EGTC Developments on the Ground:

added value and solutions

to problems

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Glossary of terms

AECT	Agrupamento Europeu de Cooperação Territorial, Agrupación Europea de Cooperación Territorial
Art.	Article
CBC	Cross-border cooperation
CCDRN	Comissão de Coordenação e Desenvolvimento Regional do Norte
CF	Cohesion fund
COPIT	Conférence Permanente Intercommunale Transfrontalière (Cross-border Standing Conference of Inter-municipal Organisations)
CoR	Committee of the Regions
DG	Directorate- General
EC	European Commission
EGTC	European Grouping of Territorial Cooperation
ERDF	European Rural Development Funds
ESF	European Social Funds
ETC	European Territorial CooperatoinCooperation
FLC	First Level Control
GNP	Galicia - Norte de Portugal
HUF	Hungarian forint
ICT	Information and Communacation Technologies
JTS	Joint Technical Secretariat
MA	Managing Authority
MED ENPI	Mediterranean programme of the European Neighbourhood Policy Instrument
NGO	Non Governmental Organisation
NUTS	Nomenclature des Unités Territoriales Statistiques (Nomenclature of Territorial Units fors Statistics)
OP	Operational Programme
Reg.	Regulation
SKK	Slovak crown

1 Introduction

The European Grouping of Territorial Cooperation (EGTC) provides a stable legal framework for territorial cooperation (interregional, cross-border and transnational), where different, less binding instruments have been used in past. Regulation (EC) No. 1082/2006 of the European Parliament and of the Council of 5 July 2006 on a *European Grouping of Territorial Cooperation*[1] was presented by the European Commission based on proposals coming, among others, from the Committee of the Regions. These actions had the overall goal to simplify administration, cooperation and financial control of territorial cooperation in Europe by means of a legal instrument.

Member States had to provide the necessary national and regional provisions with regard to Reg. (EC) No 1082/2006 of 5 July 2006 on a European Grouping of Territorial Cooperation already by 1 August 2007. However, the adoption of Regulation 1082/2006 at national and regional levels has encountered considerable delays across Europe. Twenty-three Member States in EU27 had fully adopted the EGTC legislation by February 2010. In four Member States, the adoption process was still ongoing at national or regional levels.

The practical formation and implementation of EGTC initiatives on the ground, shows that various EGTC initiatives for cross-border, Euro-regional cooperation are progressing: More and more regional and local entities are realising the opportunities that an EGTC can offer. Fifteen EGTCs have already been set up in Europe and nearly two dozen more are being prepared[2]. The initiatives differ not only in their implementation status but also in the cooperation history, the partnership structure, the range of activities and tasks, the financial endowment, the institutional set-up and structures and the role as employers.

While it is still too early to assess the full impacts of EGTCs on the territory (e.g. on territorial, economic and social cohesion) this study aimed to describe and highlight their main achievements, their territorial patterns, the factors and milestones that lead to their establishment, the institutional solutions for organisation, financing and employing. The research method consisted of desk research (conventions, statutes, websites etc.) and a survey complemented by interviews with key experts. The study could build on the experience of the previous study *"The European Grouping of Territorial Cooperation (EGTC): state of play and perspectives"* commissioned by the CoR. In contrast to the previous study, the present research focuses explicitly on already established EGTCs.

[1] REGULATION (EC) No 1082/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 5 July 2006 on a European grouping of territorial cooperation (EGTC). http://ec.europa.eu/regional_policy/sources/docoffic/official/regulation/pdf/2007/gect/ce_1082%282006%29_en.pdf

[2] Already after the finalisation of the manuscript for this study one further EGTC was established (AGRUPAMENTO EUROPEU DE COOPERAÇÃO TERRITORIAL — ZASNET, AECT) in March 2010.

The report gives an update on the adoption of the national provisions in chapter 3, provides an in-depth description of eight case studies in chapter 4, demonstrating their added value, but also discussing obstacles for their implementation (e.g. difficulties in involving partners from third countries, legal hierarchy, problems related to hiring staff, double control regime etc.). In chapter 5 the findings are summarised and conclusions for the ongoing discussions about a review of the Regulation are presented.

2 Executive Summary

The objective of this study is to provide an overview of the state of play of the European Grouping of Territorial Cooperation (EGTC), demonstrate the added value of the EGTC at policy level and on the ground, and contribute to the discussions on the revision of the legislation and to the ongoing work on multi-level governance. The methodology combines factual research and survey of the established EGTC. The study gives an update on the adoption of the national provisions, provides an in-depth description of ten case studies, summarises key findings, trends and patterns, and makes concrete recommendations.

The proposal for the EGTC grew out of a political recognition of the need for a legal structure within which public, and indeed private, bodies from different Member States could cooperate. The requirement was particularly acute where public expenditure was engaged in cross-border projects.

Progress in the adoption of the national rules as favourable condition for the set-up of new EGTCs

The EGTC regulation (1082/2006) was adopted on 5 July 2006. The Member States were requested to have their national and regional provisions adopted by 1 August 2007. The actual implementation procedures have taken longer than originally anticipated:

23 Member States have now completed the implementation process. A first group of countries (BG, HU, UK GR, PT, RO) adopted the EGTC already in 2007. A second group (DK, EE, ES, FR, LT, PL, SK, SI) followed in 2008, while a third group (CY, CZ, FI, IE, IT LV, LU, NL, SE) completed their processes in 2009. As of March 2010 AT, BE and DE have yet to complete their federal processes, and MT has not implemented the Regulation.

Developments on the ground: increasing variety of EGTCs established

- **Eurométropole Lille-Kortrijk-Tournai EGTC**, the first EGTC established in January 2008, offers a framework for cooperation between significantly different authorities from three different administrative levels in Belgium and France. Its territory constitutes de facto an extended urban area with a population of around two million. The EGTC includes 145 municipalities, the central French state, a French region and one department, the Belgian federal state, the regions of Flanders and Wallonia, and the Walloon and Flemish communities. Its working languages are Dutch and French, and while its official headquarters are in France, French authorities accepted the EC regulation as being the premium law. This allows for staff to be hired under Belgian law. This EGTC can trace its organisational roots back to a 1991 standing conference (COPIT) for cooperation between local authorities.

- The **Ister-Granum EGTC** includes 51 Hungarian and 38 Slovakian local authorities from the Hungarian-Slovakian border region around Esztergom. Founded in September 2008, it was the second EGTC to be created. Its primary task is the implementation of cross-border cooperation programmes and projects co-financed by the European Union. It also sees itself as having a representative role making an input into EU decision-making, and plans to open its own representation in Brussels.
- The **EGTC Galicia-Norte de Portugal** associates the Xunta de Galicia (Spain) and the Comissão de Coordenação e Desenvolvimento Regional do Norte (Portugal). The ECTC was founded in October 2008, building on the Spanish-Portuguese border Working Community, established in 1993. This EGTC brings together authorities with different degree of devolved competences. It has a wide brief and is involved in the management and implementation of the Operational sub-programme.
- The **Amphictyony EGTC** was founded in December 2008 to provide a legal entity for cooperation between 63 local authorities from 9 Mediterranean countries which began in 1991. The current members are 42 Greek, 7 Cypriot, 3 Italian and 1 French municipality. It plans to extend its membership and is open to entities from non-EU Member States. It has drafted a White Paper for members on environmental issues including sustainability and energy efficiency.
- The **Karst-Bodva EGTC**, registered in February 2009, brings together local authorities from the Gömör-Torna karst and Bódva valley area on the Hungarian-Slovakian border. The precedent has been the Karst Euro region, created in 2001. It faces a number of challenges in the start-up phase in terms of its finances, its relations with neighbouring local and regional authorities and their national administrations. Problems with language skills are reported.
- The **EGTC Duero – Douro** was founded in March 2009. The EGTC was developed from the Spanish-Portuguese border working community, created in 1993. It brings together 188 local authorities (NUTS III), two associations, one autonomous body and two universities (ca. 120,000 inhabitants). This EGTC has been experiencing some problems concerning eligibility in different EU calls (apart from Interreg).
- The **West-Vlaanderen/Flandre-Dunkerquerque-Cote d'Opale EGTC** was registered in late March 2009. Its French members include the national state, the Nord-Pas-de-Calais region, the Nord and Pas-de-Calais departments, and the Dunkirk Urban Community. Amongst its Belgian members there is the Federal state, the Flanders Region, and the Province of West-Flanders. It has evolved from decades of cross-border cooperation reinforced through the INTERREG programmes. This EGTC is seen as a laboratory of multilevel governance, and as a platform to promote the area's interests.

- The creation of **Eurorégion Pyrénées-Méditerranée EGTC** is largely a question of establishing a legal entity for a process of cooperation and action which has been jointly undertaken by two French regions (Midi-Pyrénées and Languedoc-Roussillon) and two of Spain's *autonomous communities* (Catalunya and Illes Baléars). The EGTC was registered in August 2009 on the basis of the Euroregion which had been created in 2004[3] to serve 13 million inhabitants. Its four constituent members have empowered it to develop and implement programmes in different sectors. The EGTC intends to represent and promote its interests at different levels and in different fora.
- The **EGTC Strasbourg-Ortenau** was established in February 2010. The EGTC is already on the way to hire staff. It consists of the French Communauté Urbaine de Strasbourg, the German Landkreis Ortenau and the cities of Offenburg, Lahr, Kehl, Achern and Oberkirch. This EGTC is characterised by particularly strong ties between the area in terms of economic integration, the existence of European institutions and a remarkable path towards civic integration. Policy makers at national level provided significant backing for the initiative.
- The **EGTC Hospital de la Cerdanya**, created in April 2010, represents a particularly interesting and challenging venture. It is a new way of governance for a hospital with an immediate impact on the population of a cross-border catchment area in a valley with about 30 000 inhabitants (17 000 on the Spanish side and 13 000 on the French side). The partners involved are in Spain the Catalan Government and in France the Ministry of Health, the National Health Insurance and the Regional Agency for hospitals of Languedoc-Rousillon.
- The **EGTC Grande Region**, set up in April 2010 represents the first example of an EGTC acting as Managing Authority (MA) for a cross-border programme. The starting point was the decision to set up a cross-border cooperation programme involving four Member States. It was not easy to achieve a decision on the distribution of functions among the participating countries. Thus the EGTC was considered as an interesting option

Notice on the creation of the **EGTCs ZASNET**, **ARCHIMED** and **UTTS** was received when the manuscript of this study was completed: *EGTC ZASNET* is based in Bragança (PT), its partners come from Portugal (associations of municipalities of Terra Fria do Nordeste Transmontano and Terra Quente Transmontana) and Spain (provinces of Zamora and Salamanca, and city of Zamora). The EGTC intends to promote the cross-border relations between the members in the fields of the environment, culture, tourism and economic development, implement joint projects, promote the territory outside and generate synergies to invert the negative demographic tendencies of the area.

[3] The Euroregion included also the Spanish autonomous community of Aragón.

The *EGTC ARCHIMED* (Archipelago Mediterraneo) has been formed by Sicily Region (IT), the government of Illes Balleares (ES) and the Larnaca District Development Agency (CY). The official seat of the EGTC has been established in Taormina (IT). The EGTC aims to create a stable cooperation room between Mediterranean islands on the territory of Italy, Spain and Cyprus; the promotion of common interests towards the European Union, the exchange between its members and the implementation of programmes, projects and actions of territorial cooperation. The activities will take place in the fields of sustainable development, rural development, fisheries, transport, culture, tourism, innovation, territorial cooperation energy and migration. Integrating partners from outside the European Union: the *EGTC UTTS* has been set up by local authorities from Hungary, Slovakia and Romania. The priority objectives EGTC are to promote the reinforcement of economic and social cohesion and to promote convergence objectives in the geographic territory comprising the Grouping members. With the achievements of the main goals the EGTC particularly seeks to promote the development of cooperation between the territorial units and various organizations operating in the border region, to improve the quality of life for residents living on its territory, and to reduce regional differences.

Common trends, critical issues and future perspectives

In 2010, EGTCs find themselves in a changed policy background compared to the one, which prevailed when the EGTC regulation was designed, promoted and successfully adopted. The adoption of the Lisbon Treaty has added “territorial cohesion”, and “economic and social cohesion” to one of the main aims of the Union and the EGTC instrument itself has been designed for the very purpose of “territorial cooperation”. The Structural Funds 2007-2013 programming period is now fully operational and shows an increased tendency throughout the Union for regionalised approaches in programme design and delivery, thus providing new opportunities for EGTCs. The mainstreaming of the Interreg initiative and the promotion of territorial strategies for Macro-regions (Baltic Space Strategy, Danube Space Strategy etc) also expand this field of activities. Last but not least the EU 2020 will address some of the Lisbon Strategy's shortcomings, which are especially to be found in the delivery mechanisms – a field where EGTCs show significant potentials.

With a view to macro-regional strategies new potentialities of EGTCs are emerging as"frontrunners” to support commitment to shared policies and as a “targeted vehicle” for the longer-term commitment to joint implementation of specific actions. One of the major added values of macro-regional strategies will be a focus on institutions and partners to guide the implementation of priority actions. And here the EGTC - as a new framework for discussion and as an instrument which is open for the implementation of

various tasks – could come into discussion as one of the options to develop and strengthen commitment to new shared tasks.

The delay in the implementation of national provisions and the existence of other cooperation mechanisms have effects on the territorial patterns and maturity of EGTC initiatives. Where Member States, due to the various reasons, accumulated more delay in the adoption of the necessary provisions, this had a clear impact on the number and maturity of emerging EGTC initiatives. In the cases of EGTC initiatives, which for several years have not succeeded in being established different reasons have been responsible: the delay in the adoption of national procedures has been an issue in particular in Austria and Italy. The changed political background caused by elections led to a changed political backing in other cases. The overall very complex process of exploring and effectively applying the EGTC instrument has been an issue in most of the analysed cases.

The established EGTCs generally show a "cooperation trajectory" starting from less formalised cooperation towards more formalised and intense cooperation. Euroregions, eurodistricts, working communities and other formalised cooperation forms have been important predecessors for many EGTCs.

The membership structure of EGTCs is generally characterised by a dominance of several regional or many local partners whereas national partners are still fairly rare. The multilevel structure of EGTCs is the exception rather than the rule: most EGTCs form partnerships between the partners from the same administrative level.

While several EGTCs have foreseen a strong role of representative organs, some EGTCs even enforce a stronger participatory approach: some EGTCs have foreseen mechanisms to better link to civil society (e.g. the Civil Parliament in Ister-Granum, a conference of mayors in Eurométropole Lille-Kortrijk-Tournai). Decision-making between partners of an EGTC has become an exercise of checks and balances on issues such as staffing, headquarters, languages.

The majority of EGTCs set up have not yet employed staff although in most cases this is envisaged in the near future. This has been conditioned by the budget of the EGTCs and by the different national labour legislation. While annual budgets according to Article 11 of Reg. 1082/2006 have been set up in all EGTCs, the establishment of pluri-annual budgets remains the exception. However, it is important for ensuring the staff of an EGTC. Several EGTCs have specified a specific budget for publicity purposes.

Recommendations for a revision of Reg. 1082/2006

a) Membership

- Promote the participation of third countries in the EGTC by anchoring third countries in Art. 1 and 3 (nature and composition) and by establishing links to the Regulations of the Instrument for Pre-accession Assistance (IPA) and the European Neighbourhood and Partnership Assistance (ENPI).
- Further explore the possibility to allow the participation of private organisations (Art. 3 of Reg. 1082/2006) under certain conditions.

b) Role of the Member States

- Increase the use and room for manoeuvre of existing EGTC in terms of applicable law (Art. 2) by providing illustrated comments on the implications of the legal hierarchy established in Art. 1 of the Regulation.
- Stress the importance of reaching the decision of approval of an EGTC within the three-months timeframe indicated in the Regulation (Art. 4).
- Provide training and technical assistance to the competent authorities
- Consider further harmonisation of the EGTC regulation with a view to obtain public status of the EGTC in all Member States.
- Avoid a double control regime of public funds (Art. 6) by adequately advising competent authorities.

c) Tasks and missions

- Avoid narrow or misleading interpretation of “tasks” of an EGTC by adjusting the wording of Art. 7.3.
- Support the inclusion of ‘rural development’ as a potential task of an EGTC by opening the wording of Art. 7.3.
- Specify that the EGTC are *de jure* eligible candidates to participate in all the EU funded programmes, without need for additional partners.
- Provide further guidance on Art. 7.4 - exclusion of "police and regulatory powers, justice and foreign policy".

d) Legal Regime

- Draw a clear line between the contents of the convention and statutes by revising Art. 8 (conventions) and Art. 9 (statutes) or by considering abandoning one of the two.
- Facilitate the employment of staff by exploring the possibility to create an employment status that transcends national regulations.
- Provide further guidance for the establishment of an EGTC with regard to Art. 10 (organisation) with a view to promote the principles of proportionality and participative democracy.

- Further explain or revise Art. 10.3 about liability of the EGTC, "even where [its] acts do not fall within the tasks of the EGTC".
- Provide further guidance for the establishment of an EGTC with regard to Art. 11 (budget) and its practical implication for the hiring of staff.
- Provide further guidance on Art. 13 (public interest) with a view to explain the interpretations of the European Court of Justice.

3 Update on national provisions

With regard to Reg. (EC) No 1082/2006 of 5 July 2006 on a European Grouping of Territorial Cooperation, Member States were asked to provide their respective national or regional provisions by 1 August 2007 in order to ensure the effective application of this Regulation. However, the adoption of Regulation 1082/2006 at national and regional levels has encountered considerable delays across Europe.

