

Zsuzsanna Fejes¹  – Gyula Ocskay² 

The Cross-Border Cooperation Tool-Box of EU Cohesion Policy

The paper presents the 35-year evolution of the cooperation tool-box of the Cohesion Policy. The authors give an overview on the history of the financial (Interreg) and the governance (Euroregions and EGTCs) tools, and introduce the debate on a mechanism designed to facilitate the elimination of legal and administrative obstacles. The last debate indicates the climate change within European Territorial Cooperation policy generated by the series of crises since 2015.

The paper uses sources of information based on desk research (studies, evaluations, official documents and adopted regulations) and experiences gained from the management, implementation and evaluation of cross-border programmes and projects and adapts this knowledge in an interdisciplinary way, with a special focus on legal and political scientific aspects. As a conclusion, the paper raises concerns about the future of European Territorial Cooperation objective of the Cohesion Policy.

Keywords: cross-border cooperation, Cohesion Policy, European territorial cooperation, EGTC, Euroregion, European Cross-Border Mechanism

Introduction

The overarching objective of European Cohesion Policy is to promote the harmonious development of the European Union and its regions, and as a new objective – since the Lisbon Treaty – Cohesion Policy should also promote more balanced, more sustainable “territorial development”. Territorial cohesion has been included for the first time in the Lisbon Treaty,³ which opens a broader concept than the traditional Regional Policy.⁴

The significance of European cross-border cooperation evolving along the external and internal borders of the European Union has been increasing since the last enlargements (in 2004, 2007 and 2013). During the last decades, forms of cross-border cooperation have gained greater and greater importance within the Cohesion Policy and Neighbourhood Policy of the EU. This horizontal dimension of Cohesion Policy has been

¹ Associate Professor, Head of the UPS-CESCI Research Group on Cross-border Cooperation at the Ludovika University of Public Service, e-mail: fejes.zsuzsanna@uni-nke.hu

² Secretary General of the Central European Service for Cross-Border Initiatives (CESCI), Member of the UPS-CESCI Research Group on Cross-border Cooperation at the Ludovika University of Public Service, e-mail: gyula.ocskay@cesci-net.eu

³ Lisbon Treaty 2007, Article 174.

⁴ NYIKOS 2014: 39–53.

getting more and more emphasis, new methods of governance have been developing to ensure a coherent framework for interregional, transnational, and cross-border cooperation.

However, in the last few years, the most recent crises resulted in re-bordering tendencies. Instead of the elimination of borders and border obstacles, securitisation discourse has appeared as a powerful narrative,⁵ resulting in reclosing of borders, construction of new borders and application of more stringent border management procedures, thus making it more difficult to cross them.

In 2015, the Luxembourg Presidency triggered the development of an EU mechanism, which may facilitate the elimination of legal and administrative obstacles experienced by the stakeholders of cross-border structures and the citizens during their cross-border mobility. The tool named that time as a European Cross-Border Convention (ECBC) and, later, re-named as a Mechanism (ECBM) was included in the Cohesion Policy package for the years of 2021–2027, but, finally, it failed due to the opposition of several EU Member States.

Nevertheless, the European Parliament brought up the topic again, and in December 2023, the Commission adopted an amended proposal for a “Regulation on Facilitating Cross-Border Solutions” (FCBS) in order to help Member States resolve obstacles that are impacting the daily lives of nearly 150 million European citizens living in Europe’s cross-border regions. Negotiations on the proposal will mostly be performed between July and December 2024, when Hungary will hold the Presidency of the Council of the European Union. In addition, 2024 will mark twenty years since Hungary became a full member of the European Union.

