

Cross-Border Governance in the Euroregions at the External Borders of the European Union

Valentina CORNEA

“Dunarea de Jos” University of Galati, Romania
valentina.cornea@ugal.ro

Abstract

In cross-border cooperation processes, the stakeholder defines their objectives and how they can act. Subsequent actions are carried out according to forces and capacities, which articulate a political-administrative vision oriented towards the achievement of these objectives. The study analyses and identifies the way to achieve the cross-border cooperation objectives in the Euroregions at the external borders of the European Union. Using a cross-border institutional mapping tool, the development process of cross-border governance is described based on five evolutionary processes - knowledge creation, relationship articulation, decision-making, implementation, management, and outcome evaluation. The results of the study allow defining the typologies of cross-border actors and institutions and the levels in which they are involved. Cross-border governance, explained in empirical and contextual terms highlights the fact that the achievement of the assumed objectives oscillates depending on the nature of the actors' own capacities, the power relations within the region, as well as the geo-political context.

Keywords: governance, power, relations, decision, territoriality

INTRODUCTION

The external borders of the European Union constitute a significant formal and spatial legal barrier to mutual relations. The key role in overcoming this barrier is played by cross-border cooperation, achieved through different forms and institutional structures. Even though forms of cross-border cooperation have diversified, the Euroregions remain a preferred framework for achieving the objectives of this type of cooperation. Although the Euroregional model seems a complicated form, it spread through mimesis from West to East quite rapidly [1, p.161].

Today, according to the European Association of Border Regions [2], which undertakes one of the few attempts to list the Euroregions, they are a ubiquitous feature (more than 200) along the EU's internal and external borders.

The issue of the governance of cross-border cooperation through Euroregions has been on the researchers' radar since the 1990s. The studies conducted are mostly case studies focusing on activities, stakeholders, resources, frameworks, and institutional forms. However, just as cross-border spaces are 'permanent battlefields' [3], where interests build up, and new instruments of cooperation and governance arrangements are experimented with, the topic remains current and of interest.

The study focuses specifically on the Euroregions at the external border of the European Union. Being different in social, cultural and geographical terms, these regions have a specific situation, given by several aspects: a) they have general problems of economic development,

b) they face many negative effects of structural changes, such as rural depopulation, brain drain", low level of investment [4], c) are mostly less developed; d) have a much lower population density and economic strength than non-border regions [5]; e) need further efforts to achieve not only balanced competitiveness and territorial cohesion but also security for an external border; f) mostly are 'post-conflict frontier landscapes' [3], where the collective memory of old conflicts creates an additional barrier. Even if for each generation borders and conflicts have a different symbolic meaning [6], they can continue to structure imagined territory and inhibit thinking about economic, political, social, and cultural interaction. In many cases, cross-border regions have several so-called drawbacks, such as: geographical features, the great distance from economic centres that influences their economic and social development. Thus, in a border region, governance is even more complex, with many more challenges for collective action. Complexity results from their specific history, tools and actors involved in cooperation [7, p.218]. Also, in a Euroregion there are additional and disproportionate costs for the local member administrations, legal obstacles to managing cross-border funding and competences, there are far fewer players involved in the governance processes, and political, economic and ideological objectives compete with each other. The local initiatives can support but also hinder each other. The same is true for the cultural integration and economic development [8]

Using an institutional mapping tool, this study analyses cross-border governance in 3 Euroregions at the external border of the European Union. The elements of internal organization and their functionality, roles and responsibilities of the actors involved, decision-making process and mode of action are identified.

METHODOLOGY

The methodology and structure of the research focus on a) identifying Euroregions at the external borders of the European Union and b) describing and analysing their governance framework. The criterion for selecting Euroregions is the presence within them of at least one local authority from countries such as the Republic of Moldova, Ukraine, Belarus, and the Russian Federation. The first section presents descriptive information such as year of funding, context of creation, specific data, namely the geographical or territorial attributes as far as these are relevant. The concept of Cross-border governance is made operational through data and indicators on the institutional capacity of Euroregions. In this sense, the legal formula adopted for decision-making is described as consensual agreement, presence of a committee, existence of an association of public or private law, specific creation of a European Grouping of Territorial Cooperation (EGTC), European Economic Interest Grouping (EEIG), etc.