State of play

23 Member States in EU27 have fully adopted the EGTC legislation by February 2010, but the majority of Member States completed this step only in 2008 and 2009:

- adopted before 01/08/2007 (EC deadline): BG, HU, UK
- adopted between Aug. - Dec. 2007: GR, PT, RO
- adopted in 2008: DK, EE, ES, FR, LT, PL, SK, SI
- adopted in 2009: CY, CZ, FI, IE, IT[4], LV, LU, NL, SE

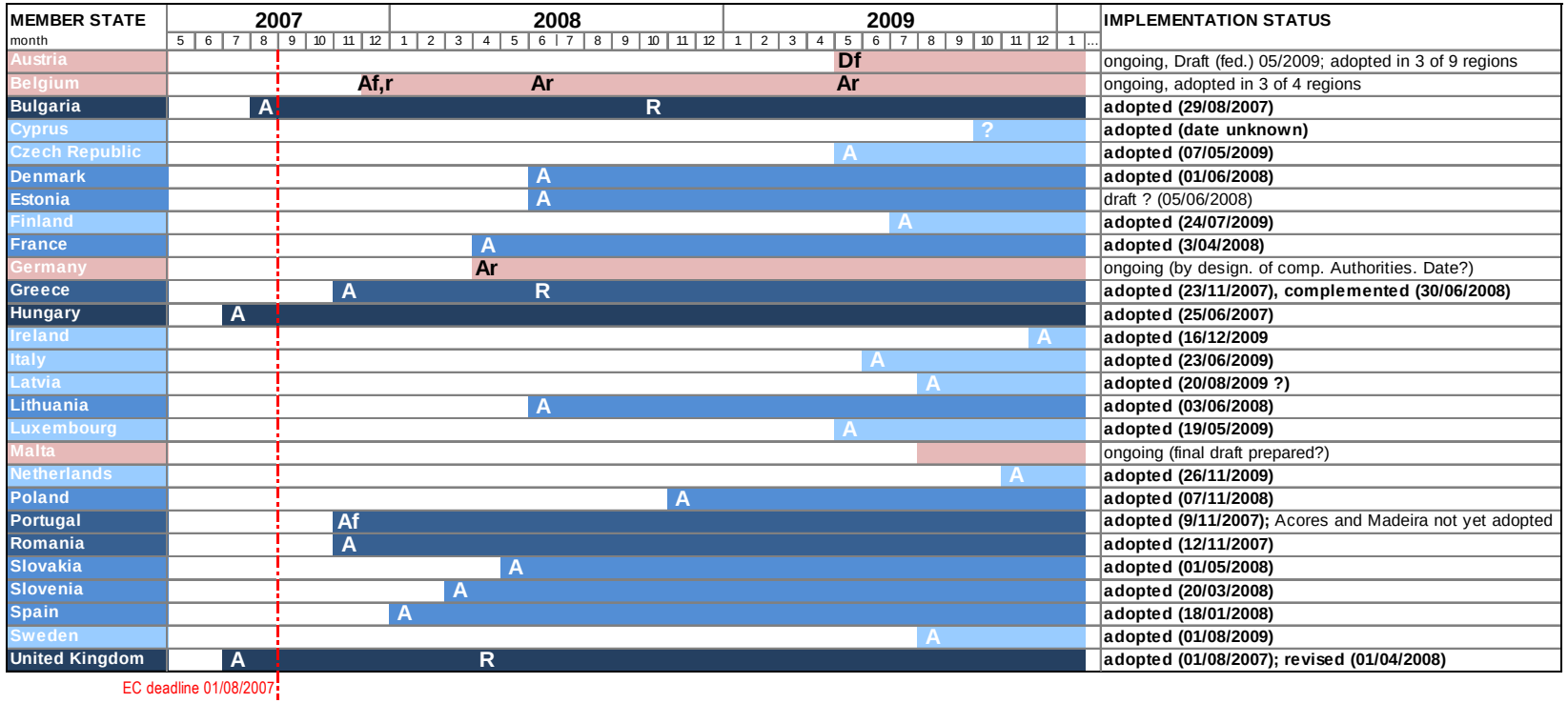
In four Member States the adoption process is still ongoing at national and/or regional level.

- In Belgium the rules have been adopted by the federal level, by Flanders, by the German-speaking Community and by Brussels Capital Region. The rules of the Walloon Region and the French Community are still lacking.
- In Austria the adoption is advanced at federal level - the respective proposal has been transmitted to the parliament - but has neither been discussed nor approved. Out of nine *Länder* only three have so far adopted the rules (Carinthia, Salzburg, Vorarlberg).
- In Germany the adoption took place at *Länder* level while the federal level is still lacking.
- For Malta a final draft has been prepared by the Ministry of the Interior, but has not yet been approved.

The following table illustrates the adoption process of the national provisions up to February 2010. It indicates the month in which the adoption took place and shows in different colour shades, how long the legislation has been in place.

[4] In Italy the law has been adopted by the Parliament the Council of Ministers still has to adopt a Regulation on budgetary control.

Table 1. Timeline for the adoption of national/regional provisions (February 2010)



Implementation status of EGTC national provisions (January 2010)*

- adopted before 01/08/2007 (EC-deadline)
- adopted adopted between Aug. - Dec. 2007
- adopted in 2008
- adoptend in 2009
- under preparation (national or regional rules missing)

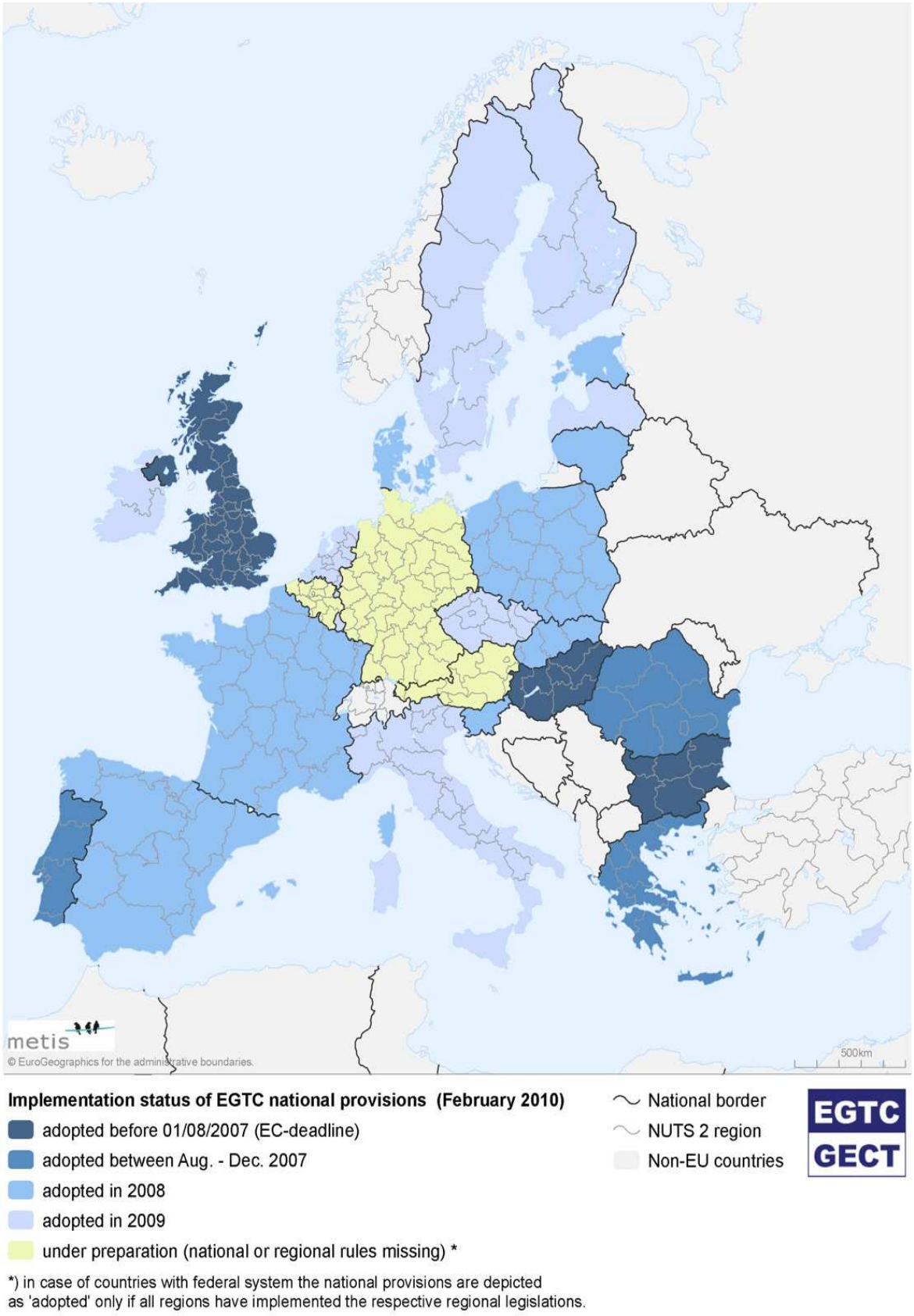
A adopted f ...federal level r regional level

R revised

D draft

* … in case of countries with federal system, the national provisions are depicted as 'adopted' only if all regions have implemented the respective legislation.

Map 1. Implementation status of national EGTC provisions in EU-27 (February 2010)



*) in case of countries with federal system the national provisions are depicted as 'adopted' only if all regions have implemented the respective regional legislations.

The geography and timing of the implementation process

The map above shows the implementation status of national provisions and provides the following picture:

- The majority of countries implemented the national/regional EGTC regulations in 2007 and 2008 (BG, DK, EE, FR, GR, HU, PL, LT, PT, RO, UK), i.e. already after the official deadline set by the European Commission (01/08/2007).
- Among these countries, there is a group in both the Western (ES, PT, UK) and South-Eastern (BG, GR, HU, RO) periphery of the Union, which adopted the EGTC Regulations at national level very early (before January 2008). In these countries, the national provisions have been in place for the longest time.
- The remaining countries (CZ, CY, FI, IE, IT, LU, LV, NL, SE) have adopted their national provisions only recently (after April 2009).
- Among the four countries, where the adoption of national/regional provisions is still ongoing (AT, BE, DE, MT) there are three federal states.

EGTC Notification and publication references

The establishment of an EGTC is defined in Article 4 of the Regulation 1082/2006: Member States should designate the competent authorities to receive the notifications. Art. 5 refers to the **regime for registration and/or publication** (of the statutes) of the EGTCs in accordance with the applicable national law in the Member State where the EGTC concerned has its registered office.

Annex 1 provides a detailed overview on the responsible bodies for notification, the bodies that are consulted in the process of notification and approval, as well as the references for the publication.

Key findings

- The adoption of national EGTC provisions has progressed considerably: by February 2010 twenty-three Member States in EU27 had fully adopted the provisions for Regulation 1082/2006.
- In four Member States (AT, BE, DE, MT) the respective provisions have not been fully adopted, partly because regional laws were concerned (AT, BE) or because the adoption at federal level was missing (DE, MT).
- The trend in the geography and timing of the process of adopting Regulation 1082/2006 shows that national provisions in the Western (UK, PT, ES) and South-Eastern (HU, BG, RO, GR) periphery of the Union are those which have been in place for the longest period. Federal Member States have accumulated the biggest delay in adopting the provisions.

4 Case studies

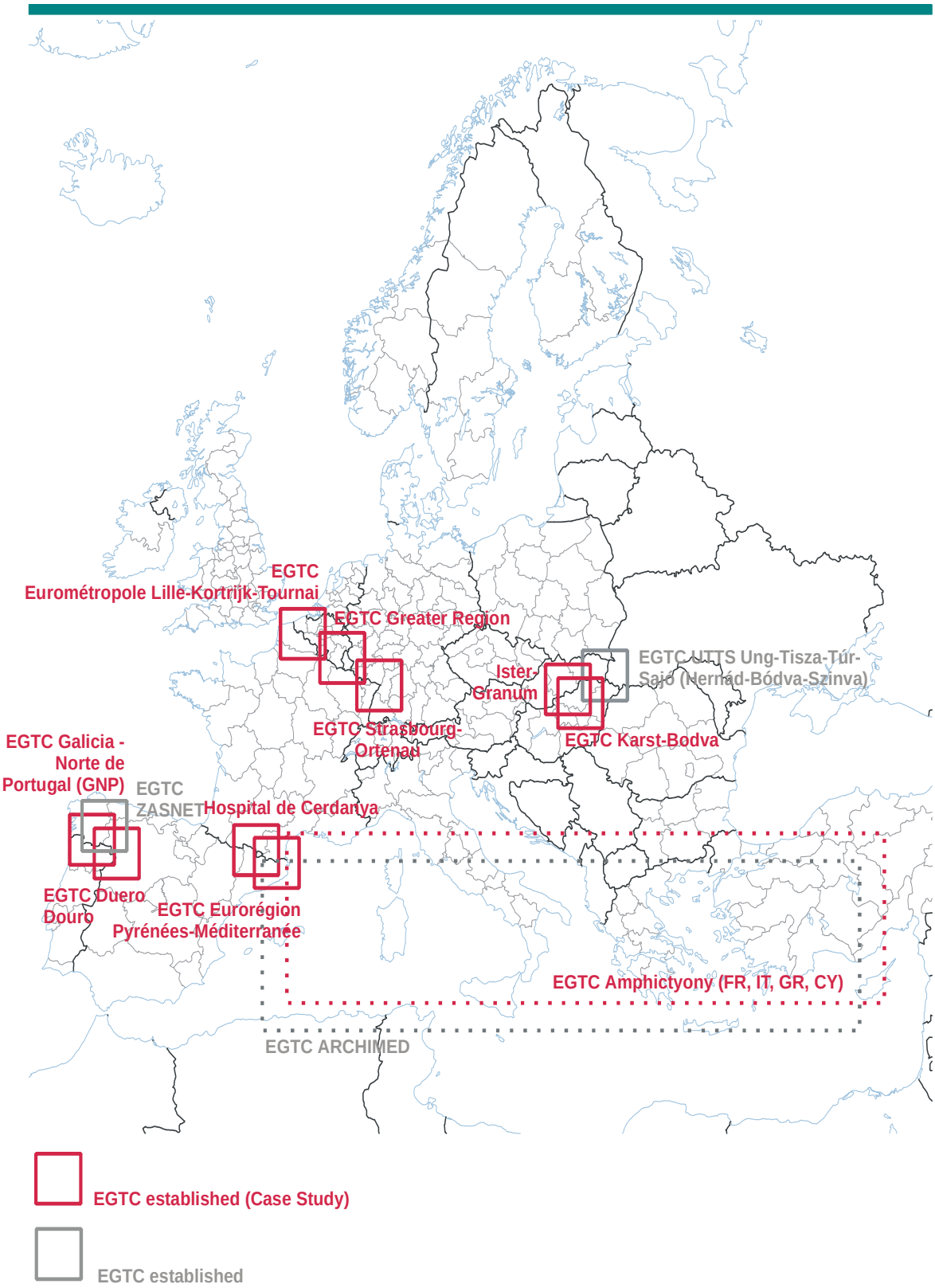
In the following chapters eleven EGTCs are described in detail. For each case study a general overview on "key information" is provided, followed by "focus of activities" (i.e. objectives and tasks according to the conventions and statutes) and "developments on the ground". Finally the key findings regarding the added value and critical issues are summarised.

Name of EGTC	Countries [5]	Specific features	Foundation
Eurométropole Lille-Kortrijk-Tournai	FR, BE	First EGTC implemented. High variety of different administrative levels involved. Large number of partners. Employs staff.	21.01.2008
Ister-Granum	HU, SK	Based on a long history of cooperation (first among the Euroregions of the New Member States), 85 municipalities form the cooperation framework.	11.09.2008
Galicia - Norte de Portugal	ES, PT	One of the first EGTCs to become operational, formed between two regions.	30.10.2008
Amphictyony	GR, CY, IT, FR	EGTC on the widest scale (Mediterranean basin), large number of municipalities as members.	01.12.2008
Karst-Bodva	HU, SK	The EGTC is unique since it is based on a nature protection geographical unit the Gömör-Torna karst and the Bódva valley.	22.02.2009
Duero-Douro	ES, PT	EGTC with the highest number of members (local authorities), characterised by intense ownership of the initiative by stakeholders.	07.03.2009
West-Vlaanderen /Flandre-	FR, BE	Results from a cooperation policy between the Belgian province of Flandre occidentale and the French	03.04.2009

[5] The underlined country indicates the country where the legal seat of the EGTC is located.

Dunkerque-Cote d'Opale EGTC		territory of Flandre-Dunkerque-Côte d'Opale. Unites different governmental levels.	
Eurorégion Pyrénées-Méditerranée	FR, ES	The EGTC, consisting of four regional partners, was set up on the basis of a clear political need for cooperation.	25.08.2009
Eurodistrict Strasbourg-Ortenau	FR, DE	An EGTC based on high-level political backing (national levels involved) in one of the European cross-border territories which is marked by strong socio-economic integration and cohesion.	February 2010
Hospital de la Cerdanya	ES, FR	First example of an EGTC which has been set-up with the target to build and operate a cross-border health care infrastructure	May 2010
Interreg Programme Grande Région	FR, DE, BE	First example of an EGTC which acts as Managing Authority for a multilateral cross-border cooperation programme	April 2010

Map 2. Location of case studies



4.1 Case study 1: Eurométropole Lille-Kortrijk-Tournai

4.1.1 Key information

Full name	Groupement européen de coopération territoriale Eurométropole Lille-Kortrijk-Tournai
Status	Established on 28/01/2008
Countries	FR, BE
Seat	FR: Lille, 1, rue du Ballon – BP 745 – F 59034 Cedex, (Operating services will be located in Belgium with the possibility to have further representations outside of its reference area).
Members	■ FR: French State, La Région Nord-Pas-de-Calais, Le Département du Nord, Lille Métropole Communauté urbaine (intermunicipal public entity including city of Lille and 84 municipalities) ■ BE : Federal State; Flemish Région and Community, the Province of West-Flanders; intercommunale Leiedal; intercommunale wvi,; Walloon Region, the French Community of Belgium, the Province of Hainaut, intercommunale Ideta, l'intercommunale IEG
Territory	The territory covers 145 municipalities. ■ FR: Lille Métropole Communauté urbaine (87); ■ BE-Wallonie: 3 arrondissements (Mouscron, Tournai, Ath); communes de Lessines, Silly et Enghien. ■ BE-Flandre: 4 arrondissements (Kortrijk, Ieper, Roeselare, Tielt). Territories, cities and municipalities which are not situated in the reference area and are either bordering or near may become associate working members.
Predecessor	Cross-Border Standing Conference of Inter-Municipal Organisations (COPIT)
Law applicable	Public
Duration	Unlimited
Languages	French and Dutch
URL	http://www.lillemetropole.fr

4.1.2 Focus of activities

Objectives (as stated in convention/statutes)	The inherent vision dates back to the proposal for a Strategy for a Cross-Border metropolis in 2002, i.e. to support the development of an integrated cross-border conurbation; to improve the quality and scope of joint project in concrete terms.
Tasks (as stated in convention/statutes)	■ Promoting and supporting cross-border cooperation ■ Involve competent institutions ■ Ensure harmonisation, dialogue and favour political discussion ■ Produce cross-border coherence ■ Facilitate, develop and realise projects according to the commonly prepared development strategy ■ Facilitate the day-to-day life of citizens in this French-Belgian conurbation

4.1.3 Developments on the ground

Establishing the EGTC

The initial seed of the EGTC was the Cross-Border Standing Conference of Inter-Municipal Organisations (COPIT) founded in 1991. COPIT has been a voluntary association under French law since 2001. The proposal for the formation of a Eurodistrict dates back to 2006. The structure of the EGTC was set up in late 2007 and the legal body was officially created on 21 January 2008. The constitutive meeting of the assembly took place on 28 January 2008. The EGTC has been established as a structure under French public law.

Setting structures and organising the decision-making process

This EGTC has already entered its operational phase. The management team currently consists of six persons, with the search for the seventh person ongoing. The positions represented are quite similar to those of a Joint Technical Secretariat for ETC-programmes (communication, finance project manager etc.). The **team has a mixed nationality**, with three members from Belgium and three from France. In practical terms the office language is French although the staff is in principle bilingual. Employees are hired under Belgian law since the operative headquarters is located in Belgium (whereas the official seat of the EGTC is in France).

The **acceptance of a legal hierarchy** by the national representative has allowed for the necessary flexibility in the practical set-up of the operational structure. The initial idea of hiring persons under the French law for *établissements publics de coopération intercommunale* (which is the official legal status of the EGTC) would have led to serious difficulties since the inherent conditions are those for French civil servants: these conditions make it very difficult to hire

persons from an origin other than French. A major breakthrough was achieved in a high level meeting between the president of the EGTC and the prefect: the French representative agreed to the interpretation of the legal hierarchy which applies to the EGTC:

1. Reg. (EC) 1082/2006
2. The Statutes of the EGTC
3. The French law as subsidiary law, i.e. it applies only in those cases where the other legal provisions cannot be applied

The **search for a director** was still ongoing in March 2010. Two, so far unsuccessful, recruitment procedures had been launched previously. The requested combination of broad managerial, leadership skills and sound command of both languages spoken is proving difficult to find. Still the major stakeholders of the EGTC agreed that there should be just one director representing the EGTC. Three provisional directors have been 'leased' to the EGTC.