The year 2024 is fundamental for implementing the 2021–2027 Cohesion Policy programmes, but also for preparing the future programmes. The European Commission’s 8th Cohesion Report in February 2022 set out the main developments and territorial disparities that European regions have experienced over the last decade, which also forecast the upcoming debate on the future of cohesion after 2027. The Commission published the 9th Cohesion Report on 27 March, presenting an assessment of the state of cohesion in the Union and highlighting the significant progress made in narrowing economic, social and territorial disparities across the EU. The report underscores the success of Cohesion Policy in bridging the gaps between Member States and regions, thereby bolstering the EU Single Market.⁶

The article explores the evolution of the tool-kit created by the European Union promoting seamless cooperation between people, public authorities and businesses in the European border regions, as well as unlock their potential to stimulate more growth and prosperity to further strengthen the Single Market. The European Commission estimates that removing 20% of the current legal and administrative obstacles would boost GDP by 2% in cross-border regions and create over one million new jobs.⁷

The paper uses sources of information based on desk research (studies, evaluations, official documents and adopted regulations) and experiences gained from the

⁵ NEWMAN 2019.

⁶ European Commission 2024b.

⁷ European Commission 2017b: 8–13.



management and implementation of cross-border programmes and projects. In the international literature, many researchers conduct border research from the aspects of political sociology, political economy and political geography; however, despite the fact that border research and regional science have by now become independent disciplines, only a few of them deal with the legal and administrative aspects of cooperation.

In the background of the study, there lie interdisciplinary investigations applying partly international public law and European law, and partly governance and political science methods. In the article, authors used primary and secondary sources, besides they intend to apply the method of law comparison and adapt the internationally novel research method “law in action” and to investigate certain legal institutions with a practical approach most relevant to legal life.

Evolution of cross-border cooperation within the EU

The issue of borders and border areas at national and sub-national levels has become increasingly important in recent years, both in EU policies and in regional research. Since the 1990s, border studies has been evolving into a comprehensive, multidisciplinary research area⁸ including papers of natural and human geography and economy,⁹ sociology and cultural anthropology,¹⁰ history and political sciences,¹¹ as well as legal and governance studies.¹² In recent Hungarian literature, a growing number of researchers are dealing with the topic of border studies, mainly from the perspective of economic and social geography,¹³ while in recent years institutional and legal approaches¹⁴ have also been increasingly explored. In our study, we focus primarily on the legal-administrative aspects of the subject.

After the economic and political changes of the 1990s, the national movements and territorial conflicts revived in the Central and Eastern European region, which led to the emergence of new nation-states with specific legal and administrative structures.¹⁵ While some nations (Czech, Slovak, Slovenian, Croatian, and Serbian) reorganised their states, others (Polish, Hungarian, and Romanian) only reformulated the foundations for their national identity. Border areas have been playing a more and more important role in this re-shaping process. In order to allow the Hungarian border areas to become “building blocks” of European cross-border cooperation, two conditions needed to be met: (1) the internal condition, which was the democratic development of the border

⁸ BENKO 1999: 13–14; ENYEDI 2005; RECHNITZER–LENGYEL 2009: 9–24.

⁹ FALUDI 2010, 2018; VAN HOUTUM 2000; VEGGELAND 2004.

¹⁰ KLATT–WINKLER 2020.

¹¹ BLATTER–NORRIS 2000; BÖHM 2020; NEWMAN 2019; PERKMANN 2003; PEYRONY 2020; PEYRONY et al. 2021; PEYRONY et al. 2022.

¹² ENGL–EVRARD 2020; GUILLERMO–RAMÍREZ 2018; HOOGHE–MARKS 2001, 2003; JANČOVÁ et al. 2023; KUROWSKA–PYSZ et al. 2018; MAIER 2008; MEDEIROS 2018, 2020; SIELKER 2018.

¹³ BARANYI 2007; CZIMRE 2019; ÉGER 2020; HARDI 2000, 2004; HORVÁTH 2017.; HORVÁTH–RECHNITZER 2000; NÁRAI–RECHNITZER 1999; NYIKOS 2014; PAPP et al. 2021; PÁSZTOR–KOZMA 2013; PÉNZES 2020; RECHNITZER – SMAHÓ 2011; SÜLI–ZAKAR 2009; SVENSSON–BALOGH 2018.

¹⁴ FEJES 2023; KAISER 2006; KRUPPA 2003; OCSKAY 2020; PÁLNÉ KOVÁCS 2008: 129–196; Soós 2015.

¹⁵ ZACHAR 2023: 109–193.



regions taking part in cooperation; and (2) the external one which was the compliance with the standards and frameworks established by the Council of Europe and the European Union.

