

The Croatian Chairmanship of the Committee of Ministers of the Council of Europe (18 May - 21 November 2018) has set support to decentralisation as one of its key priorities. In this context, and in cooperation with the Centre of Expertise for local government reform, the Croatian Government organised a Conference to discuss and promote legal frameworks, capacity-building tools and data collection in cross-border cooperation in Europe. The City of Dubrovnik, which is a border municipality itself, hosted this Conference.

The European Charter of Local Self-Government recognises that reinforcing local self-government across Council of Europe member States is an important contribution to the construction of a Europe based on the principles of democracy and decentralisation of powers and functions. Effective decentralisation enables citizens to engage in democracy at local level and local authorities to exercise their powers efficiently. In border areas, cooperation by local authorities on both sides of a common frontier helps overcome difficulties due to borders and promote dialogue and cooperation.

International Conference

CROSS-BORDER COOPERATION IN EUROPE: DECENTRALISATION, LEGAL FRAMEWORKS, AND PRACTICE

Dubrovnik
Hotel VALAMAR LACROMA
25 May 2018



Summary of Discussions and Conclusions of the Conference

Panel 1 discussed the international legal instruments for cross-border cooperation (CBC) between local and regional authorities, available at the European level, from Council of Europe's conventions to EU regulations, and came to the following conclusions:

- The Madrid Outline Convention (MOC) was found to maintain its full relevance almost 40 years after it was opened for signature, in all parts of Europe.
- The few Council of Europe member states that haven't yet ratified it should reconsider their position, in the light of the changes that have occurred in the geopolitical situation and the spreading of all forms of cooperation. Ratification would give legal certainty and sustainability to these processes.
- In the light of the MOC, several bilateral and multilateral treaties have further provided legal basis and financial support to cross-border cooperation and bodies. States that subject their CBC to the existence of a bilateral treaty should engage in dialogue with their neighbours in order not to bereave their local authorities of their 'right' to CBC.
- The CoE and the EU have developed legal frameworks for two similar and complementary legal bodies, the ECG (Euroregional Cooperation Grouping) and the EGTC (European Grouping of Territorial Cooperation). The ECG could benefit from a wider ratification of Protocol no. 3 which remains relatively low. Member states should consider the advantages of this type of CBC body in comparison to the EGTC, thus widening the range of tools available to their local and regional authorities.
- Cross-border cooperation could be facilitated by CBC bodies, but several obstacles remain which could require other measures:
 - The assessment of applicable legislation when deciding in which State to locate the headquarters of either an ECG or EGTC;
 - The approximation of national legislation on local authorities' powers and functions on both sides of a border, thus remedying "mismatches" that would make CBC very limited or even impossible;
 - The assessment of the impact of projected national legislation on cross-border cooperation in order to avoid creating unwanted and unnecessary obstacles to cross-border movements of persons, services and goods
 - Long-term vision and planning of CBC beyond the immediate availability of funds, especially EU funds, in order to create a habit of dialogue, cooperation, shared future;
 - Work on perceptions of the people living on the other side of the border, expand the learning of the neighbour's language
 - Include a "democracy" dimension in the working of CBC bodies, by spreading consultation, citizens' panels, and advisory bodies, to bring CBC machinery and outputs closer and visible to citizens.
- The role of the Council of Europe is essential because of its achievements and its capacity to bring those achievements closer to citizens. Dialogue with the EU on its future policy for border areas should continue.

Panel 2 discussed CBC in practice, specifically how to enhance capacity and strengthen leadership in the management of CBC initiatives. The following conclusions were made:

- There is a need for a more strategic approach towards CBC; not only in terms of design and implementation of CBC initiatives, but also in terms of a more coordinated approach towards capacity building for CBC actors. Such coordinated approach could envisage the design of joint programmes that bring together a wide range of actors (public, private, CSOs) in a multilevel governance perspective (cooperation between sub-national, national and transnational levels).
- The Leadership Academy for CBC, developed by the Council of Europe, has an added value for capacity building, and as a dialogue platform for CBC. The programme allows to:
 - Strengthen the networks of the CBC actors: senior officials and elected representatives from CBC municipalities work and debate together around shared challenges;
 - Exchange best practices and learn from each other;
 - Work together on concrete projects and CBC initiatives.
- Strengthening leadership skills of CBC actors is of utmost importance in terms of engaging communities and citizens in CBC initiatives. Participation in CBC could contribute to increasing trust in CBC governance and CBC structures, as well as to increasing the trust between CBC communities themselves.
- The CoE should strengthen cooperation with other organisations providing capacity-building in the field of CBC, such as the EU, AEBR, CESCO, etc.