The governance structure is enriched by a yearly Forum of the Eurométropole with representatives of civil society participating. This mechanism is intended to ensure a stronger bottom-up approach of the EGTC.

Financing and managing the EGTC

Financing is realised according to the principle of parity among partners; i.e. a 50/50 split between FR and BE partners. The budget is consolidated now and amounts to €1.5m annum for a period of three years (i.e. a total of €4.5m). In the longer run it is intended that the EGTC should become part-financed from ETC projects.

Starting the operations

The major stakeholders have agreed that the EGTC should form a lean management structure and primarily fulfil the following functions:

- Preparing new ways of governance for the cross-border conurbation
- Preparing decision-making on the course of action
- Preparing strategic projects and actions
- Representing the Eurométropole

Most of the development of projects and actions is being done in the framework of six commissions and each commission has agreed on projects in the start-up phase:

- Economic development: annual *Employment Forum* (Forum Emploi de l'Eurométropole) in order to offer cross-border information on enterprises, training institutions and the employment market. and *joint marketing and strategy development for the regional clusters* (textiles, logistics, energy, agro-industries)
- Cultural development: strategy for the industrial heritage – options for conversion into cultural facilities (following the model of the *Ruhrgebiet* in Germany)

- Mobility: e.g. models for more *attractive pricing in public transport* connecting the three major cities in the area and *synthesis of the existing plans and guidance documents for transportation* (at national, regional and local level)
- Services facilitating day-to-day life: improved *access to retirement homes* for elderly citizens across the national borders and *pooling the capacities and strengths of the universities* in the cross-border region; potentialities for new educational offers
- Strategic Planning: developing one *comprehensive strategic document* for the Eurométropole as a cross-sectoral strategy and strategy for *planning of sustainable neighbourhoods* (energy-efficient building; environmentally-friendly transport modes, counteracting segregation tendencies etc.)
- Tourism: *map* for tourists and a *common website* and *training* for tourism officers

It is important to note that the main task of the EGTC staff is to coordinate and support the work of the partners and not to execute the projects.

Strengthening the internal cohesion within the cross-border conurbation remains the key objective of the current activities. A series of events should pave the way for a major event for the Eurométropole in 2012 (the process can be compared to some extent to the process for the selection and designation of the European Capital of Culture). The start will be a major conference in 2010.

4.1.4 Key findings

Added value

- Longstanding **history of cooperation** between founding members of the EU without major disruption in recent history and the **existence of inter-municipal institutions** with key competencies in strategy development.
- Strong **will of the stakeholders** to strengthen on the one hand the Eurométropole and the EGTC as a symbol but on the other hand to cooperate in concrete policy areas and to implement new approaches.
- Capability and willingness of all stakeholders to overcome legal barriers and to find **practical solutions** and compromises: (e.g. for employment a breakthrough with a legal hierarchy was achieved with the French state representative).
- The main quality is the **improved coordination process** and that the commissions do have a kind of a technical secretariat which supports the continuity of the actions taken, safeguards a stable framework for sustained discussion as well as manages and monitors the implementation process (thus strengthening the commitment of the actors and partners).

Critical issues

- The major inherent challenge is that all actors have to learn that the Eurométropole is a longer-term vision and that this **process cannot satisfy all short-term interests at local level**.
- Given the staffing of the EGTC with seven persons as technical staff and a total of 10 staff – the **EGTC cannot implement all the intended projects** in a cross-border conurbation of about two million inhabitants. The EGTC coordinates and supports the process but in the end it is then the partners, which are responsible for the implementation of the projects. Successful coordination and process management might remain unseen and unrewarded – thus the EGTC has to sharpen its external profile.

4.2 Case study 2: Ister-Granum

4.2.1 Key information

Full name	(HU) Ister-Granum Korlátolt Felelősségő Európai Területi Együttmőködési Csoportosulás (SK) Európske zoskupenie územnej spolupráce s ručným obmedzením Ister-Granum. (EN) Ister-Granum European Grouping for Territorial Co-operation Ltd.
Status	Established on 11/09/2008
Countries	HU, SK
Seat	HU: 2500 Esztergom, Széchenyi tér 1
Members	The members of the Grouping are the local governments of the Hungarian and Slovakian municipalities located in the territory of the border region of the two countries, referred to in the Annex attached to the Statutes of the EGTC. At the time of its establishment, the EGTC had 49 Hungarian and 36 Slovak members. Since then, two more Hungarian and two more Slovak municipalities joined.
Territory	Hungarian-Slovak border region around Esztergom. Its territory is identical to the administrative territories of the participating 85 local governments.
Predecessor	Euro Region (Euregio)
Law applicable	Private
Duration	Indefinite
Languages	Hungarian and Slovak
URL	http://www.istergranum.hu

4.2.2 Focus of activities

Objectives (as stated in convention/statutes)	■ Establishing and maintaining cooperation over the full range of regional development activities ■ Promoting and strengthening economic and social cohesion
Tasks (as stated in convention/statutes)	■ Implementation of territorial cooperation projects co-financed by the European Union ■ Implementation of other specific actions and projects ■ Raising awareness of the competitive advantages of its operational territory ■ Influencing relevant decisions within the institutional

	framework of the EU

4.2.3 Developments on the ground

Establishing the EGTC

The background of the EGTC is the continuous cooperation around the Esztergom-Párkány symbolic bridge. This cooperation resulted in the cooperation of approximately 100 local authorities in the Euroregio Ister-Granum. Thanks to the strong political support the formulation of the EGTC could be realised within a short time and was based mainly on the approved development programme of the Euroregion.

Setting structures and organising the decision-making process

The main decision-making body is the General Assembly which is composed of the mayors from the member authorities. Most decisions are taken by simple majorities. The exceptions are financial issues, participation in projects and the approval of the work plan, all of which require a 2/3 majority. The General Assembly has to meet at least once a year. Three sessions have taken place during the last two years.

The EGTC involves civil organisations (public associations, NGOs) through a "Civil Parliament", which forms an integral part of the EGTC's institutional structure. In this forum civil organisations can express needs and opinions. The Civil Parliament should strengthen the relationship between Hungarian and Slovakian civil organizations and help to identify common interests, launch events and develop joint projects. The Civil Parliament operates the Service Network for NGOs of Ister-Granum EGTC and participates in the work of Expert Board of Ister-Granum EGTC. The expert board brings together the executive council of the Civil Parliament (elected), the representatives of the three main employers of the region, the representatives of the chambers of trade and industry, and the thematic committees of the cross-border EGTC.

Financing and managing the EGTC

The annual budget is composed of the contribution of the members which is defined according to their population and of successfully absorbed EU funds. The amount of the fee depends on the number of permanent residents of each local government (HUF 20 and SKK 2.50 respectively per each permanent resident). The existing financial resources of the Euroregion were partially transferred to the EGTC. The annual budget is around 5 000 000 HUF (€18 400). The financial control and the approval of the budget are done by the General Assembly. Furthermore most of the possessions of the Euroregion were transferred to the ownership of the EGTC. In addition to being members, the municipality of Esztergom provides also in-kind contributions to the EGTC.

Starting the operations

The EGTC implements the Euroregion's development programme and facilitates cooperation processes between Hungary and Slovakia. More specifically its tasks include the facilitation of cooperation in the areas of communication, health care (with the longer-term vision to run joint hospitals and healthcare facilities), accessibility, promotion of the use of renewable energy, influencing the labour market. A major initial step is to develop applications for funding from the ETC programmes Hungary-Slovakia and Southeast Europe.
The Ister-Granum Solidarity Fund was established in June 2008 by the Municipality of Esztergom, where businesses employ a large number of commuters from neighbouring municipalities. The fund consists of 1% of the business tax and it is the aim to redistribute the money between the municipalities of Ister-Granum EGTC, which lack work places and hence revenues from local taxes. After project selection 14 projects won altogether 19.5 million HUF (approx. € 71 000) in 2009. The Fund management is contracted to the Ister-Granum Euroregion Development Agency. The formal check of the proposals is completed by the Agency while the concept (content) is evaluated by two independent experts. The evaluation process pays specific attention to the principle of solidarity.

4.2.4 Key findings

Added value

- The biggest advantage comes from the **legal personality** which is seen as a help to participate in ETC and other EU-funded programmes. The EGTC already has an approved project within the Hungary-Slovakia CBC Programme.
- The EGTC is **based on a stable political support** and an active Euroregion. The impact of the EGTC can be considerable in the future since its main focus is to foster development through territorial cooperation.
- As an additional instrument the intensified cooperation has led to the so-called **Ister-Granum Solidarity Fund; a fund which aims to redistribute money** between the municipalities of Ister-Granum EGTC: wealthier municipalities thus support projects in smaller municipalities which lack economic development perspectives and hence also financial sources.

Critical issues

- The main obstacle was/is the **difficulties in the administrative/legal background for registering and running an EGTC** at the national levels.
- The most important upcoming task for the EGTC is **to become fully operational in terms of the institutions and the activities**. The long-term objective of the EGTC is to develop a footprint in the area in terms of: health care, energy efficiency and the labour market.
- The EGTC is intended to work along the objectives of a development program for the territory of the Euroregion. However, due to economic

pressure the activities have an obvious focus on the acquisition of ERDFfunding. The EGTC has already approved projects and participates in various applications as Lead Partner or Project Partner. There is a certain threat that strategic functions might be fulfilled only to a limited extent: **the EGTC is at risk of becoming a "project factory" oriented solely on the acquisition of EU funds.**

4.3 Case study 3: AECT Galicia - Norte de Portugal

4.3.1 General information

Full Name	Agrupamento Europeu de Cooperação Territorial (AECT) Galicia - Norte de Portugal
Status	Established on 23/10/2008
Countries	ES, PT
Seat	ES: City of Vigo
Members	■ PT: Comissão de Coordenação e Desenvolvimento Regional do Norte (CCDR-N) ■ ES: Xunta de Galicia
Territory	■ PT: North Region (Region del Norte de Portugal) ■ ES: Galicia (Xunta de Galicia)
Predecessor	Working Community
Law applicable	Public
Duration	Indefinite period
Languages	Portuguese, Galician, Spanish
URL:	http://www.galicia-nortept.org

4.3.2 Focus of activities

Objectives (as stated in convention/statutes)	■ Promote economic development ■ Reinforce social and economic cohesion in accordance with Article 1 of Regulation (EC) 1082/2006. ■ Establish more efficient instruments for programming, management and evaluation of cohesion policies
Tasks (as stated in convention/statutes)	■ Treating topics of common interest, ■ Providing an exchange of information, ■ Coordinating initiatives and finding opportunities ■ Realising work of public interest, ■ Common management of public services, public works, joint management and set-up of Services of General Interest

4.3.3 Developments on the ground

Establishing the EGTC

In the case of Galicia-Norte de Portugal (GNP) the European Union, long-standing leadership and continuity at regional level played a key role in the

development of this EGTC. The model of the Franco-Spanish cooperation in the Pyrenees served as a main inspiration. The Madrid Convention provided the formal grounds for the establishment of the working community GNP. Stability and continuity of regional leadership have allowed for continuous evolution and development of cooperation. Policy makers at regional level have been stable since the foundation of the working community GNP. This helped to bridge the asymmetric situation of a decentralised administration in Spain and a more centralised in Portugal. GNP took over the role of a model. In 1993 a working community at the Spanish-Portuguese border was founded and already by 1998 the entire border area was covered by such communities.

Setting structures and organising the decision-making process

The director and sub-director are appointed by the regional policy makers – the presidents of the region Galicia (ES) and the CCDRN (PT). The EGTC is marked by checks and balances between the partners:

- The headquarters have been established in Spain
- The director is from Portugal, the sub-director is from Spain
- Altogether at the final stage five persons should be working for the EGTC (i.e. three additional persons)
- Three official working languages although due to the history people in the region have a common language; translation of all materials is not compulsory.

The current staff consists of a director (a rather young person who has been working at the university with a specific focus on the development of the Euregio) and a sub-director (an experienced senior person from public administration). Different wage levels (higher in ES) and the limited contract duration (persons being appointed for a two-year period) had to be considered as well. This combination could be quite successful in terms of gaining acceptance among the regional and local stakeholders.

The Working Community is still in place – it is the political forum for debate and decision on the strategic plan (the chair rotates every two years). In addition to strategic projects (such as the cluster development, which is done by other players) the EGTC is launched as an executive arm for specific tasks. The Working Community meets twice a year and monitors the implementation of the strategic plan for cooperation (2007-2012). The Joint Technical Secretariat (JTS) for the ETC -programme is located in Spain – the EGTC is not supposed to take over immediate tasks in the implementation of the ETC-programme – its role is strategic!

The director develops the annual work programme and is guided by the regional representatives and the strategic units of both partners. The assembly of the EGTC, which approves the annual work programmes, is composed of four representatives of each region. The director of the EGTC chairs it.

Financing and managing the EGTC

The current ERDF budget for CBC between ES and PT amounts to about €400m, with the ETC programme for GNP receiving about 50% of the total budget. Major investments have taken place in previous periods and therefore the most pressing investment needs have already been covered (e.g. four additional bridges over cross-border rivers have been built); now the shift of attention is to "soft" projects.
The initial donation of both partners has amounted to €100 000. This is a small amount but was intended as co-financing to projects: the set-up of the EGTC and the financing of its operation in the period 2009 to 2010 were launched as one project in the framework of the regional ETC programme. The subsequent period will be subject of a second project.
Depending on the future course of action the participation in transnational ETC programmes or in INTERREG IVC is envisaged. The participation in such projects could – inter alia – help to spread the idea of EGTCs across Europe.
The annual operational budget will amount to approximately €350 000 (in the first year including office equipment, in subsequent years the staff costs for the five persons). An annual budget in accordance with Article 11 of Reg. 1082/2006 has been set up. According to the statutes financial control is done in accordance with Article 6 of Reg. 1082/2006. An external auditor will be designated by the Superior Council.

Starting the operations
The EGTC was founded as an executive arm to support the implementation of the strategic plans of the Working Community. The overall objectives of the AECT GNP are broadly formulated and leave room to turn strategic objectives into practical actions. The start-up phase is marked by strategic networking, in particular among the representatives of the Working Community – the EGTC should establish its role as useful technical-strategic unit to support project generation and micro-regional support to regional initiatives. Management staff of the EGTC are expected to become known among the stakeholders and support the generation of applications for the next call in the ETC programme. It is not intended that the EGTC will implement CBC projects funded from the Operational Programme for CBC.

4.3.4 Key findings

Added value
- **Checks and balances between partners** on issues such as staffing, headquarters, languages help to build up trust and to ensure a sustainable cooperation. The division of labour helps to make the EGTC more effective: The working community facilitates the decision-making processes at the strategic level whereas the EGTC acts as its executive arm for specific tasks.

- The **EGTC is anchored in regional policy making** and is perceived as an instrument to achieve specific tasks such as support to project generation or to launch initiatives addressing specific issues at local level.
- Stable **political leadership** of the process at regional level.
- The strategic policy-making units on both sides have a **clear idea of the profile and the tasks** for the EGTC.
- **Pragmatic approach** to seed-financing by both partners and use for co-financing in the framework of the ETC programme.
- **Pragmatic plan for the start-up phase** – establish the EGTC as instrument to support the generation of good quality projects and to support regional initiatives with high visibility
- **Do things in a soft way** – a broad basis of stakeholders should be involved and encouraged to participate in strategy formulation.
- The strategic units, which guide the development and involvement of the Working Community, have now an **executive arm** to broaden the scope of action.
- The new player and the new faces should provide an impetus for new initiatives in cross-border cooperation.

Critical issues

- The EGTC is still in its start-up phase and the coming year will reveal if the new player is accepted by the local and regional stakeholders: for the longer-term success in its initial tasks – in particular project generation - its role as professional and neutral player and facilitator is decisive.

4.4 Case study 4: Amphictyony

4.4.1 Key information

Full name	EGTC. Amphictyony
Status	Established on 01/12/2008
Countries	CY, FR, GR, IT
Seat	GR: Athens 10558, Byronos 29, Plaka
Members	Members of the EGTC are local authorities from ■ CY: 7 municipalities ■ GR: 42 municipalities ■ FR: 1 municipality ■ IT: 3 municipalities
Territory	Municipalities in ■ CY: Ammochostos, Kerinia, Larnaka, Lefkara, Lissi, Morfou, Paralimni ■ GR: Aghias Varvaras Attikis, Aghion Anargyron, Aghiou Dimitriou Attikis, Aghiou Ioanni Redi, Aghiou Nikolaou Kritis, Aghiou Stefanou, Aharnon, Alimou, Ano Liosion, Argyroupolis, Arideas, Atalantis, Chalkideon, Chiou, Dafnousion, Hydras, Iliou,Imittou, Itamou, Kamenon Vourlon, Kalivion Thorikou, Kerateas, Megalou Alexandrou, Neas Chalkidonas, Paleou Falirou,Panoramatos, Peanias, Plateon, Prevezas, Rafinas, Rodou, Skyrou, Sofadon, Stylidas, Thrakomakedonon, Triandrias, Triglias Chalkidikis, Vyssas, Zakynthou; ■ FR: Garons ■ IT: Bova Marina, Montana della Murgia Tarantina, Montana Murgia Barese
Predecessor	Loose network of local authorities
Law applicable	Private
Duration	25 years (possibility of extension)
Languages	English, French, Greek, Italian
URL	http://www.amphictyony.gr

4.4.2 Focus of activities

Objectives (as stated in convention/statutes)	■ peace and sustainable development, cohesion and security ■ freedom, democracy, justice, security and protection of the environment. ■ Strengthening the participation of the citizen and the agencies of the local societies
Tasks (as stated in convention/statutes)	■ promotion of cross-border, interstate and/or interregional cooperation ■ realisation of programs that are co-funded by the European Union (EU) through the ERDF, ESF, CF ■ realisation of actions of territorial cooperation with or without the EU's financial contribution ■ Exchange of information, experiences, promotion and practices among its members ■ Access to information and knowledge ■ preservation, promotion and utilisation of the cultural identity for safeguarding the intercultural dialogue

4.4.3 Developments on the grounds

Establishing the EGTC

The procedure for the registration of the EGTC took almost a year. The administrative action started in January 2008 and the EGTC was officially registered in December 2008.

The background of the EGTC is a network of local authorities from the Mediterranean area (93 Local authorities from 9 countries) which existed for 17 years. The General Assembly, the Administrative Board and the Executive Committee are operational. The members of the EGTC are selected from the existing network.

Setting structures and organizing the decision-making process

The main decision-making body of the EGTC is the General Assembly, which defines the main policy of the EGTC and takes decisions, i.e. approves or rejects the administrative and financial report of the Administrative Board, the annual budget, the entry of new members. The statutes can only be modified by a ¾ majority of the members of the General Assembly.

The operational organ of the EGTC, the Administrative Board (13 members), is elected by the General Assembly and has the right to create sub-committees and working groups to complete its tasks. The President represents the EGTC, acts in the name of the EGTC towards third parties and signs all documents and warrants of payment. The Director manages all requests coming from the

President. The Executive Committee, which is composed of three members elected in parallel with election of the Administrative Board for two years, control the financial management of the EGTC at the end of the financial year and before the approval of the new budget by the General Assembly.

