and Herzegovina, Bulgaria, Greece, Moldova (which has signed it on 11/7/2002), Romania (which has signed it on 17/7/1995), Serbia and Montenegro (which has signed it on 22/3/2005) and "the former Yugoslav Republic of Macedonia" (which signed it on 25/7/1996), As seen from the Council of Europe web-site (Treaty Office), status as of: 30/8/2005.

<sup>198</sup> Albania, Bosnia and Herzegovina, Hungary and Serbia and Montenegro are among the states which have still not signed / ratified. This also includes Greece which has signed it on 13/12/2000.

species of wild flora and fauna and their habitats<sup>199</sup>; as well as the **Framework Convention on the Value of Cultural Heritage for Society** which is based on the idea that knowledge and use of heritage form part of the citizen's right to participate in cultural life as defined in the Universal Declaration of Human Rights, and the of which presents heritage both as a resource for human development, the enhancement of cultural diversity and the promotion of intercultural dialogue, and as part of an economic development model based on the principles of sustainable resource use<sup>200</sup>.

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<sup>199</sup> In this context, one may take into consideration the idea of formally involving the SEE euroregions in the the Pan-European Biological and Landscape Diversity Strategy. Namely, to recall; it was the Council of Europe which in 1994, in cooperation with other national and international organisations, both governmental and non-governmental, took the initiative to originally develop the Pan-European Biological and Landscape Diversity Strategy, which is a European response to support implementation of the Convention on Biological Diversity. The Strategy was proposed in the Maastricht Declaration Conserving Europe's Natural Heritage (1993), and builds on the Bern Convention, the European Conservation Strategy (1990), the Dobris and Lucerne Ministerial Conferences (1991, 1993), UNCED (1992), and other existing initiatives and programmes. The Strategy aims to strengthen the application of the Bern Convention in relation to the Convention on Biological Diversity, following the Monaco Declaration. The drafting group for the Strategy was lead by ECNC. The Strategy introduces a coordinating and unifying framework for strengthening and building on existing initiatives. It does not aim to introduce new legislation or programmes, but to fill gaps where initiatives are not implemented to their full potential or fail to achieve desired objectives. Furthermore, the Strategy seeks to more effectively integrate ecological considerations into all relevant socio-economic sectors, and will increase public participation in, and awareness and acceptance of, conservation interests. More details please see on <http://www.strategyguide.org/straabou.html> In addition to the above, one may take the same idea in the relation to all other international initiatives including the Regional Environmental Center for Central and Eastern Europe (REC) which is a non-partisan, non-advocacy, not-for-profit international organisation with a mission to assist in solving environmental problems in Central and Eastern Europe (CEE). The REC fulfils this mission by promoting cooperation among non-governmental organisations, governments, businesses and other environmental stakeholders, and by supporting the free exchange of information and public participation in environmental decision-making. It was established in 1990 by the United States, the European Commission and Hungary. Today, the REC is legally based on a charter signed by the governments of 28 countries and the European Commission, and on an international agreement with the government of Hungary. The REC has its head office in Szentendre, Hungary, and country offices and field offices in 16 beneficiary countries which are: Albania, Bosnia and Herzegovina, Bulgaria, Croatia, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, "the former Yugoslav Republic of Macedonia", Poland, Romania, Serbia and Montenegro, Slovakia, Slovenia and Turkey. Please also see the Conclusions from the Sub-regional cross-border meeting "Environmental Protection as a Neutral Platform for Reconciliation, Cooperation and Stability" (10th March 2005, Milocer, Republic of Montenegro, Serbia and Montenegro); <http://www.rec.org>

<sup>200</sup> Cross-border socio-cultural co-operation in every area of life is a precondition for sustainable co-operation in economic, environmental and infrastructure matters. It involves an on-going process to raise knowledge about the neighbours and their mentality and breaks down mistrust and prejudice, and is a precondition to build up confidence in neighbouring border regions. This is particularly very important in the context of the Euroregions.