Hungary's borders and border regions are now almost entirely covered by cooperating structures, i.e. Euroregions since the late 1990s and European Groupings of Territorial Cooperation (hereinafter: EGTC) since 2007. Hungary's borders represent all border types of the European Union, as it has seven borders of three different statuses, where cooperation can be established under different legal and administrative conditions.

For a long time, there were no uniform rules governing the institutionalisation of cross-border cooperation. Initially, cooperation took place in different organisational forms, which is why a wide range of methods for collaboration have been developed both in practice and in the literature. In the respect of institutionalisation, the most frequently cited and broadest classification is Perkmann's concept¹⁶ who distinguishes between cooperation according to geographical extension and geographic continuity. This classification is also used in the Hungarian literature and provides a good overview for the analysis of cooperation in the European Union.

Policy background and funding of cross-border cooperation

The EU policy targeting cross-border cooperation (CBC) forms an integral part of Cohesion Policy which "is ingrained in the European DNA":¹⁷ "without cohesion policy, the EU as we know it could well disappear".¹⁸

The principle of diminishing regional disparities was included in the Spaak Report (1956) preparing the Treaty of Rome. However, this principle has gained more and more emphasis since the 1970s when countries characterised with structural economic problems (the UK, Ireland and, later on, Greece, Spain and Portugal) joined the communities. Such milestones like the establishment of DG XVI responsible for Regional Policy within the Commission (1968), the launching of the European Regional Development Fund (1975), the 1984 and 1988 reforms resulting in the institutionalisation of the regional policy at the Community level based on programmes rather than on projects and on partnerships; and the inauguration of the European Single Act (1987) clearly show the evolution and strengthening of Regional Policy in the European agenda. In 1985, Jacques Delors, that-time head of the Commission set the ambitious goal to create the European Single Market by 1992 through the elimination of internal barriers generated by the national systems.¹⁹

The era can be seen as the great momentum boosting Regional Policy (renamed in 2004 to Cohesion Policy). In 1989 and 1990, the former Communist bloc spectacularly collapsed, giving the hope for the re-unification of the European Continent within the

¹⁶ PERKMANN 2003.

¹⁷ European Commission 2024a: 24.

¹⁸ FALUDI 2010: 15.

¹⁹ VEGGELAND 2004; FALUDI 2018; REITEL et al. 2018.



European Union equipped with the single currency. Since the Maastricht Treaty (creating the Cohesion Fund and the European Committee of the Regions in 1993), Cohesion Policy has been representing one third of the total EU budget. As a result of the reforms in the 1980s, the Structural Funds, the NUTS classification system and the Community Initiatives were launched providing a colourful tool-kit for eliminating regional disparities,²⁰ while in 1995, the Schengen Treaty eliminated border controls between the participating member states.

The same period was characterised by the neoliberal economic discourse considering borders as barriers against free market principles.²¹ Accordingly, when designing the European Single Market, the decision-makers could not avoid to tackle the challenges generated by national administrative borders. Without opening the borders, neither the free movement of persons, goods, capital and services, nor the construction of European economic, social and, since 2007, territorial cohesion can be guaranteed. Some border scholars even see border regions as “privileged areas of study for European integration mechanisms”, where “the European project is constructed”.²²

Not only the Treaty on the Functioning of the European Union (TFEU) refers in Article 175 on regions, which require particular attention in the respect of cohesion, including border areas;²³ but the EU has also been developing a multi-layered tool-kit²⁴ for supporting local and regional actors “on both sides of the border to join together to address common problems and challenges and exploit the enhanced territorial potential resultant from the development of a functionally integrated region, where two peripheral ‘back-to-back’ regions existed previously”.²⁵

The first and earliest tool was the Interreg programme, which was launched as one of the above-mentioned Community Initiatives in 1989, creating “a direct link between border regions and European integration”.²⁶ During its PILOT phase, 21 groups of projects were supported with a total amount of ECU 21 million. The first generation of the programme was realised between 1990 and 1993, facilitating NUTS III level inland borders and the French–British maritime border to prepare for the Single Market, with a total budget of €1.6 billion.