For conceptual accuracy, in this study, I use the definition of Euroregion, formulated by AERB, meaning associations of local and regional authorities, or cross-border associations with full-time secretariat and technical-administrative staff benefiting from adequate resources. According to AEBR, the ultimate goal of cross-border cooperation, regardless of the institutional form in which it manifests itself, is to overcome the negative consequences of the border effect [2].

To better capture the governance elements, I also consider the operational definition, formulated by [9, p.8], namely the Euroregion is an organisation/institution that: a) covers a cross-border territory and hosts an appropriate population; b) represents a declared will to cooperate (permanent/progressive cooperation), consolidated in a political agreement; c) shows

clear signs of joint activities and strengthening cross-border public policies (especially when developing a common strategy).

RESULTS

1. Key features of the Euroregions at the external borders

Euroregions at the external borders of the European Union emerged after the borders were opened in 1987/90, following the positive climate inspired by the enlargement of the EU towards Eastern Europe. Cross-border initiatives and projects for Central and Eastern Europe are supported by numerous cross-border programmes (Phare CBC, TACIS, CBC, etc.). All are created at non-EU state borders, and the major concentration occurs along the Eurasian borders of countries such as Russia, Belarus, Ukraine, Armenia or Georgia [10, p.31].

These border regions, including the Balkans, learn from the EU's experience and gradually establish cooperation with the neighbouring regions at the regional/local and national levels [11].

Due to the climate of political and economic instability in the 2010s, plus slow adherence to EU territorial cooperation strategies, policies and programmes, they demonstrated a low level of activity.

Contrary to a generally accepted idea, the Euroregions are not a creation of the EU but are rather the idea and initiative of the Council of Europe [12].

Even for the Council of Europe, the Euroregion is not the first "creation" for the organization of cross-border business. Initially, the key creations of the Council of Europe were Working Communities, made up of local authorities sharing several common problems to solve. In the period 1978-1991, at least 6 such communities are created. An example is ARGE DONAULÄNDER, which also includes 12 counties in Romania, the Republic of Moldova and the Odessa Region. In the European Union, the Euroregion gains visibility and even a certain legitimacy thanks to the financial aid from Brussels, provided within the framework of cross-border cooperation programs [1]. These entities facilitate an institutional dimension of cross-border cooperation, i.e. the cooperation of public actors in border regions.

The institutionalization of cooperation through the creation of the Euroregion is broadly supported by Poland, the Baltic States and Romania. Sharing borders with Belarus (605 km) and Ukraine (428 km) to the East and Russia (206 km) to the North, Poland initiated cross-border cooperation processes long before becoming an EU member. The first Eastern neighbour with whom Poland signed a treaty of good vicinity, friendly relations and cooperation, regulating mutual cooperation is Ukraine. In the 1990s, the first two Euroregions of the Carpathian Euroregion were created at the Polish-Ukrainian border in 1993, involving local Polish, Hungarian, Slovak and Ukrainian municipalities; and the Bug Euroregion in 1995, which includes Polish, Ukrainian and Belarusian members. Cross-border cooperation is supported by the Poland-Belarus-Ukraine Programme (2007–2013 and 2014–2020) under the European Neighbourhood and Partnership Instrument. Two other Euroregions are Neman Euroregion (1997), which includes Poland, Lithuania and Belarus, and Białowieża Forest Euroregion, founded in 2002 with the participation (1997) of Belarussian districts, a Polish county and Polish municipalities. The only cooperation initiated with Russian participation is Šešupė Euregio, established in 2003 between local and regional authorities from Poland, Lithuania, Sweden and Russia. The Bug Euroregion operates as a cross-border grouping without