The above should also include the relevant Council of Europe recommendations<sup>201</sup>. All this requires a comprehensive action / strategy on the part of the Council of Europe with a view to encouraging the implementation of all its relevant legal instruments concerned. In this context, a broader discussion among all relevant actors around the document entitled Similarities and Differences of Instruments and Policies of the Council of Europe and the EU in the field of Transfrontier Co-operation (*Memorandum of the CoE Secretariat*, 1 July 2005), may also appear as an appropriate complementary activity concerned.

5. There are presently not regular operative, close and / or institutionalised partnerships established between the existing euroregions in South Eastern Europe. In this regard, all relevant intergovernmental organisations (including the Council of Europe, Stability Pact, etc.) and both the Association of European Border Regions (AEBR) and the SEDECO (Service for European Decentralised Co-operation) should be strongly encouraged to step up their respective action in this part of Europe and make its expertise available in the field concerned. Establishing closer operative networks between the euroregions in the South Eastern Europe and among them (*on the one hand*) and the other ones from other parts of Europe including those from the Danube area (*on the other hand*) for the purposes of exchanging information and experiences might provide for very strong relevant inputs in reinforcing the SEE euroregions' works and results. In this regard, one may also add the idea of holding a regular annual convention / conference for all of the existing euroregions in the SEE (for example, under the umbrella of the Council of

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<sup>201</sup> The Council of Europe's Committee of Ministers, Parliamentary Assembly and Congress of Local and Regional Authorities have all adopted resolutions and recommendations on transfrontier co-operation. A selection of them is listed below:

- Recommendation No. R (2005)2 of the Committee of Ministers on good practices in and reducing obstacles to transfrontier and interterritorial co-operation between territorial communities or authorities;
- Recommendation No.R (2004) 1 on the financial and budgetary management at local and regional levels and Recommendation No.R (2005) 1 on financial resources for local and regional authorities;
- Resolution 192 (2005) and Recommendation 160 (2005) of the Congress on 'coastal management and local and regional authority policy in Europe';
- Recommendation 146 (2004) of the Congress on the 4th Forum of Cities and Regions of South-East Europe, Prijedor, Bosnia and Herzegovina, 22-23 Sept. 2003;
- Recommendation 117 (2002) of the Congress on 'promoting transfrontier co-operation: an important factor of democratic stability in Europe';
- Recommendation 85 (2000) of the Congress on 'the democratic stability through transfrontier co-operation in Europe';
- Recommendation No. R (2000) 1 of the Committee of Ministers on fostering transfrontier co-operation between territorial communities or authorities in the cultural field and Resolution (98) 4 of the Committee of Ministers on the cultural routes of the Council of Europe.



Europe and / or the Stability Pact for SEE). In this regard, one may also take into consideration the idea of elaboration of a European Web-based Database of good-practices in cross-border co-operation including the euroregions, based on the principles of distance and life-long learning and facilitating exchanges of best practices between cross-border regions across Europe<sup>202</sup>. Also, the SEE euroregions-related topic may also be considered in the terms of reference of the European Centre for Local Government Reform to be formalised by the Council of Europe, which may be a very useful and practical tool in this regard as well. The broader action in this context may also include a involvement of the SEE euroregions in the implementation of the Work Plans and related measures and instruments as agreed upon at the last (Zagreb) Ministerial Conference on Better Local Governance, and especially in the light and context of the related Evaluation Conference to be held in Skopje in 2006.

To the above aim, the following suggestions may appear as a suitable complementary action to be undertaken: establishing of a national coordination body for the euroregions in the all SEE countries; signing of memoranda on the co-operation between the ministries for local governments and/or other competent line ministries in all SEE countries on strengthening of cross-border co-operation on local level including euroregional co-operation, as well as strengthening of the regional inter-parliamentary co-operation dealing specifically with the euroregions-related topic<sup>203</sup>.