Between 1994 and 1999, going beyond direct cross-border areas (strand A), the second generation Interreg programmes already targeted also larger territories through the so-called transnational calls (Strand B) and promoted the development of strategic visions. The budget increased to €4.9 billion. This was the period when the CBC funds became available also for Central and Eastern European accession countries, within the framework of the Phare CBC programmes.

The C strand supporting interregional projects appeared for the first time in the third period between 2000 and 2006, when the programme focused on sustainable

²⁰ MARKS 1993; KRUPPA 2003; RECHNITZER–SMAHÓ 2011.

²¹ VAN HOUTUM 2000.

²² DURAND–DECOVILLE 2018: 230.

²³ JANČOVÁ et al. 2023.

²⁴ SIELKER 2018.

²⁵ ALLMENDINGER et al. 2015: 18.

²⁶ REITEL et al. 2018: 15.



territorial development actions providing funds of €6.2 billion. At the same time, due to the biggest enlargement of the EU in 2004, the number of programmes has also increased.

In 2007, the Community Initiative was replaced by the third, and, in 2013 by the second objective of Cohesion Policy, called European Territorial Cooperation. The 4th and 5th generations of the programmes can be considered as the golden age when the total available fund amounted to €8.9 and 10.1 billion, subsequently, and the calls more intensively addressed cross-border integration and the removal of barriers. Furthermore, the EU launched the Instrument for Pre-Accession (IPA) and the European Neighbourhood and Partnership Instrument (ENPI) targeting also external border regions.²⁷

Until 2020, Interreg has been gradually developing both in terms of geographic (today covering two thirds of the territory of the EU) and financial (the total budget has increased tenfold) scopes, and it resulted in many positive impacts such as “learning, capacity building, the creation of a collaborative infrastructure [...], the promotion of policy entrepreneurship, multi-level governance [...], cross-border metropolitan integration”²⁸, “increased trust, higher connectivity, improved environment, better health and economic growth”;²⁹ and transformation of “a country’s borders from lines of separation into interfaces”.³⁰ What is more, thanks to the programme, “cross-border regions have become spaces for interaction, marked by the existence of enduring links which are intended to become permanent”.³¹ These permanent links are also supported through the second tool of European cross-border cooperation, i.e. cross-border governance, more precisely the European Grouping of Territorial Cooperation, the EGTC, which can be seen as an instrument of “legal-institutional support”.³²

Evolution of the legal framework for CBC – from the Madrid Outline Convention to the EGTC tool

CoE – the Madrid Outline Convention and its Protocols

The story of the EGTC roots back to the Council of Europe (CoE) which has always been the forerunner of all those initiatives moving forward mutual trust and peaceful coexistence of the European nations, the values of democracy and human rights. The Council of Europe recognised the crucial importance of democracy at both local and regional levels and initially played a crucial role in strengthening the competences of subnational levels and in dismantling barriers to regional and international cooperation, as well as in creating the legal and institutional conditions for local and regional democracy and the values of self-governance.

²⁷ MEDEIROS 2018; REITEL et al. 2018; KLATT–WINKLER 2020; PEYRONY et al. 2022.

²⁸ MEDEIROS 2018: 74.

²⁹ European Commission 2017a: 2.

³⁰ REITEL et al. 2018: 16.

³¹ REITEL et al. 2018: 16.

³² ENGL–EVRARD 2020: 920.



However, cross-border cooperation – both local, regional and international – can only fulfil its real role if there is a constitutional and administrative environment capable of harmonising the different legal structures and competencies, while the legal/administrative set-up of the member states significantly differs from each other, and the competences, resources and powers of the cooperating administrative units differ in several respects.³³ Institutional diversity at national level resulted in many different forms of cross-border cooperation, without a commonly accepted organisational system.