legal personality, bringing together three regional units: a) Lublin Voivodeship (Poland), Brest Oblast (Belarus), Volyn Oblast and two regions of Lviv Oblast in Ukraine; b) 64 subregional units, including 52 regions/counties and 12 cities with district/county rights. It is one of the largest European Euroregions by area (80.9 thousand. km²). The borders, structure and governance model of the Euroregion have changed several times. The Euroregion is characterized by an extensive organizational structure, consisting of the Euroregion Council, the President of the Euroregion, the Euroregion Secretariat and the Working Groups, which deal with the implementation of the Euroregion's statutory tasks. The Euroregion is represented by the President. The delegation of the Polish side consists of the Bug Euroregion Association, consisting of administrative units of Lubelskie Voivodeship. As the coordinator of cross-border cooperation in the Polish part of the Bug Euroregion, she plays an important role in the development of cross-border projects and the distribution of EU funds. The activities of the Association are governed by the Board of Directors appointed by the General Assembly. In 2020, the Association included 68 units [13, p.11].

The governing bodies of the Bug Euroregion are the Euroregion Council consisting of 30 persons, 10 from each side (Belarusian, Polish and Ukrainian), the Presidium of the Euroregion Council, one representative of each party, secretariats, including national offices in Chełm, Brest and Lutsk. The objectives and priorities of the Euroregion are stipulated in The Integrated functional and spatial concept of Euroregion Bug development until 2020 [14]. Established in 1998 at the initiative of representatives of local and regional authorities in border areas in Poland, Sweden, Latvia, Russia (Kaliningrad Oblast), Denmark and Lithuania (Klaipeda), the Baltic Euroregion (ERB) is the first Euroregion to formally include a Russian partner, demonstrating the possibility of managing sensitive cross-border issues or challenges in a friendly and trusting atmosphere. However, on March 2, 2022, the Kaliningrad region of the Russian Federation was suspended as a member of the Euroregion.

In order to be able to meet the objectives set by the 2020 Agenda and to be more flexible, the organisational structure has been significantly reformed. Following the introduction of the new organisational structure, Euroregion Baltic is led by an Executive Board, a President and a Youth Council. BT is among the first Euroregions to include and fully involve youth representatives in their decision-making process (note). The administrative units are an International Permanent Secretariat (IPS) and Regional Secretariats [15]. The term of office of the Chairperson shall be one year, one representative of each Member Party shall hold office. Long-term goals and priorities are set out in development strategies (Agenda 2020, Agenda 2030). The permanent working groups were disbanded and replaced by ad hoc task forces. The task forces have concrete tasks and timeframes set for their achievement. Two groups are currently active: the ERB Task Force for Climate Change and Green Transition (August 2023 – June 2024, when a continuation will be decided) and the ERB Water Core Group.

The Siret–Prut–Nistru Euroregion was established in September 2002 to facilitate cooperation between the counties of Iasi, Neamț and Vaslui in Romania and the counties of Ungheni, Lapusna and Chisinau municipality from the Republic of Moldova. In 2005, it acquired legal personality by establishing the Siret-Prut-Nistru Euroregion Association. It is one of the Euroregions that has grown considerably with the accession of new members. In 2005 the Euroregion consisted of 20 members. Currently, the Association brings together 30 districts from the 32 districts of the Republic of Moldova, Balti Municipality, the Autonomous Territorial Unit of Gagauzia and 5 counties from Romania (Bistrita-Nasaud, Buzau, Iasi, Neamț

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and Prahova). The main cooperation objective of the Euroregion is the collaboration with public administrations on both banks of the Prut River. Cooperation involves a very broad spectrum of areas: economy, infrastructure, environment, tourism, agriculture and rural development, human resources development and social services, education, information society, culture, etc.; in accordance with members' development guidelines. The data about management structures is confusing. In the Statute included on the website of the Association in the chapter management structures, there are indicated the general assembly, the board of directors, consisting of 9 members. At the same time, in the media, but also in the latest activity report, appears the 'Forum of Presidents', a structure made up of the presidents of the administrative-territorial units of the counties and districts of the Euroregion. One of the major initiatives carried out by the Euroregion is the "Cross-border Economic Forum", a permanent project whose purpose is to build economic contacts and develop cross-border economic relations at the eastern border of the European Union (EU).