Financing and managing the EGTC
The present annual budget of the EGTC amounts to €500.000 and is composed of EU contributions via EU Programmes and by the contribution of the members. The financial control according to the Regulation 1082/2006 is carried out by the Greek Ministry of Internal Affairs. The EGTC **does not currently employ staff.** With regard to further partners the EGTC is open to enlargement especially towards pre-accession and third countries. The EGTC has already received requests from Albania, Serbia, Turkey, Israel and Palestine for participation.

Starting the operations
The EGTC has important links to the Greek Ministry of Internal Affairs and is the only Greek EGTC so far. Recently the EGTC managed to bring together mayors to approve a paper on the environmental issues (sustainability, energy efficiency). In October 2009 the EGTC reached an agreement with other local authorities on a "white book" where exact tasks have been defined. The biggest opportunity is to participate in EU programmes, which was not fully possible for the previous network. The EGTC has submitted two proposals to the MED ENPI programme and plans to participate in the Europe for Citizens Programme and the Culture Programme (2007-2013).

4.4.4 Key findings

Added Value
- Transforming the network into an EU **recognised legal personality** provides members with the legal structure to implement the objectives of their cooperation and reach its goals.
- **Building the EGTC on a network of existing cooperation structures** helped to strengthen local authorities' role in a multilevel governance setting.
- The EGTC has **stimulated local authorities** to take collective actions in the field of environment.
- The EGTC is **strengthening already existing cooperation networks** and unites local authorities in the Mediterranean basin.

Critical issues
- The EGTC intends to facilitate cooperation all over the Mediterranean basin including the north and the south bank which means the inclusion of IPA and third countries. However the **participation of members from third countries** is very difficult. The EGTC interprets the Mediterranean basin as

a geographical entity including the northern and southern shores which means that the involvement of countries from North Africa and the Middle East would be essential.

- The **linkages to other levels of public administration** could be beneficial in the long term.
- Due to the large number of partners there is the inherent risk of a trade-off between a small unit managing and implementing the acquired projects and the broad forum for decision on strategic guidelines and priorities for future actions

4.5 Case study 5: Karst-Bodva

4.5.1 Current status

Full name	Limited Liability European Grouping of Territorial Cooperation KARST-BODVA
Status	Established on 11/02/2009
Countries	HU, SK
Seat	SK: Hačava 47, 044 02 Turňa nad Bodvou;
Members	Local Governments from the Slovak-Hungarian border area in National Park Slovak Karst (SK) and in National Park Aggtelek (HU): Hrušov + 18 other local governments from Slovakia; Perkupa and Varbóc from Hungary.
Territory	The territory of the EGTC at present covers the Domica micro-region in Slovakia and the territories of the two Hungarian member local governments.The plan is to cover the Slovakian and Hungarian border settlements on the historic Gömör-Tornai Karszt (including the respective two National Parks) and along the river Bódva.
Predecessor	Euroregion
Duration	Indefinite period
Law applicable	Private
Languages	Hungarian and Slovakian
URL	-

4.5.2 Scope of activities

Objectives (as stated in convention/statutes)	■ To support the cooperation and harmonious development through strengthening economic and social cohesion between cross border territories. ■ To allow and assist the cooperation with purpose of strengthening economic and social cohesion
Tasks (as stated in convention/statutes)	■ Develop and realise a common development programme (strategic programme plans) ■ Overcome the peripheral character of the border region ■ Realisation of projects on the territory of Karst-Bodva EGTC from resources of the European Regional Development Fund, the European Social Fund and Cohesion Fund

4.5.3 Developments on the ground

Establishing the EGTC

The cooperation has a long history: The area of Gömör-Torna karst and the Bódva valley is a very valuable and unique geographical unit in Central Europe. There are more than 90 villages on both sides of the border. Their cooperation was upgraded into a Euro region (Karst Euro region) in 2001.

The main purpose of the Euro Region was to foster rural development in the area. The members of the Euro Region quickly recognised the opportunities offered if they upgraded their cooperation into an EGTC. After some political difficulties the EGTC was registered on 11th February 2009.

The EGTC was founded in order to facilitate the existing cooperation within the framework of the Euroregion. The territorial scope of the EGTC is a geographical unit which mainly consists of national parks on both sides of the border. The EGTC is the result of the political alliance of the mayors of the numerous municipalities in this territory.

Setting structures and organising the decision-making process

The EGTC is represented by its President who signs all official documents in the name of the EGTC. The main decision-making body is the General Assembly (composed of one chair from SK and two co-chairs from SK and HU), which makes its decision on the basis of simple majority. In the event of an equal number of votes the vote of the president is decisive. The General Assembly is supervised by the Monitoring Committee and has had two meetings so far since 11 February 2009.

Financing and managing the EGTC

So far the EGTC has not managed to establish a stable budget. Due to an internal agreement all members are obliged to contribute €500 within two years of the registration of the EGTC. No contributions have so far been received. All initiatives for establishing a permanent budget were refused by the General Assembly. Thus the operative budget of the EGTC will depend entirely on the successful acquisition of or participation in EU-funded projects.

No specific budget has been allocated for publicity purposes. The main external communication activity is the partner search for submitting territorial cooperation projects.

The EGTC is open to further enlargement and is in negotiations with possible new members. This EGTC does not have any employees.

Starting the operations

The overarching objective of the EGTC is to strengthen socio-economic cohesion and to promote cross-border cooperation. More specifically the EGTC focuses on a balanced and sustainable approach to rural development which rests on the following pillars:

a) supporting entrepreneurship, especially for small and medium-sized businesses in tourism, cultural development and the cross border activities;
b) joint protection of environmental and cultural values, joint management and improved prevention of environmental and technological risks;
c) assisting partnerships between communal and rural areas of cities and villages;
d) improving the cross-border travel system, IT communications, water supply, energy systems and the communal and industrial waste management;
e) developing cooperation and joint approaches to infrastructure, especially in the areas of health care, culture, travel and tourism and education areas.

The initial tasks of the EGTC include the development of institutional frameworks in the following areas: tourist destination management with a focus on environmentally friendly tourism, nature protection with a focus on monitoring and finally options to jointly bridge one major gap in infrastructure: waste water management.

One of the key instruments for the implementation of these tasks should be a Development Fund providing loans, guarantees and subsidies for the restoration and development of the infrastructure on both sides of the border (railroad, road etc.). For obvious reasons this has to be seen as a long-term objective from the current perspective. One of the priority projects in a mid-term perspective is the establishment of a knowledge centre to develop new models of education but also to pool resources in biodiversity management.

4.5.4 Key findings

Added value

- The EGTC is **closely linked to the local level** especially to the very small territorial units which ensures a sound and tangible basis for rural development as one of the main objectives.
- However, the EGTC has recognised the importance to extend capacities **in a multilevel governance setting** and has started to look for partners from other administrative levels.
- Through the EGTC the **application for cross-border projects has become easier**. The EGTC has already submitted proposals to the Central Europe and to the Southeast Europe Transnational cooperation programmes.
- The EGTC is the result of the political alliance of the mayors of numerous municipalities in the territory and it is designed as tool to facilitate and develop existing cooperation within the frame of a Euroregion.

Difficult issues

- **The process might lose momentum** in the event that EU funds cannot be acquired.
- The main challenge for the EGTC is the **reluctant attitude of politicians to contribute to shared objectives and activities**. The reluctance of adjacent bigger cities to join the initiative has led to the fact that only small

municipalities with very limited budgets have been included so far. Furthermore, the fact that the General Assembly of the EGTC is composed of mayors (politicians) makes the decision making process quite difficult.

- The **fact that the regional level has not partaken until now** – and has also quite limited financial capacities in Slovakia and very limited competencies in Hungary – **and that the national level will not enter such a venture unless it is a site of national interest** will make it difficult to improve budgetary situation in the short term and to expand influence in policy areas.
- A very practical obstacle is the **lack of command of foreign languages** among the members of the EGTC.

4.6 Case study 6: Duero-Douro AECT

4.6.1 Current status

Full name	Agrupación Europea de Cooperación Territorial Duero – Douro
Status	Established on 07/03/2009 Major milestones of the process: ■ Formation of a Working Community in the mid-90s July 2007: informative meetings ■ December 2007: informative assembly in Trabanca attended by 150 Portuguese and Spanish mayors ■ February to April 2008: Series of meetings with Spanish and Portuguese local representatives ■ April 2008: Presentation of Convention and Statutes to the Spanish Ministry for Public Administration ■ May 2008: Presentation of EGTC founding documents to the Portuguese Institute for Funding of Regional Development ■ September 2008: meeting of the assembly in Mogadouro (PT) which was attended by about 150 local representatives from ES and PT.
Countries	ES, PT
Seat	ES: Trabanca, (Salamanca), Plaza Egido s/n CP 37173
Members	102 Spanish local entities 70 Portuguese local entities 2 associations of municipalities 1 intermunicipal body governed by public law
Territory	Province of Salamanca; Province of Zamora NUTS 3 Tras os Montes NUTS 3 Douro NUTS 3 Deira Interio Monte
Predecessor	Working Community
Law applicable	Public
Duration	Unlimited
Languages	Spanish and Portuguese
URL	http://www.duero-douro.com/

4.6.2 Focus of activities

Objectives (as stated in convention/statutes)	The overarching objectives are to: ■ facilitate and promote cross-border, transnational and interregional cooperation ■ reinforce social and economic cohesion More specifically the topics extend over a broad number of subjects: ■ Equal opportunities ■ Economic and Local Development ■ Public Transport ■ New Technologies, especially ICT ■ Environment and sustainable development ■ Education, Training and Employment ■ Health, Social Services ■ Tourism, Culture and Cultural Heritage ■ Sports, Leisure time ■ Agriculture and Stockbreeding ■ Local Administration, transports, telecommunications ■ Research, Development, Technology and Innovation (RDTI)
Tasks (as stated in convention/statutes)	The EGTC should develop, coordinate, manage and implement ETC projects funded from European sources (ERDF and ESF, Cohesion Fund) and it should develop actions and strategies which strengthen territorial and social cohesion. In conjunction with this task the following tasks are being highlighted in the documents: ■ Execute and to manage contracts and agreements ■ Execute specific territorial cooperation programmes and actions ■ Creation and management of social services and infrastructures ■ Research, Innovation and Development promotion ■ Study on current stage and development priority actions in infrastructure and health services

4.6.3 Developments on the ground

Establishing the EGTC

The EGTC was set up in March 2009. The **formation of a Working Community** in the mid-90s was an important preparatory step (similar to the process in GNP) to what should later become known as EGTC. After various informative and working meetings the Conventions and Statutes were presented to the Spanish and Portuguese Authorities in May 2008. In September a meeting of the assembly, attended by about 150 local representatives from ES and PT, showed the **wide ownership** of the initiative right from the start.

Setting up structures and organising the decision-making process

The General Assembly meets at least once a year; the President may call extraordinary meetings. The Assembly sets the general course of action of the EGTC and approves the work programme as well as the projects, elects the Director, and authorises the constitution of Sector Councils. The Coordination Council supports the elaboration of work programmes, approves and supervises the implementation of programmes of the EGTC and approves the staffing and services rendered by the EGTC Technical Secretariat which forms the technical staff of the EGTC.

Financing and managing the EGTC

The initial contribution consisted of €1 000 from each of the approx. 170 members. The annual contribution for subsequent years will also be €1 000 per member.

Starting the operations

One of the key intentions of the EGTCs – as comparatively new actors in the field of regional development - along the Spanish-Portuguese border is to build a profile with the citizens of the cross-border regions. The strategic step is to launch public debates and initiatives in those areas, which have a high visibility and touch issues with high relevance for the day-to-day life of the regional population.

Examples of such actions launched by the AECT Duero-Douro are:

1. Public debate on the Strategic Infrastructure and Transport Plan

Planning of infrastructure and in particular of transport infrastructure is a vital question for each region and it touches the daily life of the regional population.

The development of the Strategic Plan goes back to 2004 when a phase of consultation and public debate was launched for the draft plan. This longer-term process shall now get a new impetus. The EGTC intends to initiate, support and facilitate a broad discussion process on this important document. The model of a participatory approach will be realised in the coming months, opening the dialogue for social partners, local entities and other interested parties. The communication between those having technical, economical or intermediary

interest in infrastructure development shall be improved. One of the key instruments will be a web-based forum for dialogue.

2. Cross-border forum for rural youth

The AECT has launched an interesting project targeting rural youth. It aims to establish a cross-border forum, which should encourage participation of the youth in social and political life. The project started in February 2010 and is scheduled to end in July 2010. During these six months, three major work steps should be realised:

- An analysis focusing on participation of the youth in social and political life; this will be based on a survey and interviews using the internet, phone and face-to-face meetings
- Five work group meetings with young people (for each session a participation of about 100 persons is envisaged) – one of the attempts is to activate these large groups to enter a longer-term joint discussion process, three thematic seminars on issues such as *civil society for the young in rural areas*, *youth associations and voluntary approaches* and *youth in rural society in 21st century: concerns and interests*.
- The final step will be the attempt to set up a democratic forum to address local and regional politicians; inter alia by the formulation of a memorandum summarising the major points and a booklet on major conclusions which should be widely disseminated among the target group.

4.6.4 Key findings

Added value

- The EGTC is based on the activities of **a Working Community, which was set up** in the mid-90s.
- Broad **ownership** of the EGTC initiative is demonstrated by a meeting of the assembly, which was attended by about 150 local representatives from ES and PT.
- In a first strategic step the EGTC has focused as comparatively new actors in the field of regional development on **building up its profile with the citizens of the Spanish-Portuguese cross-border regions**. This has been done by launching a public debate and initiatives in those areas, which have a high profile and are relevant for the day-to-day life of the regional population (e.g. debate on the Strategic Infrastructure and Transport Plan of the cross-border region, a Cross-Border Forum for the Rural Youth).

Critical issues

- The EGTC has a highly developed but **rather complex internal structure** in terms of the number of different organs. This structure still needs to prove its efficiency.
- Persisting **problems in submitting projects to different EU calls** (apart from INTERREG). The EGTC has submitted an application to the LIFE+

Programme but had problems in being recognised as public entity, whereas in the YOUTH programme there have been problems in being acknowledged as a project partnership and not as a single applicant.

4.7 Case study 7: West-Vlaanderen/Flandre-Dunkerque-Cote d'Opale

4.7.1 Key information

Full name	West-Vlaanderen / Flandre-Dunkerquerque-Cote d'Opale EGTC
Foundation	Established on 25 March 2009 Officially launched on 3 of April 2009.
Countries	BE, FR
Seat	FR: 59386 Dunkerque, Pertuis de la Marine
Members	■ 8 members from France: The French State, The Nord-Pas-de-Calais Region, Dunkirk Urban Community, The Departments of Nord and Pas-de-Calais, The "Pays" Moulins and Cœur de Flandre, the Urban Planning Agency Flandre Dunkirk; ■ 5 members from Belgium: the Federal Belgian State, the Flemish Region, the Province of West-Flanders, the Intercommunality of West-Flanders, Resoc Westhoek.
Territory	■ FR: 5 arrondissements de Dunkerque, Calais, St-Omer, Boulogne-sur-Mer and Montreuil; 4 communes de Sailly sur la Lys, Fleurbaix, Laventie and Lestrem from the arrondissement of Béthune. ■ BE: The province of West-Flanders.
Law applicable	Public
Duration	Indefinite period
Languages	French and Dutch
URL	Website to be launched in 2010.

4.7.2 Focus of activities

Objectives (as stated in convention/statutes)	■ Promote an effective and coherent cross-border cooperation on its territory. ■ Ensure the harmonisation of territorial policies ■ Define joint strategies and action programmes ■ Define and implement joint projects
Tasks (as stated in convention/statutes)	■ Design and implementation of joint projects and actions in areas such as culture, economy, local trade, health (establishment of a cross-border tomography scanner), employment and transport (introducing, for example, a cross-border public transport card).

	■ Represent the territory vis-à-vis third parties.

4.7.3 Developments on the ground

Establishing the EGTC

Cooperation between the province of West-Vlaanderen and Flandre-Dunkerque-Cote d'Opale has a long history. Initially it was just an informal platform. From the end of the 1980s cross-border cooperation was accelerated and encouraged, and several cross-border projects were implemented within the frame of INTERREG I.

At the end of INTERREG II stakeholders decided to further intensify their cooperation and consultations started in 2000. The result of these consultations was the establishment of a cross-border platform in 2004 and the formulation of a Common Strategy Charter on sustainability, which was approved by all local authorities of the cross-border area. With strong political support in September 2006 consultations started to develop a legal framework for the cooperation. In 2007 the technical preparation with the inclusion of several experts and the *Mission Transfrontalière* was launched. In 2008 September the first agreement on the convention and the statute was formulated. On 25 March 2009 the proposed convention and statute were approved and the EGTC started to be operational from 3 April 2009.

Establishing structures and organising the decision-making process

In all organs the principle of parity (50% FR-50% BE) is respected. The main decision making organ, the General Assembly has 28 members, (14 French-14 Belgian). Further bodies are: the Board (18 Members, 9 French-9 Belgian), the two co-presidents and a management team with co-directors (1 French-1 Belgian). The decisions are reached by consensus. The General Assembly has to have at least two sessions per year (April-December). Decision-making is related to two main issues: the approval of the annual budget and the approval of the work plan. The EGTC is currently closed for enlargement but it is willing to build up partnerships with other actors.

Financing and managing the EGTC

The annual budget of the EGTC is approved by the General Assembly on a consensus basis. There is parity (50% French, 50% Belgian) in the contribution. A small budget is created for the daily management of the EGTC.

The annual budget for 2009 was €260 000 and for 2010 it will be €300 000. The largest part of the 2010 budget will be allocated to publicity issues. The management team is responsible for communication. The plan is to have an operational website, a logo and a corporate identity still in 2010. The financial control is carried out by the French administration. However, practical obstacles persist, such as the different national laws, which have prevented the EGTC from recruiting its own staff.

Starting the operations

The EGTC provides the necessary legal framework to further strengthen the existing cross-border cooperation in the involved territories. The EGTC also acts as spokesman of the cross-border area and supports transparency in the decision-making process. From an institutional perspective its organs and their organised meetings ensure a stable framework for cooperation with official status thus leading to a stronger commitment compared to the rather loose and voluntary cooperation framework in previous years.

The EGTC is considered as a laboratory of multilevel governance which requires permanent innovation. In order to set this objective, the EGTC coordinates and creates networks between partners in the cross-border area, encourages political representation and debate, defines common development strategies and programmes, implements common CBC projects and supports any action which promotes the CBC cooperation and representation of the area.

4.7.4 Key findings

Added value

- The EGTC has helped to **formalise and strengthen a long-lasting cooperation** based on strong political support.
- The EGTC instrument is used as **a laboratory for multi-level governance** by creating networks between partners, by encouraging political representation and debate. The EGTC has also helped to establish a **more transparent decision-making processes** between different type of **partners.** The principle of parity between countries is respected.
- The EGTC has reserved a sufficient **budget to raise awareness and visibility** in the initial phase of launching its activities (e.g. website, logo, corporate identity etc.).
- The EGTC has a very **strong encouragement from the political levels**. It was based on a formal political association of partners. The EGTC further strengthens the existing cooperation. The political support is ensured by the involvement of the highest levels of public administration and the involvement of the political level in the General Assembly by maintaining the principle of parity between the participating two countries.

Critical issues

- An impeding factor for the development of the EGTC has been the **differences between the French and the Belgian legislation**, which provides serious challenges when it comes to the recruitment and contracting of own staff.