In the above framework, simultaneously, one may also strongly suggest undertaking relevant specific awareness raising actions designed to further promote the knowledge and acceptance of the respective **CoE / ISIG SWOT Analysis** among the euroregions in the SEE. This should also include the relevant central governmental authorities, the associations of local authorities and their organisation NALAS, the NGOs, media, business and academic communities, etc. In this context, furthermore, the possible up-dating work on this SWOT Analysis (as was agreed at the CoE/ISIG Sofia Regional Conference on Cross-Border Co-operation in the Balkan-Danube Area, September 2005) should also include examining the most recent developments in cross-border co-operation-related policies and practice around the euroregion-related concept,

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<sup>202</sup> In this regard, one may also consider the launching an idea of designing projects (as funded for example by the EU via its relevant programmes) aimed at building up of "technical partnerships" and or twinnings between the SEE euroregions and that one from other parts of Europe.

<sup>203</sup> This may be seen in the context "*the strengthening of the newly established Conference of the Committee on European Integration of the Western Balkans Parliaments*", as included in the Core Objectives for 2006 of the Stability Pact for SEE.

and as seen from the perspective of the possible implementation of the strategies advocated in the SWOT report to the euroregions in the SEE<sup>204</sup>.

**6.** The process of regional integration and transborder co-operation could be accelerated and enforced also through further particular, specific policies and measures, addressed to international organisations, authorities at national and regional level, as well as to business organisations. The facilitating of the regional co-operation and cross-border relations has three dimensions – national, regional and international. The national governments are most responsible for the conditions in their own countries. At the same time South Eastern European countries have common problems, which can be solved easier with joint and mutual efforts. Finally essential for the successful promoting of the regional co-operation and the cross-border relations will be the support of the international organisations. The high levels of regional disparities imply that development initiatives in the region (National Plans, Stability Pact, EU-related Stabilisation and Association Process, etc.) are still required to have a strong regional dimension. Therefore, regional policies have to be a considerably important part of development. International programmes can have a given impact for the development of regional co-operation and cross-border integration strategy because most of the countries of this region are not very mature and might be not able to realise urgently the regional integration and transborder-related processes.

The South East European countries are partly characterised by small internal markets, the very low level of the capital stock and the restrictions and difficulties that most of the countries from this region face when exporting to the Western countries, slow economic development, high unemployment, low living standards and immigration, as well as poor social infrastructure, all of which can contribute to social and political instability. In this context, one must recall that the process of Local Economic Development (LED) is one that connects the people of a region to economic development policy and

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<sup>204</sup> This will be aimed (among others) to provide an original and up-dated input as to the introduction of the part IV of the SWOT Analysis ("The Institutionalisation of Cooperation. Vademeccum for a Good Euroregion"), and which reads as follows: "We believe that when the authorities of multiple regions or of parts of regions traversed by political borders intend to establish a euroregion, they should consider the many questions listed below: how many euroregions should be established in the cross-border area? Where should the single euroregion be placed? When and under what conditions should the issue be dealt with? How extended should it be? How many inhabitants should it have? What should it contain, which hinterlands should it include? Which functions should it fulfil? Which inter-organisational contexts should it develop? Which institutions must be established? How should they be organised and managed? Which networks should the euroregion develop (finance, business, information, institutions, culture, etc.)? How can it govern the environment? What type of integration should it pursue?"