| Main characteristics of the Euroregion | | | | |
|--|--------------------------|---|---|--|
| | Founding year | Legal status | Key-words in expressing major objectives | Administrative bodies & structures |
| Baltic Euroregion (ERB) Over 4 million inhabitants 4 625 352 | 1998 Malbork (Poland) | Cooperation agreement In the process - transformation in a structure with legal personality - EGTC | Lobby in the field of jointly-defined interests; Completion of local and regional agendas with strategic initiatives | Executive committee President Council for Youth Administrative units: International Permanent Secretariat (IPS) Regional Secretariats |
| Siret–Prut–Nistru Euroregion 36 382 km2 Over 4 million inhabitants | 2002, Iași, Romania | Since 2005 - non-profit association with a cross-border purpose | Extending and improving relations in the economic, cultural, scientific and civic fields A balanced and sustainable development of the Euroregion's territory. | General assembly Managing council of the association (made up of president; prime-vice president; two vice presidents; five members. |
| Euroregion Bug | 1995 | cross-border grouping with no legal personality | spatial development, communication, transport and communications, education, health, culture, sport and tourism, protection and improvement of the environment, eliminating threats and natural disasters, developing contacts and cooperation of the economic entities | Council of Euroregion Presidium of the Council of Euroregion Secretariats and national offices |

Source: drawn up by the author

2. Cross-border governance

The term cross-border governance is preferred to governance, given that it is impossible to have a government as such. Governance means a broader framework allowing different public and private actors to cooperate across borders. The key elements of such cooperation mean sustainable projects, structured long-term actions and the implementation of an integrated strategy (or joint action plan) for a specific cross-border territory. Starting from the idea that in border regions, all actors use and control borders, but to varying degrees, Wong Villanueva et al noted that cross-border governance involves two important questions: 1) who uses borders? 2) who owns the borders? In the first case, borders are harnessed for cross-border interactions that generate shared experiences, in the second case - 'borders are also scenarios for defining the scope of the sovereignty of the States, being territorial tools for outlining the exercise of control – where control is understood as the capacity of making decisions over how something is used' [16, p.5].

The authors explain that while local communities interact with borders more (the use function of borders), legally, they do not control that territory (low 'control' function). On the other hand, national governments control borders by passing laws or making decisions in this area (high 'control' function), without having to cross borders to satisfy needs (reduced 'use' function). Thus, actors understand the border territory in different ways, leading to a 'scale of difference'. Consequently, cross-border governance, as a 'power struggle', has an impact on the entire process of cross-border integration based on four principles: shared experience, nation-state building, difference of scale and notions of power. How stakeholders use their power (individual, collaborative, formal, etc.), determines how governance ensures five continuous processes: knowledge building, relationship articulation, decision-making, implementation and management, and outcome evaluation knowledge construction, articulation of relationships, decision-making, implementation & management, and appraisal of results [16, p.5].

Following these explanations, I consider the Euroregion: a) a favourable space for institutionalizing part of the governance process; the Euroregions and, more recently, the European Groupings of Territorial Cooperation (EGTCs) have a certain capacity to formalise cross-border regulations and b) a collective actor to express processes classified according to the idea of governance in a cross-border space. Beyond the fact that both the Euroregions and the European Groupings of Territorial Cooperation are convenient administrative tools for local elites to access funding sources from Brussels, through the formal or less formal structures of the Euroregion, some synergies can be generated in terms of diminishing the border effect and the scale of difference. According to the European Union authorities, cross-border bodies should be 'responsible for managing a sub-programme, an integrated territorial investment or one or more small project funds or act as sole partners' [13, p. 19]. An answer to the question of whether cross-border governance leads to better economic and political outcomes for the inhabitants of Europe and the Euroregion in particular [17], can be obtained by analysing how in a Euroregion, structures and agencies interact on a multitude of issues, usually with power and asymmetric information. In other words, the extent to which actors and structures assimilate and experience the difference of scale for the benefit of the Euroregion. The characteristics and nature of the public actors driving any Euroregional experience are therefore relevant to predict the potential of a Euroregion. When, for example, local entities do not share important powers in the field of local development, it is harder to develop cross-border strategies. In conclusion, cross-border governance must be understood as a functioning way of regulation based on a collective objective and complex and multiscale cooperation. A

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functional way of rulemaking based on a collective objective and multifactor and multi-scalar cooperation [18, p. 27].