4.8 Case study 8: Eurorégion Pyrénées-Méditerranée

4.8.1 Current status

Full name	Eurorégion Pyrénées-Méditerranée EGTC
Status	Established on 25/08/2009
Countries	ES, FR
Seat	FR: Toulouse, regional council of Midi-Pyrénées (+ representative office in Brussels)
Members	Regional authorities of 2 French regions: Midi-Pyrénées and Languedoc-Roussillon; Autonomous communities of Catalunya and Illes Baléares.
Territory	2 French border regions: Midi-Pyrénées and Languedoc-Roussillon; Spanish Autonomous communities: Catalunya and Illes Baléares.
Predecessor	Euroregion
Law applicable	Public
Duration	Indefinite period
Languages	French, Spanish and Catalan
URL	http://www.euroregio-epm.org

4.8.2 Focus of activities

Objectives (as stated in convention/statutes)	■ The objective of the EGTC is to realise and manage territorial cooperation projects and actions, with a view towards sustainable development, approved by its members within their competencies.
Tasks (as stated in convention/statutes)	■ To identify, promote and utilise programmes, joint projects and actions of territorial development in the interest of its members.

4.8.3 Developments on the ground

Establishing the EGTC

This EGTC initiative has been founded on the experiences of the Euroregion, which was created in 2004 among five Regions/autonomous communities (Aragon, Illes Baléares, Catalunya, Languedoc-Roussillon, Midi-Pyrénées), for an area of 13 million inhabitants and with the main aim of cooperation and lobbying towards the European Institutions. The main motivation for choosing the EGTC as the cooperation tool came from the political level. It took two years to set up the structure, which eventually became operational in August

2009. The main obstacle in this phase consisted in the fact, that the European Regulation was not implemented by France. The community of Aragon for domestic reasons suspended participation in the Euroregion and decided not to be part of the EGTC.

Setting up structures and organising the decision-making process

The objective of the EGTC is to realise and manage territorial cooperation projects and actions, with a view towards sustainable development, approved by its members within their competencies. For this purpose its main organ is the General Assembly or Assembly of Presidents for political decisions, policy orientations. The role of the Coordination Group is to prepare the Assembly meetings, to present the annual report at the Assembly meeting and to achieve political agreement among the participating regions. Further tasks are to encourage the identification and development of joint projects and to promote these projects towards the European institutions. The main operative body is the General Secretariat, which coordinates the actions among the EGTC members and is responsible for communication between them. In case of project implementation delegated to the EGTC, head(s) of project(s), project managers are appointed, who are responsible for the successful implementation of their particular project.

Financing and managing the EGTC

There is an annual budget paid by the members, which covers the EGTC management costs and costs related to the projects implemented. Furthermore, the budget consists of voluntary members' contributions and funds from the EU, the Member States or other territorial entities. The modalities of the financial control are according to the French law. There is a specific budget line for a head of communication in the General Secretary and for a new website. The EGTC does not have employees. Given its largely political nature the EGTC is not open for new members.

Starting the operations

According to its convention, the members of the EGTC delegate the tasks in connection with the development of projects related to EU cooperation programmes (for example EUROMED) to the EGTC. Therefore the EGCT’s main task is the implementation of projects in different domains: culture, research innovation sustainable development, Eurocampus economic development. Special focus is given to inter-regional economic development, culture, innovation and technology, research and development, tourism, environmental protection, improvement of telecommunication and transport services.

4.8.4 Key findings

Added value

- The foundation of the EGTC was **encouraged by the political leaders** and is based on a clear political need for cooperation between the French and Spanish regions in the Pyrenean area.
- The EGTC Euroregion Pyrénées Mediterranée is a **political project**: The EGCT as institution opens the possibility to establish a recognised legal entity in order to develop and implement joint projects within a politically motivated network.

Critical issues

- The main purpose of the EGTC is to develop and implement projects financed from national and EU funds. The composition of the EGTC facilitates the achievement of this aim. The **further development of the technical issues and the inclusion of the local levels** could assist in achieving a lasting impact in the area.
- The EGTC **does not have employees**. Given its largely political nature the EGTC is not open for new members.
- **Problems with access to ETC funding due to programme limitations in the eligibility of partners and project contents:** Balearic Islands are not eligible under cross-border cooperation, and cultural projects are not eligible under Interreg IIIB Sudoe, the only call in which all the partners are eligible.

4.9 Case study 9: EGTC Eurodistrict Strasbourg-Ortenau

Full name	DE: Europäischer Verbund für territoriale Zusammenarbeit "Eurodistrikt Strasbourg-Ortenau" FR: Groupement Européen de Coopération Territoriale"Eurodistrict Strasbourg-Ortenau“
Status	Created in February 2010
Countries	DE, FR
Seat	FR : Strasbourg (+ operative unit in Kehl, Germany)
Members	■ FR: Communauté Urbaine de Strasbourg ■ DE: Landkreis Ortenau, Stadt Offenburg, Stadt Lahr ■ Stadt Kehl, Stadt Achern, Stadt Oberkirch
Territory	Communauté Urbaine de Strasbourg Landkreis Ortenau
Predecessor	Eurodistrict (simlar to a Euroregion)
Law applicable	Public
Duration	Unlimited
Languages	German, French
URL	http://www.eurodistrict.eu

4.9.1 Focus of activities

Objectives (as stated in convention/statutes)	The objectives according to the statutes are to: ■ Generate added value for the citizens of the area ■ Create the foundation for an innovative Eurodistrict with the vision to strengthen and develop a cross-border grouping of municipalities which is ruled by the principle of joint decision-making ■ Strengthen and promote the European dimension of Strasbourg as the seat of European institutions
Tasks (as stated in convention/statutes)	Implementation of cross-border projects with a focus on: ■ Harmonised spatial development ■ Removal of barriers and obstacles to the day-to-day life of citizens ■ Promotion of a cross-border cultural area ■ Strengthening cooperation with institutions at European level ■ Development of joint infrastructure and services ■ Support to initiatives which promote the objectives of the Eurodistrict

	■ Promotion of joint associations and groupings for society, economy and institution-building ■ Application for European Funds in order to perform these tasks ■ Participation in other initiatives in adjacent territories in order to strengthen cohesion and support sustainable development in a wider perspective

Establishing the EGTC

An interesting point about the formation of the Eurodistrict is that policy makers at national level provided significant backing for the initiative, which for sure was an incentive for the 'actors on the ground', i.e. at local and regional level, to establish the EGTC. The following milestones mark the development process:

- A joint declaration by the German Chancellor and the French President in 2003 which led to the resolution to establish the Eurodistrict and in a subsequent meeting of the Ministers for European Affairs a roadmap was signed
- The Memorandum on the foundation of the Eurodistrict dates back to 2005
- Finally a declaration from October 2008 settled the joint intention and paved the way for the approval and signature of the Convention and Statutes

In addition to this remarkably straight road to the establishment of the EGTC one should also bear in mind that Strasbourg hosts one of the most long-standing European institutions thus contributing to a European policy dimension.

A first change in the Statutes is intended: the French national level will join the EGTC. On the German side the *Land* (Baden-Württemberg) as well as the national level will participate in the role of an observer.

Setting structures, decision-making process and first actions

The structure of the EGTC reveals the following features:

- The council (conseil, Rat) ultimately takes all overarching and key decisions
- The board (bureau, Vorstand) proposes the working plan and is in charge of approval for operative decisions or takes the decision on activities
- The president acts as director of the EGTC (according to Regulation 1082/2006), prepares the budget, calls the council meetings and sets the agenda and represents the EGTC
- The secretary-general guides and manages the work of the technical staff

In April 2010) Dr Marcus Obrecht was appointed secretary-general and it is envisaged that he will start work in the coming months. The secretary-general will be responsible for hiring four persons for the secretariat.

Financing and managing of the EGTC

Hiring of staff will be on a five-year basis which is an attractive mid-term perspective. The annual budget – based on a contribution of about € 1 per inhabitant - amounts to € 850 000. In addition to coverage of the staff cost the

budget allows for taking a number of actions. However, the acquisition of additional funds through projects is a declared task of the EGTC.
The provisions for the functioning of the EGTC reveal a system of checks and balances between the organs of the EGTC. As in all such institutions the success will depend on the mutual trust between all players, i.e.

- The operative nucleus which is the general secretariat, the president and the board and
- The council which acts as 'supervisory board' for the EGTC

Starting the operations
The first actions will focus on:

- The continuation of successful events with high visibility (a European picnic in a public area; days for cycling, trekking and running)
- Placing joint models for vocational education and qualification on a broader basis (cross-linked systems where the theoretical part of education is done in one country and the practical qualification in the other country) in order to strengthen language capacities and thus broaden job perspectives among the youth in this European region (in this case questions related to insurance have been one of the stumbling blocks)

Key findings

Added value

- Regulation 1082/2006 was a clear incentive since it is a legal option for the **longer-term vision of the EGTC**, i.e. to become a European administrative unit sharing joint mechanisms for decision-making
- One could speak of the **mutual reinforcement** between two factors: on the one hand Strasbourg as the seat of a European institution which has to be ranked as one of the pillars of EU is an asset for promoting the joint development process and – on the other hand the work of the Eurodistrict will strengthen cohesion 'on the ground'.

Critical issues

- The **regime for hiring staff** has led to intense discussions – a key point is that all staff members should be subject to equal treatment; the statutes might be amended in order to anchor equal treatment of staff
- When the Eurodistrict starts to establish its role in development issues it might be challenging that local decision-makers join the **consent on a longer-term vision for development** which – in the end – will require to concentrate certain assets or infrastructures in one part of the region

4.10 Case study 10 : EGTC Hospital de Cerdanya

Full name	Hospital de Cerdanya
Status	26 April 2010 (signing of conventions and statutes)
Countries	ES, FR
Seat	ES: Pugicerdà
Members	■ ES: Catalan Ministry of Health, Municipality of Pugicerdà, County Council of Cerdanya, Catalan Healthcare Service ■ French Ministry of Health, National Health Insurance and the Regional Agency for hospitals of Languedoc-Rousillon
Territory	Regions of Cerdanya (Spain/Catalonia and France) and Capcir (France)
Predecessor	--
Law applicable	Public
Duration	Unlimited
Languages	Spanish, French, Catalan
URL	-www.hcerdanya.eu

4.10.1 Focus of activities

Objectives (as stated in convention/statutes)	The objectives according to the statutes are to jointly construct and operate the health care facility in Cerdanya serving a defined cross-border catchment area
Tasks (as stated in convention/statutes)	Performing all tasks which are required for sound management and operation of the hospital in particular: ■ Employment of staff ■ Maintenance of building and equipment

This EGTC is a new way of governance for a hospital which as such has immediate impact on the population. Given the investment volume and the expectable annual contributions it is by far the most substantial venture among all EGTCs.

As an initial step a declaration of interest was signed by the parties to the EGTC: this agreement was valid during the quite lengthy period of negotiation. In April 2010 the founding documents of the EGTC were signed.

4.10.2 Establishing the EGTC

The situation at the start was that in the mountainous area of Catalonia an old hospital with 60 beds served de facto as a cross-border catchment area in a valley with about 30 000 inhabitants (thereof 17 000 on the Spanish side and 13 000 on the French side. The nearest French hospital is not easily accessible so already in the past a significant number of French citizens have used the facility on Spanish territory. However, this posed a lot of administrative difficulties starting with birth certificates and ending with different reimbursement systems in French and Spanish health insurance.

Since 2002 the Catalan Government started efforts to come to clear terms for the solution of these administrative problems. A pragmatic work plan had been proposed by the Catalan Ministry of Health but it lacked a legal foundation.

The establishment of EGTCs through Regulation 1082/2006 was considered as a real window of opportunity and gave new momentum to the negotiations between the Spanish and the French side.

A particular opportunity is the fact that it enables de facto a treaty with the features of multilevel governance – on the Catalan side the negotiations are undertaken by the Catalan Government represented by the Ministry of Health whereas on French side the Ministry of Health at national level, the National Health Insurance and the Regional Agency for hospitals of Languedoc-Rousillon are represented. In operational terms, on the French side the Regional Agency is acting under the supervision of the Ministry of Health.

4.10.3 Setting up structures and the decision-making process

A guiding principle of the negotiations was decided at an early stage: the split of 60/40 according to the proportion of inhabitants in the valley. This is important since it represents:

- The agreed split to share the investment costs - which has been anchored in a contract since the EGTC is not yet operational)
- The intended split to share the operation costs – the provisions for the shared management and operation will be part of the statutes and are currently subject to intense negotiations

The latter point has to be stressed since in fact the statutes will represent a detailed contract for the management of a jointly used health treatment facility (the current draft – which is far from being finalised has 120 pages). Currently numerous small issues have to be clarified (e.g. the contents, language and structure of clinical records). But the major challenge stems from the fact that the reimbursement for health care treatment in France and Spain is built on completely different parameters:

- In France reimbursement is based on the activities performed (type of surgery, cost of treatment etc.) whereas

- In Spain reimbursement is mainly based on per capita fees according to the catchment area of the hospital (though specific regional factors are taken into account to balance disparities across Spain)

Another critical factor is the different employment status as well as the wage gradient between leading medical staff in France and Spain: incomes in France are generally speaking higher than in Spain. As an additional feature, the initiative provides language training for the staff of the hospital.
From these facts one gets a first insight into the issues which need to be tackled and solved in the next 1.5 years since in 2012 the new hospital should start to operate.

4.10.4 Financing and managing of the EGTC

The hospital is a complete new facility (the existing hospital will be turned into a residence for elderly citizens once the new hospital has been opened).
The investment for construction represents about 60% of the total investment cost, the remaining 40% are needed for equipment. In total the investment represents about € 54m (thereof about € 32m for the Spanish side). The construction work is finished; now the building will be equipped.
The EGTC will be equipped with the budget needed for the operation of the hospital. The expected annual budget will amount roughly to € 15.5m.

4.10.5 Key findings

Added value

- The option to establish an EGTC gave a new momentum to the negotiations; in particular the **bridging function between different administrative structures**, i.e. the potentialities for multilevel governance
- This project is spearheading into an area which is extremely important across Europe – the gradual harmonisation of as well as the **cooperation in the field of health care** across the Member States (similar situations regarding the catchment areas of hospitals in rather peripheral areas are reported from several parts of the EU) – if the EGTC proves to be a successful and effective approach it could become a model
- The process of establishing an EGTC has **triggered off new perspectives for other cooperation areas in this region** – currently a similar model for a centre for conferences and cultural activities is being discussed; this centre is intended to be located on the French side

Critical issues

- The number of **practical issues to be discussed** and solved as part of the negotiations of the statutes is tremendous – it involves establishing a bridge between two different health systems.

4.11 Case study 11: EGTC Grande Region (Greater Region)

Full name	Großregion/ Grande Région / Greater Region Saar - Lor - Lux - Rheinland-Pfalz - Wallonie
Status	Created in April 2010
Countries	FR, DE, LU, BE
Seat	FR: Metz
Members	■ LU: Government of Luxembourg ■ DE. *Länder* Governments of Saarland and Rheinland Pfalz ■ FR: French State represented by the Préfet of the Region, the Regional Council of Lorraine, the local authorities of Moselle, Meurthe-et-Moselle and Meuse ■ BE: the regional government of Wallonia, the French Community and the German-speaking Community
Territory	■ LU: Luxembourg ■ FR: Lorraine ■ DE: Saarland and Rheinland-Pfalz ■ BE: Wallon region and the German speaking Community
Predecessor	--
Law applicable	Public
Duration	Unlimited
Languages	French, German
URL	http://www.grossregion.net

4.11.1 Focus of activities

Objectives (as stated in convention/statutes)	The major objective of the EGTC is the smooth and efficient management of the cross-border ETC programme for the Greater Region.
Tasks (as stated in convention/statutes)	All tasks of a Managing Authority for an ETC programme according to Regulations (EC) 1083/2006 and 1080/2006.

This Grouping has been recently set up and represents the first example of an EGTC acting as Managing Authority (MA) for a cross-border programme. It is important to note that in addition to this EGTC two other EGTCs are in the preparatory phase.

One of the EGTCs under preparation is intended to set up the institutional framework for joint policy development in the Greater Region. The second

EGTC will be dedicated to fostering the economic and spatial development in the former industrial area of Belval-Esch.

4.11.2 Establishing the EGTC

The starting point was the decision to set up a cross-border cooperation programme involving four Member States. It was not easy to achieve a decision on the distribution of functions among the participating countries. Thus the EGTC was considered as an interesting option.

4.11.3 Setting up structures and the decision making process

The EGTC was established under French law and has its seat in Metz: staff of the EGTC consists of two persons. Its task is clear cut: the EGTC acts as MA for the ETC programme, i.e. it is in charge of the tasks according to Article 60 of the General Regulation 1083/2006. The Joint Technical Secretariat (JTS) is located in Luxembourg - in legal terms it is organised as association. The total staff of the JTS consists of six persons. In addition six persons paid from Technical Assistance support project generation in the participating regions. Thus – from a broad perspective – one has to state that the programme implementation and management is to some extent decentralised and marked by several players.
In the period to come it will be interesting to see how the interrelations between the Assembly of the EGTC and the Monitoring Committee (MC) of the programme will develop. Most stakeholders are represented in both bodies. The de facto task division between these two bodies is not yet clearly defined and one can assume that implementation practice lead to an effective approach. Currently it could happen that the novelty of the Assembly will invite programme stakeholders to use it for intense discussion whereas the MC might have a more formal role in future. However, this remains to be tested in practice. Decisions in the Assembly are taken in consensus.
In addition to the General Assembly an Administrative Council supports the day-to-day business of the EGTC.

4.11.4 Financing and managing of the EGTC

The EGTC is financed from the Technical Assistance of the programme (the total volume of the programme amounts to €212 Mo with an ERDF contribution of €106 Mo). The budget of the EGTC covers financing of two persons for the period 2010 to 2015, i.e. roughly € 500 000: one person is financed from ERDF, the second person is financed from national contribution (according to the proportion of ERDF and national funding at programme level which is 50/50).
In terms of financial control the EGTC is considered as a TA project; i.e. FLC is undertaken by the French body which is in charge of FLC for the programme.

4.11.5 Key findings

Added value

- The option of an EGTC offered a new perspective during rather difficult negotiations about functions in programme management among representatives of the four Member States
- The EGTC might become part of network of EGTCs in this part of the EU since two more EGTCs in the programme area are under preparation; these EGTCs will be in charge of different tasks; the already operative EGTC might accelerate the establishment of the two others; if all these bodies perform in future it could become an important signal for other Member States

Critical issues

- With the EGTC and its Assembly a new layer of programme management has been created. Now it is important to develop efficient and effective demarcation lines between the competencies of the Assembly and the Monitoring Committee of the programme; however it appears as a reasonable decision to follow a pragmatic approach, i.e. to see how things work out in practice.
- In addition to the EGTC other structures for programme management bodies continue to exist; it will be interesting to see whether this new type of organisation and its decision-making structures have an impact on the working relations between MA and JTS: on the one hand strong backing of MA and JTS by all programme stakeholders could strengthen the strategic role of programme management and, on the other hand, overly complex decision-making routines could hamper day-to-day work

5 Conclusions

5.1 Changed policy background for EGTCs

Has the policy background changed since the Reg. (EC) 1082/2006 was drawn up? What are the main characteristics of these changes?

In 2010, EGTCs find themselves in a changed policy background compared to the one, which prevailed when the EGTC regulation was designed, promoted and successfully adopted.