programme implementation. Done correctly, local governments that practice participatory local economic development strategic planning play a guiding and supporting role in the natural business development activity that will go on in any local free market economy. Local governments play a central role in local economic development, and can choose whether to play it in a passive or active way. At minimum, local government provides for streets, highways, public facilities and services, and a community environment that will affect business development and job creation. How local government provides for business permitting, zoning and regulation of business can be a factor in creating a positive business environment that attracts investment or stifles it. The LED process, however, makes it possible for ordinary citizens to be involved in the economic development of their communities through their local governments in a much more active way. LED is a participatory process that involves a wide array of public and private interests, citizen groups and individuals. Usually led by the mayor or other elected local leaders, a commission or like body of knowledgeable citizens representing various business and community interests are given the responsibility to develop a local economic development plan or strategy. These strategies are then linked to other local initiatives and services such as urban land use planning, transportation plans, public facilities and services. LED therefore becomes supportive of other important developmental objectives as well. For example: A focus on LED fosters efforts towards governmental decentralisation. It is antithetical to government centralisation that is so prevalent in many developing nations, including those in the Balkan region. LED supports civil society development. LED is a tangible process through which local government, private businesses and their interests, NGOs, labour interests and private citizens can work together collectively to develop their economic environment. LED supports democracy building because it places mayors and other locally elected officials at the center of economic development policy-making for the community, where they belong. LED supports or affects community development activities and essentially all development programmes related to infrastructure, public facility and social programme delivery. All either contribute to or are affected by the local economy and local economic development policy, strategy and implementation. Lastly, the enhancement of local authorities' capacity complements the efforts of the central governments to enforce stability and to promote sustainable social and economic development.

The above background particularly concerns the euroregions in this part of Europe, and therefore one should also recall that the ensuring permanent economic and social development of the SEE euroregions is the most fundamental precondition for properly achieving the euroregional co-operation-related overall objectives; limits to euroregional co-operation in the SEE however

derive not only from the problems in crossing the border but also from economic and social imbalances; the euroregions will be maintained if there is a “benefit” at a local level as well. Thus, one may very strongly support and/or suggest the idea of “designing and implementing special programmes aimed at promoting social and economic co-operation in the SEE euroregions with the participation of the Council of Europe Development Bank”, as well as allocating far more means from the EU CARDS and other related funds directly to these euroregions-related actors including the local business community and populations (in terms of projects for cross-border/euroregional/economic and social development). This also includes projects designed to raise the attractiveness of the regions for the foreign investors. Through creating a proper economic environment, which will stimulate cross-border activity and the establishing of SMEs and joint SMEs, will also a positive impact not only to the external emigration but and for internal migration processes, and will enable the interaction of the integration between sub-regions belonging to different countries and strengthen the stability in the region. The development of regional infrastructure related to transportation, energy and communications networks compatible with the corresponding European internal networks and those of the neighbouring candidate countries, appear as one of the most major regional incentives to co-operation and convergence, and it is thus an important means of improving links within the region and integrating the countries of the area into the political and economic mainstream of Europe. In this regard, one should particularly stress the strategic importance of permanent implementation of all relevant ongoing and planned projects related to the international transport – road corridors in the SEE, the development of which will naturally help the euroregions to optimise the benefits thereof<sup>205</sup>. All these very closely interrelated issues should be seen in the context of the implementation of the respective Stability Pact for SEE’s Core Objectives for 2006 (as agreed at the recent SP Regional Table, 16 November 2005).

Against the above background, one may also launch the idea of taking into account of the SEE euroregions-related specifics as a special topic by the ongoing and/or planned EC Regional and National CARDS-funded projects in the fields of Justice and Home Affairs including Integrated Border

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<sup>205</sup> To see maps of the corridors, please visit the following web-sites:

- <http://bulletin.rec.org/bull103/corridors.html>
- <http://www.unece.org/trans/main/ter/Countries/Corridors/corr3.jpg>
- <http://www.unece.org/trans/main/ter/Countries/Corridors/corr5.jpg>
- <http://www.unece.org/trans/main/ter/Countries/Corridors/corr7.jpg>
- <http://www.unece.org/trans/main/ter/Countries/Corridors/corr8.jpg>
- <http://www.unece.org/trans/main/ter/Countries/Corridors/corr9.jpg>
- <http://www.unece.org/trans/main/ter/Countries/Corridors/corr10.jpg>