It is a complex process, which generates crucial problems in terms of sustainability of solutions, legitimacy and democratic representativeness, that is, in what concerns choosing partners and rules.

Institutional density

| Level of self-government (mainly) | Institutional density (number of self-governing units) | |
|---|--|--|
| | Between 3 and 10 | More than 30 actors |
| Euroregion Baltic (ERB) Sub-state (local & regional) | Denmark (Bornholm), Sweden (Blekinge, Kalmar, Kronoberg), Poland (Warmia-Masuria, Pomerania and the Association of Polish Communes of Euroregion Baltic) and Lithuania (Klaipeda). | |
| Siret-Prut-Nistru Euroregion Sub-state (local) | | 30 districts of the 32 in the Republic of Moldova, Bălți Municipality, Găgăuzia Autonomous Territorial Unit and 5 counties in Romania (Bistrița-Năsăud, Buzău, Iași, Neamț, Prahova) |
| Bug Euroregion (regional) | Lublin Voivodeship in Poland, Brest Oblast in Belarus, Volyn Oblast and two regions of Lviv Oblast in Ukraine | |

Source: drawn up by the author

An analysis of the roles of institutional actors involved in cross-border cooperation in the 3 Euroregions highlights the fact that the main actors remain the regional and local authorities, whereas the private business environment and civil society are poorly represented. The exception is the Baltic Euroregion (ERB), which has managed to become a hub for cross-border relations, involving citizens, politicians, institutions, economic and social partners, educational and cultural institutions. This role is recognized by the national governments that have given BT the management function of the Phare Small Projects Fund [19].

The differences in the way the Parties' political, administrative and legal systems are organized have led to the creation of very varied governance structures (in terms of composition, functioning, mandates, extent of covered territory, legal status). The governance structures of the Euroregions vary according to the objectives of different initiatives, the culture of public action, the mobilized resources, etc. All three Euroregions have changed their structures to make them more flexible and adapted to new trends. A new impulse is given by the new instrument of the INTERREG programs - the EGTC (European Grouping for Territorial Cooperation). The Baltic Euroregion intends to acquire legal personality by becoming EGTC.

CONCLUSIONS

Cooperation is a key element of any construction, aimed at collective action, and cross-border cooperation is found at the core of the entire political construction of the EU. The achievement

of the assumed objectives varies depending on the nature of the actors' capacities, the power relations within the region, as well as the geo-political context. In general, the external borders of the European Union are covered by many cooperation structures, even if they do not cover all borders and some have a limited presence in governance processes. The "Siret-Prut-Nistru" Euroregion falls into the category of those with high functional potential, but the large number of members can be an impediment. More partners also mean more diverse visions of options and ways of cooperation [20, p.168]. It has been demonstrated in the example of the Bug Euroregion that a large Euroregion (the Bug Euroregion covers an area comparable to Czechia) is not able to meet the needs of all its members. Despite the efforts made, it was not possible to attune the organizational structures of the Euroregion by the Polish and Belarusian sides. Smaller Euroregions, located in only two countries, are considered more efficient. Euroregion Baltic (ERB) is an example of good practice in the way it has reviewed its decision-making structures and way of working. It is the only region that has a council of young people involved in decision-making processes, and the creation of ad hoc working groups seems to be much more effective.

The main conclusion of this study is that under the influence of European Union policies, cross-border cooperation has grown, providing sufficient mechanisms in this regard. The possibility for local territorial authorities to associate within Euroregions is just one example. But to assume that new associative forms automatically lead to deterritorialization, shared values, and collective strategic actions is wrong. The association without assuming responsible roles will not produce spectacular transformations. The second conclusion is that Euroregions will remain labelled 'overlapped', 'artificial' and 'forced', with no significant impact on diminishing the border effect, as long as actors involved in governance processes do not experience the freedom to 'learn' from proven effective experiences.

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