- The adoption of the Lisbon Treaty has added "territorial cohesion", and "economic and social cohesion" to one of the main aims of the Union. While a clear majority of EGTCs explicitly mentions social and economic cohesion as a main objective, the instrument itself has been designed for the very purpose of "territorial cooperation" and therefore lends itself to significantly contributing towards territorial cohesion.
- The Structural Funds 2007-2013 programming period is now fully operational and shows an increased tendency throughout the Union for regionalised approaches in programme design and delivery, thus providing new opportunities for EGTCs. The mainstreaming of the Interreg initiative and the promotion of territorial strategies for macro-regions (Baltic Space Strategy, Danube Space Strategy etc) also expand this field of activities.
- Last but not least the EU will soon devise a new strategy for the period beyond 2010. This new strategy intends to enable the EU to make a full recovery from the crisis, and move towards a greener, more sustainable, and more innovative economy. EU 2020 will build on the achievements of the Lisbon Strategy but will also address some of the Lisbon Strategy's shortcomings, which are especially to be found in the delivery mechanisms – a field where EGTCs show significant potentials.

New potentialities of EGTCs with a view to macro-regional strategies are emerging as"frontrunners" to support commitment to shared policies and as a "targeted vehicle" for the longer-term commitment to joint implementation of specific actions. The Baltic Sea Strategy has been the first macro-regional strategy within the EU and it could serve as model for a new element in Cohesion Policy. Currently the Danube Region Strategy is in the process of elaboration. It involves 14 Member States and also neighboring countries. The process of strategy development hast to be seen as an explorative task. Until the commitment of Member States and regions to shared policy objectives and joint priorities for action comes into effect will be most likely a mid- to longer-term perspective. One of the major added values of macro-regional strategies will be a focus on institutions and partners to guide the implementation of priority actions. In many cases the tasks and the involvement of established players will be obvious and clear cut. In other cases the novelty of tasks will lead to the question which institutions could take the lead in policy

development. And here the EGTC - as a new framework for discussion and as an instrument which is open for the implementation of various tasks – could come into discussion as one of the options to develop and strengthen commitment to new shared tasks. The survey among existing EGTCs has shown that EGTCs can support policy development and implementation in two ways:

- as **frontrunners to support commitment to shared policies;** the common goal of setting up an EGTC and the development of the corresponding institutional framework will help to structure and target the discussion process and the establishment of the EGTC is an important intermediate objective for policy delivery (following to some extent the examples of Eurométropole or the EGTCs along the Spanish-Portuguese border). *Potential example for a future EGTC: "Danube Nature Protection" developing guidelines for various natural parks along the Danube river, exploring further tasks and availability of funds.*
- in cases where the tasks and the milestones area are already quite advanced the EGTC could become the **targeted vehicle for the longer-term commitment to joint implementation of specific actions** (i.e. similar to the model of Hospital Cerdanya). *Potential example for a future EGTC: "Danube Water Monitoring Unit" for the implementation of the Water Framework Directive, partners from different Danube states finance and manage water quality measurement equipment and laboratories along the Danube in a joint way.*

Fifteen EGTCs have been established by the end of May 2010 and are now entering their operational phase and launching their activities. A considerable number of similar EGTC initiatives is expected to be established in the near future.

Evidence suggests that in cases where initiatives have so far not succeeded in being established very different reasons are in place – both external and internal to the partnership. The delay in the national procedures has been a problem in several countries (e.g. Austria, Italy), just as the changed political background caused by elections in some regions, as well as the overall very complex process of exploring and effectively applying the EGTC instrument.

5.2 Territorial patterns in the set-up of EGTCs

How are EGTCs distributed over the territory? Are there geographic areas where more EGTC initiatives can be found? What are the reasons for an uneven distribution?

The delay in the implementation of national provisions had significant effects on both the quantitative and the qualitative maturity of the EGTC initiatives. Where Member States, due to the various reasons, accumulated more delay in the adoption of the necessary provisions, this had a clear impact on the number and maturity of emerging EGTC initiatives. In this respect EGTC Eurométropole is an exception in so far, as it was established, even before the

respective national legislations were in place. EGTCs have their official seat exclusively in countries, that adopted their national provisions already in 2007 and 2008 (three registered offices in FR, two registered offices in ES and HU, one registered office in GR). For participating countries the picture is more dispersed, however, here too a dominance of countries with provisions in place since 2007 and 2008 can be observed (two participations from BE, SK, PT; one participation from CY, IT, FR, ES). In a cross-border view, the most evident accumulations can be found between Belgium and France; Hungary and Slovak Republic, Spain and Portugal.

The existence of alternative cooperation mechanisms influences both the geographic distribution and the level of commitment of some EGTCs. While some countries (e.g. Baltic countries) have different cooperation mechanisms in place and consequently show limited interest in the new instrument, in particular in other New Member States EGTCs have been explored for developing early stage cooperation initiatives (e.g. Karst-Bodvar, Ister-Granum). While the level of commitment in these EGTCs so far remains rather general, in Member States with a long tradition of other cooperation instruments, EGTCs are generally more often used as an additional step to demonstrate a stronger commitment between the partners (e.g. Eurométropole).

The member structure of EGTCs is dominated by some regional and many local partners whereas national partners are still rather rare. Local partners can be found in 5 of 9 cases, regional partners in 4 and national partners only in two cases. Where local partners are included this is also linked to a high number of partners overall (from 7 partners in the case of Strasbourg-Ortenau to 172 partners in the case of Duero-Douro). The number of regional partners ranges from 2 to 5. National partners are only included in Lille-Kortrijk-Tournai and West-Vlaanderen/Flandre-Dunkerque-Côte d'Opale.

In quantitative terms the multi-level structure of EGTCs is still rather the exception than the rule: most EGTCs form partnerships between the partners from the same administrative level. Only in the case of Lille-Kortrijk-Tournai and West-Vlaanderen/Flandre-Dunkerque-Côte d'Opale two or more administrative levels are present (including national levels), whereas in all other analysed cases only partners from the same administrative level are cooperating.

The majority of EGTCs has a reference territory at medium level (between 2000 and 8500 km2). While a smaller territory can be found only in one case, larger territories are more common. At micro level we can find Karst-Bodva (50 km^2); at meso level Lille-Kortrijk-Tournai EGTC (3500 km^2), Ister-Granum EGTC (2000 km^2) and Duero-Douro EGTC (8500 km^2), West-Vlaanderen/Flandre-Dunkerque-Côte d'Opale EGTC (8000 km^2), EGTC Eurodistrict Strasbourg-Ortenau (2100) km^2), whereas at macro level the largest reference territory is included in Amphictyony (Mediterranean Basin); followed

by Euroregion Pyrénées-Méditéranée EGTC (110000 km^2) and Galicia – Norte de Portugal (51000 km^2).

The size of the reference territory correlates neither with the type of activities of an EGTC, nor with the member structure. If we compare the reference territory to further characteristics of EGTCs (e.g. member structure, activities etc.) it can be noted, that EGTCs at macro level have either a regional or local member structure and have with regard to their activities "coordination" in common. However, both Galicia-Norte de Portugal and Euroregion Pyrénées-Méditéranée also have a strong project implementation side, while Amphictyony remains more at a strategic level. At the meso-level the picture is less clear, here we find EGTCs with both multi-level and local member structure and the activities correlate more with the member structure than with the scale: EGTCs with multi-level member structure (Lille-Kortrijk-Tournai and West-Vlaanderen/Flandre-Dunkerque-Côte d'Opale) while for EGTCs with a local member structure (Ister-Granum, Duero-Douro) lobbying activities are evidently more important.

5.3 Factors and milestones on the way to establish EGTCs

Have there been any decisive factors and important milestones for setting up the EGTC? Which cooperation history have the EGTCs had? Can any patterns be recognised?

Established EGTCs have shown a "cooperation trajectory" starting from less formalised cooperation towards more formalised and intense cooperation. This trajectory starts with cultural exchange, project-based cooperation (e.g. Interreg etc.), and moves towards the establishment of informal cooperation platforms (e.g. between the province of West-Vlaanderen and Flandre-Dunkerque-Cote d'Opale), to more formalised cooperation forms (e.g. Euroregions, Working Communities etc.). In the case of more formalised cooperation forms there seems to be evident a generally broader the regional support among the relevant stakeholders, thus facilitating the challenge to make such cooperation operational. In these cases the formation of an EGTC is then a logic step, in order to solve practical issues of territorial cooperation, as well as for political or symbolic reasons.

Euroregions, eurodistricts, working communities and other formalised cooperation forms have been important predecessors for EGTCs. *Euroregions* have been important milestones on the in the case of Karst-Bodva, Ister-Granum and Eurorégion Pyrénées-Méditerranée. In the first case the members of the Euroregion recognized the opportunity in upgrading their cooperation into an EGTC already at a very early stage. For Ister-Granum besides the Euroregion also continuous cooperation and the political support were decisive factors for the setting up of the EGTC. While for the Eurorégion Pyrénées-Méditerranée the main input came from the political side. *Eurodistricts* have been predecessors in the case of Strasbourg-Ortenau and

have been envisaged also in the case of Eurométropole Lille-Kortrijk-Tournai. *Working communities* were predecessors both in the case of the EGTC GNP and Duero-Douro. Here the Madrid Convention provided the formal grounds for the establishment of the working community, helping to bridge the asymmetric situation of a decentralised administration in Spain and a more centralised one in Portugal. GNP took over the role of a model. In 1993 a working community at the ES-PT border was founded and already in 1998 the full length of the border was covered by such communities where the Madrid Convention provided the formal grounds. *Other formalised cooperation forms* were used, such as a voluntary association in the case of the Eurométropole Lille-Kortrijk-Tournai, where the Cross-Border Standing Conference of Inter-Municipal Organisations (COPIT) was founded in 1991. In the case of West-Vlaanderen/Flandre-Dunkerque-Cote d'Opale the establishment of a cross-border platform in and the formulation of a Common Strategy Charter on sustainability represented important milestones on the way towards the formation of an EGTC.

5.4 Institutional set-up and structures

Which institutional structures have the EGTCs put in place and have they succeeded in making them operational? How is the decision making process organised? Have EGTCs started to employ staff?

Among the EGTCs set up very different organisational models have proliferated: from rather simple structures (e.g. Amphictyony, Eurorégion Pyrénées-Méditerranée) to more refined ones:

Several EGTCs have foreseen a strong role of representative organs (e.g. Eurométropole , Amphyctyony, Karst-Bodva, Duero-Douro, West-Flandre) with one president and usually also a vice-president. In Eurométropole Lille-Kortrijk-Tournai the major stakeholders have agreed that they would like to have one director representing the EGTC. However, as the search is ongoing the current solution is that there are three provisional directors guiding the work.

In most cases the supervision and control is carried out by the Assembly which is however also the main decision-making organ (e.g. Eurométropole Lille-Kortrijk-Tournai where it is composed of 84 representatives, Ister-Granum etc.). In some cases a second layer of supervisory boards has been proposed or implemented (e.g. GNP – assembly and superior council, Karst-Bodva).

Some EGTCs enforce a stronger participatory approach and have foreseen mechanisms to better link to the civil society. Ister-Granum plans the establishment of a so-called Civil Parliament for the facilitation and addressing of civil society. Eurométropole Lille-Kortrijk-Tournai is establishing a conference of mayors in order to ensure the effective exchange on Eurométropole projects.

Decision-making between partners in an EGTC has become an exercise of checks and balances on issues such as staffing, headquarters, languages. Eurométropole Lille-Kortrijk-Tournai applies *double parity* to all organs: parity

between the French and Belgian sides and parity between the Flemish and Walloon sides for the Belgian institutional structure. In Duero–Douro there has been introduced a three-year *rotating term* of office has been introduced between a member from Spain and a member from Portugal for the EGTC President and Vice-President. Karst-Bodva's General Assembly is composed of a chair (SK) and two co-chairs (1 SK, 1 HU).
Grande Region provides an interesting example of decision-making of an EGTC acting as managing authority of a territorial cooperation programme: in the period to come it will be interesting to see how the interrelations between the Assembly of the EGTC and the Monitoring Committee (MC) of the programme will develop. Most stakeholders are represented in both bodies.
The implementation role of EGTC is ensured by strong executive organs or by partly outsourcing to external agencies: Ister-Granum engages an *agency* that covers the day-to-day management of the EGTC as an "external expert" on the basis of a service contract. Duero-Douro has installed *a Technical Secretariat* whose work is guided by the Economic and Administrative officer. Eurorégion Pyrénées-Méditerranée's main operative body is the *General Secretariat*, which coordinates the actions among the EGTC members and is responsible for communication between them. In Strasbourg-Ortenau the General Secretary guides the work of the technical staff.

5.5 The EGTCs as employer

Have the EGTCs started to employ staff? What is their role as employer? By whom are director(s) nominated? Which legal regime is used to hire staff from different countries and what are problems related to it? How have problems been solved?
The majority of EGTCs set up have not yet employed staff although in most cases this is envisaged in the near future. In Amphictyony, Karst Bodva West-Vlaanderen/Flandre-Dunkerque-Cote d'Opale and Ister-Granum, Euroegion Pyrènées-Mèditeranée no staff have been employed so far. In the case of West-Vlaanderen/Flandre-Dunkerque-Cote d'Opale and Ister-Granum the staff is not directly employed by the EGTC. In the latter case an external Development Agency is providing the management services for running the EGTC. In the EGTC Eurodistrict Strasbourg-Ortenau the process of hiring staff is ongoing.
Staff have so far only been hired by EGTCs which have managed to establish a substantial (pluri-) annual budget. In the case of Lille a pluri-annual budget of € 1.5 mn/year represents the highest financial commitment of all analysed cases. Six people are employed currently and the search for a seventh person is ongoing. In the case of Galicia- Norte de Portugal the annual budget amounts to € 350 000 and the number of staff is expected to rise from two to five in the near future. In the Grande Region the EGTC has covered the financing of two persons for the period 2010 to 2015.

Difficulties related to the hiring of staff under the law of different Member States have become obvious in several cases. For Eurométropole Lille-Kortrijk-Tournai people are hired under Belgian law since the operative headquarter is located in Belgium whereas the official seat of the EGTC is in France. Hiring persons under French law would have led to serious difficulties due to the particular conditions for French civil servants.

The search for the representative organ can be challenging in particular under the condition that this organ should be covered by only one person. Eurométropole Lille-Kortrijk-Tournai has launched its search for a director already twice so far. The requested combination of a broad managerial, leadership skills and sound command of both languages spoken is difficult to be found.

5.6 Budget and financial control

How is the budget composed and under which financial framework? How is the periodicity of budget decisions (annual; or granted annual minimum budget over a certain period…)? How is the question of financial allocation to participating regions handled in practice?

Current EGTCs achieve or intend to achieve a sound financial framework through the combination of various different financial sources such as annual member contributions; EU, national or regional funding, loans but also other sources (e.g. income from property, transferred resources from previous cooperation forms etc.).

While annual budgets according to Article 11 of Regulation 1082/2006 have been set up in all EGTCs, the establishment of pluri-annual budgets remains the exception. However, it is important for ensuring a long-term commitment towards the hired staff of an EGTC. The annual budget is used for the day-to-day operations and in used in particular for office equipment, staff costs etc. In the case of Ister-Granum this annual budget is composed by the contribution of the members which is defined according to their population and by the successfully absorbed EU funds. Problems in achieving a permanent budget have been observed for Karst-Bodva: the initiatives for establishing a permanent budget were refused by the General Assembly and consequently the budget depends mainly on support received from EU funds. While all members were obliged to submit 500 EUR within two years after the registration of the EGTC since February 2009 no contributions have been received. In the only case of Eurométropole Lille-Kortrijk-Tournai, a pluri-annual budget of 4.5 mn € for three years (i.e. 1.5 mn € per annum) has been fixed. In Grande Region the budget of the EGTC covers the funding of two persons for the period 2010 to 2015, i.e. roughly € 500 000.-: one person is financed from ERDF, the second person is financed from national contributions (according to the proportion of ERDF and national funding at programme level which is 50/50).

Several EGTCs have specified a specific budget for publicity purposes. For West-Vlaanderen / Flandre-Dunkerquerque-Cote d'Opale EGTC the biggest part of the 2010 budget will be allocated to publicity issues (communication, website, logo and corporate identity). Eurorégion Pyrénées-Méditerranée has a specific budget line for a head of communication in the General Secretary and for a new website. Galicia-Norte de Portugal has done major investments in previous periods and is now shifting the attention towards soft projects.
As mentioned in the statutes financial control is generally done in accordance with Article 6 of Reg. 1082/2006 and therefore depends on the respective national or regional EGTC provisions. In GNP an external auditor will be designated by the Superior Council; in Amphictyony financial control is done by the Greek Ministry of Internal Affairs, in West-Vlaanderen/Flandre-Dunkerque-Cote d'Opale the annual budget of the EGTC is approved by the General Assembly on consensus and the financial control is carried out by the competent French administrations. In terms of financial control the EGTC Grande Region – acting as Managing Authority - is considered as a Technical Assistance project; i.e. First Level Control is undertaken by the French body which is in charge of FLC for the programme.

5.7 The activities started by the EGTCs

Have the EGTCs become operational or are they still occupied with the internal set-up? Which focus do they show in their activities in the start-up phase?
Overall the actions implemented by EGTCs in their early phase are either actions to strengthen the internal cohesion within the reference territory or actions specifically designed for raising the awareness:
Actions to strengthen the internal cohesion within the cross-border conurbation have been launched by Eurométropole. A series of events, starting with a major conference in 2010, will pave the way for a major event in 2012. The process can be compared to some extent to the process for the selection and designation of the European Capital of Culture. The EGTC Grande Region is developing an efficient and effective demarcation line between the competencies of the Assembly and the Monitoring Committee of the programme.
Actions to gain visibility in the region in its start-up phase through strategic networking have been taken up by the EGTC GNP. The EGTC is taking actions to establish its role as useful technical-strategic unit to support project generation and micro-regional to regional initiatives.
Actions to get known among the citizens of the Spanish-Portuguese cross-border regions are taken by the EGTC Duero-Douro. This has been done by launching a public debate and initiatives in those areas, which have a high visibility and are relevant for the day-to-day life of the regional population. A public debate on the Strategic Infrastructure and Transport Plan of the cross-border region has been launched and will seek the dialogue with social partners,

local entities and other interested parties. Additionally the EGTC has launched a cross-border forum for rural youth

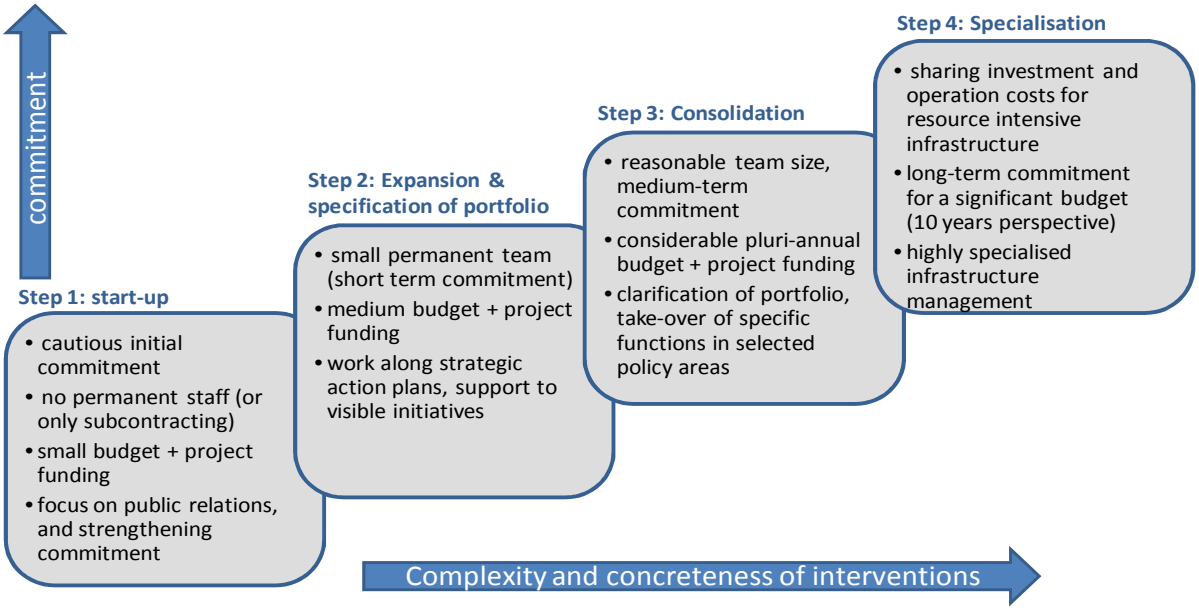
Actions to support activities of partners and content work in working commissions has started in the Eurométropole. Most of the development of projects and actions is being done in the framework of six commissions (economic & cultural development, mobility, services, strategic planning and tourism) which are guided by different members.