Panel 3 discussed how to exchange good practice for effective CBC, and in particular the EDEN database experience:

- Although situations vary from one country to another, similar concerns and difficulties may be overcome through the use of already existing techniques and solutions. The EDEN database is a unique tool developed by the Council of Europe which contains member States' best practice in cross-border cooperation over a large number of areas, from health to transport, from tourism to education. It is important to keep it updated and useful for those who experience daily cross-border cooperation.
- Sharing good practices leads to improved performance by replicating successes within and across border areas. Benefits include, inter alia, raising the overall quality of CBC initiatives, avoiding duplication of efforts, savings costs through increased effectiveness and efficiency of the implemented actions. Initiatives promoting the exchange of good practices, such as online databases and periodical reports, represent bottom-up approaches that seem to encourage more proactive learning than top-down approaches, such as setting cooperation standards. The effectiveness of such initiatives, however, depends on the existence of systematic processes to identify and share the practices that work best for CBC practitioners.
- A joint, pan-European database and repository of CBC cases could serve as a one-stop-shop/single gateway for practitioners and elected representatives working in this field. The Council of Europe should strengthen cooperation with other relevant organisations such as the EU, MOT, Benelux, CESCO, in the framework of EDEN, to ensure synergies and links between various databases. All of the Conference participants are invited to contribute to this cooperation and share their best practice through the EDEN.

24 May
20.00 Arrivals
Welcome cocktail hosted by the Mayor of Dubrovnik, hotel Valamar Lacroma

25 May
9.00 *Registration, coffee*

9.30 **OPENING OF THE CONFERENCE**

Chair of the Conference: Dr Mladen Nakić, *Assistant Minister of Public Administration*
Mr Mato Franković, *Mayor of Dubrovnik*
Mr Amir Muharemi, *Assistant Minister for Multilateral and Global Affairs, Foreign Affairs, Croatia*
Ms Claudia Luciani, *Director of Democratic Governance and Anti-Discrimination, Council of Europe (CoE)*
Mr Peter Andre, *Chair of the European Committee on Democracy and Governance (CDDG), CoE*
Mr Lovro Kušević, *Minister of Public Administration, Croatia*

10.30 **PANEL 1 Cross-Border Cooperation in the Context of Decentralisation: the added value of Council of Europe legal instruments.**

Introduction

Mr Alfonso Zardi, *Council of Europe Expert*

Panelists

Mr Nikola Dobroslavić, *Member of the European Committee of the Region, Prefect of Dubrovnik-Neretva county, President of Adriatic Ionian Euroregion*

Mr Leite Ramos, *MP, Portugal, Parliamentary Assembly of the Council of Europe*

Mr Andrej Čokert, *Ministry of Public Administration, Slovenia*

Ms Marta Panera Fernandez, *CDDG, Ministry of the Presidency and Territorial Administrations, Spain*

Mr Edwin Lefebvre, *CDDG, Ministry of Internal Affairs of the Flemish Region, Agency for Home Affairs, Belgium*

Debate

12.30 Lunch hosted by the Ministry of Foreign and European Affairs of Croatia

13.30 **PANEL 2 Cross-Border Cooperation in Practice: how to enhance capacity and strengthen leadership in the management of CBC initiatives**

Introduction

Ms Ramona Velea, *Institute of International Sociology (ISIG), Council of Europe Expert*

Panelists

Ms Branka Mracevic, *Head of Local Development and Investments, Herceg Novi, Montenegro*

Mr Ranko Biberdzic, *Leadership Academy Trainer, Trebinje, Bosnia and Herzegovina*

Mr Ervin Erős, *Director, Central European Service for Cross-Border Initiatives Balkans - CESC*

Mr Martin Guillermo-Ramírez, *Secretary General, Association of European Border Regions - AEBR*

Mr Tamás Molnár, *Head of Unit for Cross-Border Cooperation at the Prime Minister's Office, Hungary*

Debate

15.30 *Coffee*

16.00 - **PANEL 3 Exchanging Good Practice for Effective CBC: the EDEN database experience**
17.00

Introduction

Mr Daniele Del Bianco, *Institute of International Sociology (ISIG), Council of Europe Expert*

Panelists

Mr Alain De Muyser, *Vice-Secretary-General of the BENELUX Union*

Mr Jean Peyrony, *France, Director General, Mission Opérationnelle Transfrontalière (MOT)*,

Ms Monica Tanaka, *Denmark, Senior Interreg Expert, Interact Programme, European Commission*

Mr Vladimir Prebilic, *Mayor of Kocevje, Slovenia, Congress of Local and Regional Authorities*

Ms Caitriona Mullan, *Independent Cross Border Specialist - Ireland/Northern Ireland Border, Ireland*

Debate

17.00 - **LESSONS FROM THE CONFERENCE: EXPERIENCES, IDEAS, SUGGESTIONS**

17.30

Ms Alina Tatarenko, *Head of the Centre of Expertise for Local Government Reform, Council of Europe*

Summaries of debates by the moderators: Mr Zardi, Ms Velea, and Mr del Bianco

17.30 - **CONCLUSIONS**

17.45

Dr Mladen Nakić, *Assistant Minister of Public Administration of Croatia*

18.00 **Farewell aperitif hosted by the Council of Europe**

Conference working languages: English and Croatian