Management<sup>206</sup>, Migration, Asylum and Visa-related matters, as well as combating organised crime and corruption. In this regard, for example, holding seminars and/or undertaking other appropriate exercises, with a view to discussing relevant emerging issues deriving from the EU-related accession process (by Croatia, Romania and Bulgaria), and which may generate some problems (especially those related to the Schengen standards) to the transborder co-operation and specifically to the euroregions the membership of which includes relevant actors/entities from both non-EU member-states (*on the one side*) and from EU member and candidate-states (*on the other side*), seems to be a complementary action to the abovementioned<sup>207</sup>. Similarly, one may consider launching the idea of putting the issue of the euroregions in the agenda of the “Migration, Asylum, Refugees Regional Initiative-MARRI”, which deals with the issue of population movements in the Western Balkans by promoting closer regional co-operation and a comprehensive, integrated, and coherent approach to the issues of asylum, migration, border management, visa policies, and refugee return and settlement in order to meet international and European standards<sup>208</sup>.

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<sup>206</sup> In the field of the IBM, one should also launch and/or suggest the idea of examining the Recommendation Rec(2002) 3 of the CoE’s Committee of Ministers to member states on transfrontier co-operation in civil protection and mutual assistance in the event of natural and technological disasters occurring in frontier areas (on the one side) and the European Commission’s document entitled “Guidelines for Integrated Border management in the Western Balkans” being the key reference document in the EU CARDS Regional Programme 2002/2003-funded Project on “Support to and Coordination of Integrated Border Management Strategies” (on the other side). The main objective of the Project is to provide technical assistance, based on the aforesaid Regional Guidelines for IBM distributed by the European Commission in 2004 to support the five CARDS countries in the development or updating of their national IBM strategies and ensure that these are coherent and effectively co-ordinated on a regional level, focussing on trade facilitation and border control. In this regard, please also see the Open Partial Agreement on the prevention of, protection against, and organisation of relief in major natural and technological disasters (EUR-OPA Major Hazards Agreement) created by virtue of Resolution (87) 2 of the CoE Committee of Ministers.

<sup>207</sup> Please see the Timisoara Declaration on Cross Border Cooperation in South-Eastern Europe (14-16 September 2001), the point 11 of which reads as follows: “The European Union should make further efforts to make the existing policies regarding the region (Stabilisation and Association Process, CARDS programs etc.) more efficient, especially by strengthening coordination regarding the implementation of its policies in the region. In addition it is necessary not only to execute the existing instruments (INTERREG-C program etc.), but also to adopt other appropriate measures preventing new divisions of the region along the Schengen borders”.

<sup>208</sup> MARRI's top priority is the enhancement of regional cooperation in its fields of activities among countries in the region, as a vital part of EU integration process and in line with the Thessaloniki Agenda for the Western Balkans. MARRI was formed in 2003 within the context of the Stability Pact for South Eastern Europe by merging the Regional Return Initiative - RRI and the Migration and Asylum Initiative - MAI. Since July 2004 this initiative is under regional ownership as part of the South-East European Cooperation Process (SEEC). MARRI is governed by its five MARRI Member States (Albania, Bosnia and Herzegovina, Croatia, Macedonia and Serbia and Montenegro), who meet twice a year at the MARRI Regional Forum. The objective of MARRI is to

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contribute to the orderly and free movement of people in the interest of security and prosperity, covering the following areas (including a cross-cutting programme Access to Rights (AtR): Asylum; Migration; Integrated Border Management; Visa Policy and Consular Cooperation; Return/settlement of refugees/displaced persons. The MARRI Regional Centre in Skopje was opened in September 2004 to serve as a secretariat to the MARRI Regional Forum and to accomplish MARRI political commitments. All MARRI Regional Forum members have their representatives in the Centre, which acts as a hub for consultations, dialogue, training, capacity building, information exchange and other regional activities. The Forum presently is chaired the Serbia and Montenegro. For more details please see the MARRI web-site: <http://www.marri-rc.org>