Actions to coordination activities of local actors and decision makers are taken up by the EGTC Amphictyony. Recently the EGTC managed to put together mayors to approve a paper on the environmental issues (sustainability, energy efficiency). The 22 October 2009 the EGTC formed an agreement with other local authorities on a "white book" where the exact issues were settled. The biggest opportunity is to participate in EU programmes, which were not fully possible for the previous network.

5.8 The evolutionary steps of EGTCs

Which types of EGTCs have been evolving in recent years? How can they be distinguished? What are the critical factors to describe their advancement?

In analysing the established EGTCs it can be summarised, that more than the "type of activities planned or realised" (as reflected in the objectives and tasks), the "level of commitment" and the "complexity and concreteness of interventions" emerge as the most critical factors for a distinction between different EGTC types. According to this concept, four evolutionary steps of EGTCs have been observed. These steps should however not be understood as normative (in the sense of what should be achieved) but are rather descriptive (without judgement). Emerging EGTCs can take over important functions at each of these steps and can also evolve from one step to another.



Step 1 – Start-up: These EGTC examples are characterised by a rather cautious initial commitment. Though the establishment of the EGTC itself reflects "commitment" among the partners, however, these EGTCs have no permanent staff employed or tend to subcontract staff for very specific tasks. The permanent budget of these EGTCs is rather small and is complemented by project funding from different sources (EU, national and regional). The focus of work tends to be more on public relation and in strengthening the commitment of stakeholders. *Examples: Ister-Granum; Karst-Bodva, Eurorégion Pyrénées Méditerranée, Amphictyony*

Step 2 - Expansion and specification of the portfolio: These EGTCs have already a small permanent team with a short term commitment (due to annual budget). The moderate annual budget is, as in the previous step, complemented with project funding from different sources. Work is conducted along strategic action plans which – for obvious reasons – can be quite tentative. The work focus is on mapping of institutional actors as well as first piloting into promising action areas. The support to highly visible initiatives is particularly important. *Examples: Galicia-Norte de Portugal, Duero–Douro, West-Vlaanderen/Flandre-Dunkerquerque-Cote d'Opale, Strasbourg-Ortenau*

Step 3 - Consolidation: These EGTCs are already characterised by a permanent team of reasonable size. For this purpose a medium-term commitment is necessary. The already considerable pluri-annual budget is additionally topped with project-funding. The work focus is on the concretisation and definition of a multi-annual action plan which is built on the selection of the most promising action areas and the take-over of specific functions in selected policy areas. The strategy is negotiated and settled with all major institutional actors and the course of action is reflected in the budgets. *Example: Eurométropole Lille-Kortrijk-Tournai; Grande Region*

Step 4 - (Specialisation): At this step EGTCs are sharing considerable investment and operation costs as needed for a resource-intensive infrastructure. This implies both considerable staff numbers and is linked to a long-term commitment for a significant budget (with a 10 years perspective). The work focus could be on management of infrastructure facilities but it could also be a cross-border administrative unit which takes over defined tasks in public interest (such as the longer-term visions in the case of the EGTC Strasbourg-Ortenau). *Example: Hospital de Cerdanya*.

5.9 Recommendations for a revision of Regulation 1082/2006 from a practical perspective

This critical review of Regulation (EC) 1082/2006 summarises those issues and aspects, which have been emerging from the analysis of established and planned EGTCs and from interviews with their representatives. The highlighted recommendations concern

a) issues which should be taken into consideration during the review of EGTC Regulation in 2011;
b) problems which require further guidance work rather in a practical and less legal sense (e.g. in the form of an implementation handbook, explanatory notes to the legal text etc.)
c) issues which require further coordinative actions (e.g. capacity building, information exchange platform) at various levels and with a potential role for the Committee of the Regions.

In the following paragraphs, the emerging issues are ordered according to the articles of Regulation (EC) 1082/2006 to which they refer (see working table in Annex 4):

1. **Underline the importance of promoting the participation of third countries in the implementation of the EGTC by anchoring third countries also in Article 1 (Nature of an EGTC) and Article 3 (Composition of an EGTC) and by establishing links to the Regulations governing IPA and ENPI.** In order to open up non-EU-member States authorities to join an EGTC in legal terms it is recommended to consider a "Decision" based on "Foreign Policy" and furthermore intergovernmental agreements between the EU and the relevant (neighbouring) countries. .
2. **Increase the use and room for manoeuvre of existing EGTCs in terms of applicable law (Article 2) by providing illustrated comments on the implications of the legal hierarchy established in Article 1 (1) of Reg. 1082/2006.** The legal hierarchy established in Article 1 (1) helped to settle the role of the EGTC Eurométropole as employer – the options of this legal hierarchy are however not yet commonly known and an illustrative comment to the Regulation might be helpful.
3. **Further explore the possibility to allow the participation of totally private organisations (Article 3 of Reg. 1082/2006) in an exceptional way, when the cooperation, the type of project or other reasons would ground the involvement as member.** Although the key objective according to Article 1 is to strengthen economic and social cohesion, which is clearly a task in the public interest, to a significant extent "cooperation beyond borders" is done by private bodies (associations, companies, private persons, etc.) and mainly by private legal means (contracts, etc). Even public authorities act as "legal bodies" or use private instruments in order to

circumvent narrow public regulations and restrictions (cf. also the definition of possible tasks in Article 7 of the EGTC Regulation). In practice public and private actors are participating in cooperation projects which – of course – include activities in other countries. The European Grouping of Economic Interest – restricted to tasks of private interests cannot always serve as alternative option.

4. **Stress the importance of reaching the decision concerning the approval of an EGTC within the three-months timeframe indicated in the Regulation (Article 4) by providing training and technical assistance to the competent authorities of the EGTC regulation.** Training for staff of competent authorities should be offered at EU level. The practical difficulties of these persons could also be a valuable contribution to the revision of the Regulation or to a legal guidance for the assessment for EGTC applications.
5. **Facilitate decisions concerning the approval of an EGTC within the indicated time frame (Article 4) by considering further harmonisation of the EGTC regulation with a view to obtain public status of the EGTC in all Member States.** Due to the differences in national legislation in some Member States the EGTC has to be a private body whereas in the other Member States it has to be a public body (e.g. in SI and IT). Although the official seat of headquarters of a concrete EGTC defines the legal status in the end, the adoption procedure in the other Member State may pose difficulties, due to legal restrictions and conditions which might not allow participation. Further harmonisation of the EGTC regulation should be considered. The EGTC should obtain public status in all MS for several reasons. These institutions are composed solely of public entities (even if the exceptional participation of private bodies will be allowed the overwhelming majority of EGTCs will include only public bodies); they fulfil tasks in public interests (not be mixed up with "duties of exercising public power") and moreover EGTCs use public means (funds).
6. **Underline the importance of avoiding a double control regime of public funds (Article 6) by adequately advising competent authorities.** In many cases Article 6 of Reg. 1082/2006 is quoted in the Statutes and the principles are clear and guided by the principles of financial control according to Regulation (EC) No 1080/2006 on the European Regional Development Fund (in particular Article 16 which defines the financial control at project level) but also Regulation (EC) 1083/2006 (General Regulation), Articles 62 and 71 which define the work of the Audit Authority. However, in the case of those EGTCs which intend also to implement ETC-(ERDF) funded projects or which have to be considered as ETC projects the competent authorities according to Article 4 should be advised to avoid a double control regime: in such cases the provisions for financial control of the EGTC should be the same as for the ETC programme.

7. **Avoid narrow or misleading interpretation of "tasks" of an EGTC by adjusting the wording of Article 7 (3).** Article 7 (3) could be read and interpreted in a very narrow sense, i.e. that EGTCs could act either as Managing Authority or Joint Technical Secretariat or as project holder in ETC (tasks limited to the implementation of territorial cooperation programmes or projects). The current examples show that the role of EGTCs goes far beyond territorial cooperation and is not understood in such a narrow sense (e.g. GNP or Eurométropole do neither implement ETC CBC programmes nor do they currently implement projects).
8. **Support the inclusion of 'rural development' as a potential task of an EGTC by broadening the wording of Article 7 (3).** Rural development should be an issue for an EGTC (bearing in mind that the Leader initiative had a – though limited but still interesting - track record of transnational cooperation projects). Furthermore, in both in practice and policy design rural development is increasingly understood as policy with "territorial approach" thus lending itself to territorial cooperation.
9. **Specify that the EGTC are *de jure* eligible candidates to participate in all EU funded programmes, without the need for additional partners**. EGTCs did experience problems in submitting projects to different EU calls (apart from Interreg) and were not recognised as project partnership (without further additional partners).
10. **Provide further guidance on Article 7 (4) - exclusion of "powers conferred by public law or of duties whose object is to safeguard the general interests of the State or of other public authorities, such as police and regulatory powers, justice and foreign policy" as it is a decisive momentum for the approval by the competent authority.** Guidance on the interpretation has to be based on the jurisprudence of the European Court of Justice, because Article 7 (4) does not exclude in general public tasks/duties. Only those defined in a narrow sense are not allowed to be exercised by an EGTC.
11. **Draw a clear line between the contents of the convention and statutes by revising Article 8 (conventions) and Article 9 (statutes) or by considering to abandon one of the two.** Currently the statutes have to integrate all provisions of the convention, which lead to a repetition of many regulations. It should therefore be considered, if only one "document" (Convention) should be concluded among the members; some of the regulations are redundant respectively should be reduced. For some internal provisions (distribution of competences between the organs, employment of staff, working language, etc) a separate internal decision procedure and tool could be provided, without the need to apply again for approval at the competent national authority in the case of amendments.
12. **Facilitate the employment of EGTC staff by exploring further the possibility to create an employment status that transcends national**

regulations, e.g. based on regulations and provisions, which are applied for international agencies or EU staff (Commission, Agencies, etc.). Article 9 (2) employment of staff in different Member States requires to respect their national social and employment systems and leads to different groups of employees within one organisation, which might lead to tensions. Furthermore, severe problems do exist also in terms of transferring staff from a public authority of one country to another country (e.g. disadvantages in particular of job guarantees, salary level etc.).

13. **Provide further guidance for the establishment of an EGTC with regard to Article 10 (Organisation) with a view to promote the principles of proportionality and diplomacy.** In practice, this is an ample area for negotiation and establishing checks and balances between partners of an EGTC. However, evidence suggests that good practices are highly needed. Guidance for the establishment of an EGTC should therefore stress the aspects of: (1) *Proportionality* – in order to avoid the proliferation of very complex structures which might later become an impediment for decision-making processes. (2) *Diplomacy* – decision making by simple majorities without provisions which ensure the participation of members from the neighbouring country or which do not define under which decision a quorum can be reached pose a major risk for conflicts.
14. **Further explain or revise Article 10 (3) "An EGTC shall be liable for the acts of its organs as regards third parties, even where such acts do not fall within the tasks of the EGTC".** Both the purpose and the implications of this article remain unclear and are seen as highly critical.
15. **Provide further guidance for the establishment of an EGTC with regard to Article 11 (Budget) and its practical implication for the hiring of staff.** In practice hiring of staff means to take over a longer-term commitment. Guidance of the establishment of an EGTC should stress the consequences of hiring staff. In such cases at least a mid-term commitment (e.g. three years) is important in order to safeguard the effective and efficient functioning of the EGTC. Staff hired on a shorter basis will prove to be inefficient since getting into the job takes at least one year and towards the end of the limited contract most efforts will be spent in a job search.
16. **Provide further guidance on Article 13 (Public Interest) with a view to explain the interpretations of the European Court of Justice** on this notion, which clarifies that no separate national legislation or interpretation is necessary. Consequently, it will also clarify that founded national "public interests" clearly overrule the possible tasks of an EGTC in a concrete case.

Annexes

Annex A1: EGTC Notification and publication references

Status	Country	Region	Competent authority for Notification/ Registration	Publication of the Statutes	Competent authority for the purpose of ordering the winding up of an EGTC	Competent authority for financial control
ongoing	**Austria**	**Federal**	Landeshauptmann (provincial governor)	Landeshauptmann (provincial governor)	Landeshauptmann (provincial governor)	Landeshauptmann (provincial governor)
adopted	**Austria**	**Carinthia**	Provincial government of Carinthia	Provincial government of Carinthia	Provincial government of Carinthia	Provincial government of Carinthia
adopted	**Austria**	**Vorarlberg**	Provincial government of Vorarlberg	Provincial government of Vorarlberg	Provincial government of Vorarlberg	Provincial government of Vorarlberg
adopted	**Austria**	**Salzburg**	Provincial government of Salzburg	Provincial government of Salzburg	Provincial government of Salzburg	Provincial government of Salzburg
adopted	**Belgium**	**Federal**	n.a.			
adopted	**Belgium**	**Flanders**	n.a.			
adopted	**Belgium**	**German-speaking Community**	n.a.			
adopted	**Belgium**	**Brussels Capital Region**	n.a.			

Status	Country	Region	Competent authority for Notification/ Registration	Publication of the Statutes	Competent authority for the purpose of ordering the winding up of an EGTC	Competent authority for financial control
ongoing	**Belgium**	**Wallonia**	n.a.			
adopted	**Bulgaria**	**national**	Ministry of Regional Development and Public Works			Minister of Finance
adopted	**Cyprus**		n.a.			
adopted	**Czech Republic**		Ministry for Regional Development, European Territorial Cooperation Department			
adopted	**Denmark**		Erhvervs- og Selskabsstyrelsen (Danish Commerce and company Agency) + approval of the request for participation from Ehvervs- og Byggestyrelsen (Danish Enterprise and Construction authority)			
adopted	**Estonia**		n.a.			
adopted	**Finland**		Ministry of Employment and the Economy / The		District court of registered office	Provisions of the Audit Act

Status	Country	Region	Competent authority for Notification/ Registration	Publication of the Statutes	Competent authority for the purpose of ordering the winding up of an EGTC	Competent authority for financial control
			National Board of Patents and Registration is the competent authority for issues concerning registration of a Finnish grouping		of a Finnish grouping	(459/2007) shall apply (see auditor referred to in Section 5 or 7)
adopted	**France**		State representative at regional level (Préfet de région)			
adopted	**Germany**	**Federal**	BMWi			
adopted	**Germany**	**Baden-Württemberg**	Regierungspräsidium Freiburg	Regierungspräsidium Freiburg	Regierungspräsidium Freiburg	Regierungspräsidium Freiburg
adopted	**Germany**	**Bayern**	Regierung der Oberpfalz	Regierung der Oberpfalz	Regierung der Oberpfalz	Regierung der Oberpfalz
adopted	**Germany**	**Berlin**	Senatsverwaltung für Wirtschaft, Technologie und Frauen	Senatsverwaltung für Wirtschaft, Technologie und Frauen	Senatsverwaltung für Wirtschaft, Technologie und Frauen	Senatsverwaltung für Wirtschaft, Technologie und Frauen
adopted	**Germany**	**Brandenburg**	Ministerium des Inneren		Ministerium des Inneren	Oberste Landesbehörde für

Status	Country	Region	Competent authority for Notification/ Registration	Publication of the Statutes	Competent authority for the purpose of ordering the winding up of an EGTC	Competent authority for financial control
						die Rechstaufsicht
adopted	**Germany**	**Bremen**	Senator für Umwelt, Bau, Verkehr und Europa, Referat 61		Senator für Umwelt, Bau, Verkehr und Europa, Referat 60	Senator für Umwelt, Bau, Verkehr und Europa, Referat 61
adopted	**Germany**	**Hamburg**	Behörde für Stadtentwicklung und Umwelt		Behörde für Stadtentwicklung und Umwelt	Behörde für Stadtentwicklung und Umwelt
adopted	**Germany**	**Hessen**	Ministerium für Wirtschaft, Verkehr und Landesentwicklung		Ministerium für Wirtschaft, Verkehr und Landesentwicklung	Ministerium für Wirtschaft, Verkehr und Landesentwicklung
adopted	**Germany**	**Mecklenburg-Vorpommern**	Ministerium für Wirtschaft, Arbeit und Tourismus		Ministerium für Wirtschaft, Arbeit und Tourismus	Ministerium für Wirtschaft, Arbeit und Tourismus
adopted	**Germany**	**Niedersachsen**	Niedersächsisches Ministerium für Inneres und Sport		Niedersächsisches Ministerium für Inneres und Sport	Niedersächsisches Ministerium für Inneres und Sport

Status	Country	Region	Competent authority for Notification/ Registration	Publication of the Statutes	Competent authority for the purpose of ordering the winding up of an EGTC	Competent authority for financial control
adopted	**Germany**	**Nordrhein-Westfalen**	Ministerium für Wirtschaft, Mittelstand und Energie		Ministerium für Wirtschaft, Mittelstand und Energie	Ministerium für Wirtschaft, Mittelstand und Energie
adopted	**Germany**	**Rheinland-Pfalz**	Ministerium des Inneren und für Sport		Ministerium des Inneren und für Sport	Ministerium des Inneren und für Sport
adopted	**Germany**	**Saarland**	Ministerium für Wirtschaft und Wissenschaft		Ministerium für Wirtschaft und Wissenschaft	Ministerium für Wirtschaft und Wissenschaft
adopted	**Germany**	**Sachsen**	Regierungspräsidium Dresden		Regierungspräsidium Dresden	Regierungspräsidium Dresden
adopted	**Germany**	**Schleswig-Holstein**	Ministerium für Wirtschaft und Arbeit		Ministerium für Wirtschaft und Arbeit	Ministerium für Wirtschaft und Arbeit
adopted	**Germany**	**Thüringen**	Ministerium für Justiz, Arbeit und Europa Thüringer Landesverwaltungsamt		Ministerium für Justiz, Arbeit und Europa Thüringer Landesverwaltungs-amt	Ministerium für Justiz, Arbeit und Europa Thüringer Landesverwaltungsamt

Status	Country	Region	Competent authority for Notification/ Registration	Publication of the Statutes	Competent authority for the purpose of ordering the winding up of an EGTC	Competent authority for financial control
adopted	**Greece**		Committee consisting of Minister of Interior and a representative of the Ministry of Economy and Finance		Minister of Interior	
adopted	**Hungary**		Republic of Hungary, Metropolitan Court of Budapest			
adopted	**Italy**		Registro dei gruppi europei di cooperazione territoriale of the Presidenza del Consiglio dei ministri - Segretariato generale; consults with Ministero degli affari esteri, Ministero dell'interno, Ministero dell'economia e delle finanze, Ministero dello sviluppo economico, Presidenza del Consiglio dei ministri -			Ministero dell'economia e delle finanze, dalla Corte dei conti and Guardia di finanza.

Status	Country	Region	Competent authority for Notification/ Registration	Publication of the Statutes	Competent authority for the purpose of ordering the winding up of an EGTC	Competent authority for financial control
			Dipartimentoper le politiche comunitarie and Dipartimento per gli affari regionali			
adopted	**Ireland**		Minister for Finance		High Court	
adopted	**Latvia**		n.a.			
adopted	**Lithuania**		n.a.			
adopted	**Luxem-bourg**		Ministry of Sustainable Development and Infrastructure, Department for Spatial Planning;			
adopted	**Poland**		Ministry of Foreign Affairs;			
adopted	**Portugal**		Entities aiming to participate in an EGTC must notify the Financial Institute for Regional Development (IFDR), I.P., of their intention. (Article 5 of the national provision)	Constitution of an EGTC is published in the second series of the Diário da República (the Portuguese official journal).	Financial Institute for Regional Development (IFDR) I.P.	Inspectorate General of Finance

Status	Country	Region	Competent authority for Notification/ Registration	Publication of the Statutes	Competent authority for the purpose of ordering the winding up of an EGTC	Competent authority for financial control
adopted	**Romania**		Ministry of Development, Public Works and Housing			
adopted	**Slovenia**		Služba Vlade Republike Slovenije za lokalno samoupravo in regionalno politiko (Government office for local self-government)			
adopted	**Slovak Republic**		Ministerstvo výstavby a regionálneho rozvoja Slovenskej republiky			
adopted	**Spain**		Notifications: Ministerio de Administraciones Públicas; information of competent ministries and in each case of the Ministerio de Asuntos Exteriores y Cooperación and the Ministerio de Economía y Hacienda;	Boletín Oficial del Estado		control organs of the public administrations.

Status	Country	Region	Competent authority for Notification/ Registration	Publication of the Statutes	Competent authority for the purpose of ordering the winding up of an EGTC	Competent authority for financial control
			registration: Ministerio de Asuntos Exteriores y Cooperación			
adopted	**Sweden**		n.a.			
adopted	**United Kingdom**		Secretary of State	(a) in the case of a UK EGTC with a registered office in England and Wales, in the London Gazette; (b) in the case of a UK EGTC with a registered office in Scotland, in the Edinburgh Gazette; (c) in the case of a UK EGTC with a registered office in Northern Ireland,	High Court (in Scotland, the Court of Session)	

Status	Country	Region	Competent authority for Notification/ Registration	Publication of the Statutes	Competent authority for the purpose of ordering the winding up of an EGTC	Competent authority for financial control
				in the Belfast Gazette.		

Annex A2: Working table – Status & progress indicators of EGTCs established

*) classifications in blue colour refer to chapter 5 conclusions.

Progress

CATEGEORY / indicators	Lille-Kortrijk-Tournai EGTC	Ister-Granum EGTC	Galicia-Norte Portugal	Amphic-tyony	Karst-Bodva EGTC	Duero-Douro EGTC	West-Vlaan./ Flandre-Dunkerque-Côte d'Opale	Eurorégion Pyrénées-Méditer-ranée	EGTC Eurodis-trict Stras-bourg-Ortenau
Classification *)	**Step 3**	**Step 1**	**Step 2**	**Step 1**	**Step 1**	**Step 2**	**Step 2**	**Step 1**	**Step 2**
Date of establishment	21.01.2008	11.09.2008	30.10.2008	01.12.2008	22.02.2009	07.03. 2009	03.04.2009	25.08.2009	Feb. 2010
General Assembly established	Y	Y	Y	Y	Y	Y	Y	Y	ongoing
Nomination of director(s)	ongoing	Y	Y	Y	Y		Y	Y	ongoing

CATEGEORY / indicators	Lille-Kortrijk-Tournai EGTC	Ister-Granum EGTC	Galicia-Norte Portugal	Amphic-tyony	Karst-Bodva EGTC	Duero-Douro EGTC	West-Vlaan./ Flandre-Dunkerque-Côte d'Opale	Eurorégion Pyrénées-Méditer-ranée	EGTC Eurodis-trict Stras-bourg-Ortenau
Hiring of staff & establishment of technical secretariat	Y	N (outsourced)	Y	N	N		Y (not hired by the EGTC directly)	N	ongoing
Establishment of budget	4,5 mn / 3ys	18k / y	350k / y	500k / y	N	170k	260k / y	N	850k / y
Budget for publicity, awareness-raising	Y	N	Y		N		Y	Y	
Establishment of work plan	Y	Y	Y		Y				
Coordination activities started	Y	Y		Y	Y	Y	Y	Y	Y
Awareness raising-activities started	Y	N	Y			Y			
Project implementation activities started	Y	Y				Y			

Member Structure

CATEGEORY / indicators	Lille-Kortrijk-Tournai EGTC	Ister-Granum EGTC	Galicia-Norte Portugal	Amphic-tyony	Karst-Bodva EGTC	Duero-Douro EGTC	West-Vlaan./ Flandre-Dunkerque-Côte d'Opale	Eurorégion Pyrénées-Méditer-ranée	EGTC Eurodis-trict Stras-bourg-Ortenau
Classification *)	**multi-level**	**local**	**regional**	**local**	**local**	**local**	**multi-level**	**regional**	**local**
National partners	2						2		
Regional partners	5		2				2	5	
Sub-regional partners	3						6		
Local partners		85		63	19	172			7
Associations or organisations governed by public law	5					3	3		
Total number of Members	*15*	*85*	*2*	*63*	*19*	*175*	*13*	*5*	*7*

Territorial Range

CATEGEORY / indicators	Lille-Kortrijk-Tournai EGTC	Ister-Granum EGTC	Galicia-Norte Portugal	Amphic-tyony	Karst-Bodva EGTC	Duero-Douro EGTC	West-Vlaan./ Flandre-Dunkerque-Côte d'Opale	Eurorégion Pyrénées-Méditer-ranée	EGTC Eurodis-trict Stras-bourg-Ortenau
Classification *)	**meso**	**meso**	**macro**	**macro**	**micro**	**meso**	**meso**	**macro**	**meso**
Countries involved	2	2	2	4	2	2	2	2	2
Reference territory (km^2)	3500	2000	51000	medit. basin	50	8500	8000	110000	2100
Inhabitant of reference territory	2 mio	2 mio	7 mio	> 10 mio	2000	103000	2 mio	13.5 mio	868000

Objectives / Themes

CATEGEORY / indicators	Lille-Kortrijk-Tournai EGTC	Ister-Granum EGTC	Galicia-Norte Portugal	Amphic-tyony	Karst-Bodva EGTC	Duero-Douro EGTC	West-Vlaan./ Flandre-Dunkerque-Côte d'Opale	Eurorégion Pyrénées-Méditer-ranée	EGTC Euro-district Stras-bourg-Ortenau
Economic									
Economic development		1	1		1	1	1	1	
SME support			1		1				
Research, science, IT				1	1	1		1	
Innovation						1			
Territorial cooperation in general	1	1		1	1		1	1	1
Transport	1	1				1	1	1	
Infrastructure (in transport, commutations, energy etc.)		1			1	1			
Energy		1							
Social									
Social & economic cohesion		1	1	1	1	1			

CATEGEORY / indicators	Lille-Kortrijk-Tournai EGTC	Ister-Granum EGTC	Galicia-Norte Portugal	Amphic-tyony	Karst-Bodva EGTC	Duero-Douro EGTC	West-Vlaan./ Flandre-Dunkerque-Côte d'Opale	Eurorégion Pyrénées-Méditer-ranée	EGTC Euro-district Stras-bourg-Ortenau
Culture					1	1	1	1	-1
Quality of life	1								1
Health, leisure, sports		1			1	1	1		
Education, training		1			1	1			
Equal opportunities						1			
Environmental									
Environment / sustainable development, nature protection		1	1	1	1	1		1	
Nature and biodiversity									
Agriculture, rural development					1	1			
Tourism, cultural heritage			1		1	1		1	

Tasks and activities

CATEGEORY / indicators	Lille-Kortrijk-Tournai EGTC	Ister-Granum EGTC	Galicia-Norte Portugal	Amphic-tyony	Karst-Bodva EGTC	Duero-Douro EGTC	West-Vlaan./ Flandre-Dunkerque-Côte d'Opale	Eurorégion Pyrénées-Méditer-ranée	EGTC Euro-district Stras-bourg-Ortenau
Classification	**Coord. & manag.**	lobbying & inform.	**coord. & implem.**	**coord. & network**	**manag. & planning**	**coord. & impleme.**	**coord. & project dev.**	**project implement.**	**coord. & lobbying**
Strategy development for a specific sector or geographic area						1	1		1
Provision of lobbying platform		1					1		1
Coordination and harmonisation of territorial cooperation	1	1	1	1		1	1		1
Networking and information exchange	1			1			1		1
Coordination of initiatives	1		1	1					1
Joint project development &		1				1	1	1	1

CATEGEORY / indicators	Lille-Kortrijk-Tournai EGTC	Ister-Granum EGTC	Galicia-Norte Portugal	Amphic-tyony	Karst-Bodva EGTC	Duero-Douro EGTC	West-Vlaan./ Flandre-Dunkerque-Côte d'Opale	Eurorégion Pyrénées-Méditer-ranée	EGTC Euro-district Stras-bourg-Ortenau
implementation									
Management / use of public Infrastructures and services			1		1	1			
Planning and creation of public infrastructures/services					1	1			1
Programming, evaluation CP			1						
Management of OPs, territorial cooperation programmes	1		1			1			
Awareness raising		1							

Organs

CATEGEORY / indicators	Lille-Kortrijk-Tournai EGTC	Ister-Granum EGTC	Galicia-Norte Portugal	Amphic-tyony	Karst-Bodva EGTC	Duero-Douro EGTC	West-Vlaan./ Flandre-Dunkerque-Côte d'Opale	Eurorégion Pyrénées-Méditer-ranée	EGTC Euro-district Stras-bourg-Ortenau
Decision making (Assembly)	1	1	1	1	1	1	1	1	1
Executive organs (boards, directors bureau)	2	2	2		1	1	2	2	1
Control organs (supervision, MC)			1		1				1
Representative organs (president)	1			1	1	2	2		1

Models of EGTCs

CATEGEORY / indicators	Lille-Kortrijk-Tournai EGTC	Ister-Granum EGTC	Galicia-Norte Portugal	Amphic-tyony	Karst-Bodva EGTC	Duero-Douro EGTC	West-Vlaan./ Flandre-Dunkerque-Côte d'Opale	Eurorégion Pyrénées-Méditer-ranée	EGTC Eurodis-trict Stras-bourg-Ortenau
Management of territorial cooperation programmes (e.g. EGTC as Managing Authority or JTS of an INTERREG programme)		1				1			
Implementation of EU co-funded territorial cooperation projects (ERDF, ESF, CF)	1	1		1	1	1	1	1	1
Implementation of other EU-funded territorial cooperation actions		1		1		1			1
Implementation of territorial cooperation projects outside EU funding				1	1			1	

Annex A3: Working table: Regulation 1082/2006 - critical issues for further reflection

Remark: It is important to note that this critical review of Regulation (EC) 1082 intends to summarise those issues and aspects which have emerged during the interviews with representatives of existing or planned EGTCs. This explains also why several Articles such as Articles 13 and 15 to 18 are not the subject of comments: the persons who have been interviewed are rather practitioners with a broad practical knowledge than legal experts.

Article No	**Title**	**Issues (mostly related to EGTC case studies)**	**Comments and reflections for a revision of the regulation**
1	Nature of an EGTC	Participation of Third Countries.	For evident reasons this Regulation can only govern EU territory. However – if the instrument shall be opened for the participation of Third Countries it could be also anchored in this Article.
2	Applicable Law	The legal hierarchy established in Article 1.(1) helped to settle the role of the EGTC Eurométropole as employer.	The implications of this hierarchy and the options to use it in order to increase the room for manoeuvre are not yet commonly known – an illustrative comment to the Regulation might be helpful.
3	Composition of an EGTC	Participation of Third Countries (currently it is not possible to establish an EGTC between one Member State (MS) and e.g. a Candidate Country (it would require at least two MS)	Participation of Third Countries In order to actively promote the participation of Third Countries it would require establishing links between the Regulations governing IPA and ENPI and this Regulation. In order to open up non-EU Member States authorities to join an EGTC in legal terms at equal standards a “Decision” based on “Foreign Policy” and intergovernmental agreements will be necessary.

Article No	Title	Issues (mostly related to EGTC case studies)	Comments and reflections for a revision of the regulation
		Private organisations (currently only *public equivalents* and associations consisting of public bodies are entitled to become members)	Participation of private organisations It needs to be discussed in more depth which type of private organisations should be encouraged to participate since the key objective according to Article 1 is to strengthen *economic and social cohesion*: this is clearly a task in public interest. It will not be easy to draw a clear line which type of private organisations should be entitled to become member of an EGTC. One should consider that for those cases of cooperation which include a broader variety of interests or very specific interests – the European Economic Interest Grouping (EEIG) could be a possible option. To a great extent "cooperation beyond borders" is exercised by private bodies (associations, companies, private persons, etc) and mainly by private legal means (contracts, etc). Even public authorities act as "legal bodies" or use private instruments in order to circumvent narrow public regulations and restrictions (reasoned also in the definition of possible tasks in Art 7 of the EGTC Regulation. In practice public and private actors are participating in cooperation projects particularly going across the border. The EEIG – restricted to tasks of private interests cannot always serve as an alternative option. The participation of totally private organisations should

Article No	Title	Issues (mostly related to EGTC case studies)	Comments and reflections for a revision of the regulation
			be allowed, but in an exceptional way, when the cooperation, the type of project or other reasons would ground the involvement as member.
4	Establishment of an EGTC	In some MS the competent authorities were not able to reach the decision within the time frame indicated in the Regulation (three months). It is unclear what happens if the state does not comply with the terms indicated in the regulations (e.g. EGTC has to go to the European Court of Justice?) Due to the national legislation in different Member States the EGTC has to be a private body whereas in the other MS it has to be a public body (e.g.: SLO and IT). Although the headquarters of a concrete EGTC defines finally the legal status, the adoption procedure for members from the other state may cause difficulties, because the legal restrictions and conditions might be too narrow to	Training for staff of competent authorities should be offered at EU level. The practical difficulties of these persons could also be a valuable contribution to the revision of the Regulation or to a legal guidance for the assessment for EGTC applications. Further harmonisation of the EGTC regulation: The EGTC should obtain “public status” in every MS; reasons: composed solely by public entities (will even be overwhelmingly the case if exceptional participation of private bodies will be allowed); fulfilling tasks of public interests (not be mixed up with “duties of exercising public power”), investing/dealing with public means (funds).

Article No	Title	Issues (mostly related to EGTC case studies)	Comments and reflections for a revision of the regulation
		allow participation.	
5	Acquisition of legal personality and publication in the Official Journal	No indications of critical issues.	--
6	Control of management of public funds	In many cases this Article is quoted in the Statutes – the principles are clear and guided by the principles of financial control according to Regulation 1080.	In case of those EGTCs which intend also to implement ETC-(ERDF) funded projects or which have to be considered as ETC projects the competent authorities according to Article 4 should be advised to avoid a double control regime: in such cases the provisions for financial control of the EGTC should be the same as for the ETC programme.
7	Tasks	Article 7 (3) could be read and interpreted in a very narrow sense, i.e. that EGTCs could act either as Managing Authority or Joint Technical Secretariat or as project holder in ETC *(tasks limited to the implementation of territorial cooperation programmes or projects)*	<u>Interpretation of Article 7 (3)</u> The current examples show that the role of EGTCs is not understood in such a narrow sense (e.g. GNP or Eurométropole do neither implement ETC CBC programmes nor do they currently implement projects). Here the wording of the Regulation could be adjusted and opened in order to avoid misunderstandings.

Article No	Title	Issues (mostly related to EGTC case studies)	Comments and reflections for a revision of the regulation
			Rural development as additional task A second question is whether the issue of rural development could be an issue for an EGTC (bearing in mind that the Leader initiative had a – though limited but still interesting - track record of transnational cooperation projects).
		Art. 7 (4) "tasks exercising public power"	Guidance necessary, based on ECJ jurisprudence
8	Convention	See "statutes"	See "statutes"
9	Statutes		Currently the statute has to integrate all provisions of the convention, consequently in practise a lot of regulations are repeated; therefore it should be considered, if only one "document" (Convention) should be concluded among the members; some of the regulations are reluctant respectively should be reduced. For some internal provisions (distribution of competences between the organs, employment of staff, working language, etc) a separate internal decision procedure and tool could be provided, without the need to apply again for approval to the competent national authority in the case of amendments. Consideration to allow the employment of the staff based

Article No	Title	Issues (mostly related to EGTC case studies)	Comments and reflections for a revision of the regulation
		Art 9 (2) employment of staff in different states in order to respect their national social and employment system causes different groups of employees within one organisation. Problems exist also in terms of transferring staff from a public authority of one country to another country (e.g. disadvantages can be compensated with reimbursements).	on regulations and provisions which are applied for EU staff (Commission, Agencies, etc.).
10	Organisation	In practice this is an ample area for negotiation and establishing checks and balances.	Guidance for the establishment of an EGTC should stress the aspects of proportionality – otherwise there is an inherent risk to establish very complex structures which might become later an impediment for decision-making processes diplomacy – decision making by simple majorities without provisions which ensure the participation of members from the neighbouring country or which do not define under which decision a quorum can be reached pose a major risk for conflicts. Article 10 (3) deserves an explanation and is seen as highly critical.

Article No	Title	Issues (mostly related to EGTC case studies)	Comments and reflections for a revision of the regulation
11	Budget	In practice hiring of staff means to take over a longer-term commitment.	Guidance of the establishment of an EGTC should stress the consequences of hiring staff: in such cases at least a mid-term commitment (in current examples at least three years) is important to safeguard the effective and efficient functioning of the EGTC (staff hired on a shorter basis will prove to be inefficient since getting into the job takes at least one year and towards the end of the limited contract most efforts will be spent in a job search).
12	Liquidation, insolvency, cessation of payments and liability	No issues so far observed.	--
13	Public interest	The Article complies with the need for a clear-cut formulation in this regard: national public interests clearly take precedence.	Guidelines should explain the ECJ ruling on this issue; no separate national legislation or interpretation is necessary.
14	Dissolution	At least some of the case studies have included an Article on dissolution in the statutes (in most cases upon initiative of the assembly or council and with a defined phasing-out period to allow for a	Since also Article 8 of this Regulation (EC) 1082/2006 does not specify that provisions for dissolution have to be included in the convention the wording of Article 14 could be revised (providing the flexibility to anchor the provisions in the convention or the statutes).

Article No	Title	Issues (mostly related to EGTC case studies)	Comments and reflections for a revision of the regulation
		proper winding-up).	
15	Jurisdiction	No issues so far observed.	More clarity concerning the role of the European Court of Justice in relation to EGTCs should be provided.
16	Final provisions	No issues so far observed.	--
17	Report and review clause	No issues so far observed.	--

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