For a long time, there were no uniform regulations on the institutional forms of cross-border cooperation which appeared in various institutions, therefore a wide range of grouping methods were developed both in practice and in the literature. In the field of institutionalisation, the most used and the widest grouping aspect to classify cooperation in organised forms is Perkmann's concept, which serves as a starting point.³⁴ Perkmann distinguishes between cooperation by geographic extension and whether there is regional contact between them. This method is also used in Hungarian literature and gives a good overview for the analysis of the cooperation forms in the Carpathian Basin.³⁵ It differentiates between local, regional and national participants in the vertical aspect of multi-level governance, and in this respect, it represents their network horizontally, depending on whether immediately adjacent territories are interconnected or whether the common interests of the regional aspect arising at regional level are brought together in a broader geographical area.

In 1966, the idea of the establishment of cross-border structures was raised by the Council of Europe for the first time, when Mr Giuseppe Sibille compiled a Report on a Draft Convention on European Cooperation between Local Authorities.³⁶ In 1972, Viktor Freiherr von Malchus presented his report on European border areas, which was published in an extended version in 1975.³⁷ The report gave stimulus for the work resulting in the adoption of the European Outline Convention on Transfrontier³⁸ Co-operation between Territorial Communities or Authorities (Madrid Convention) in 1980.³⁹

At the European level, the only document that sought to create comprehensive regulation on cross-border cooperation systems is the Madrid Convention (hereinafter: the Convention). The Convention plays a compensatory role, in which it defines the concept of cooperation across borders and offers patterns and proposals for the Member States to make the cooperation of regions and settlements across borders easier.⁴⁰ The aim of the Convention is to promote cross-border agreements between local and regional authorities within the scope of their respective powers. Such agreements may cover fields such as regional, urban, and rural development, environmental protection, the

³³ HARGUINDÉGUY-HAYWARD 2014: 188–189.

³⁴ PERKMANN 2003.

³⁵ BARANYI 2007; HARDI 2004; NÁRAI-RECHNITZER 1999.

³⁶ Council of Europe 1966.

³⁷ BLATTER-NORRIS 2000: 24, 37.

³⁸ 'Transfrontier cooperation' is a term generally used by CoE documents as an equivalent with direct cross-border cooperation (CBC) within the EU policy documents.

³⁹ Council of Europe 1980. ETS 106.

⁴⁰ CESCO 2014.



improvement of public facilities and services and mutual assistance in emergencies etc., and may include setting up transfrontier associations or consortia of local authorities.⁴¹

In accordance with the Convention, transfrontier cooperation means any concerted action designed to reinforce and foster neighbourly relations between territorial communities or authorities within the jurisdiction of two or more Contracting Parties and the conclusion of agreements and arrangements necessary for this purpose. Transfrontier cooperation takes place in the framework of territorial communities' or authorities' powers as defined in domestic law.⁴²

The specific forms of cooperation are derived from the internal legal regulation of each Member State, according to the Convention, which only provides a legal framework that must be filled with specific content by the internal legislations of the ratifying Contracting Parties. Under the Convention, Parties undertake to seek ways of eliminating obstacles to transfrontier cooperation and to grant to authorities engaging in international cooperation the facilities they would enjoy in a purely national context. The Convention must meet specific expectations, to be applied to the local and territorial relations of the ratifying Member States. Having variable legal and political systems, it must also create frameworks of bilateral and multilateral agreements. The Madrid Outline Convention served as a basis for numerous bilateral and multilateral agreements between national and provincial governments enabling the local stakeholders to set up cross-border organisations and structures. To allow for variations in the legal and constitutional systems in the Council of Europe's Member States, the Convention sets out a range of model and outline agreements, statutes and contracts appended to itself,⁴³ to enable both local and regional authorities as well as States to facilitate them with carrying out their tasks effectively.

The Convention has been modified several times, and three Additional Protocols (1995; 1998; 2009) were drafted. The three protocols of the Convention have enlarged further the room for manoeuvre of the local and regional authorities in the field of territorial cooperation.

The first Additional Protocol aims to strengthen the Outline Convention by expressly recognising, under certain conditions, the right of territorial communities to conclude transfrontier cooperation agreements, the validity in domestic law of the acts and decisions made in the framework of a transfrontier cooperation agreement, and the legal corporate capacity ("legal personality") of any cooperation body set up under such an agreement.⁴⁴

The Protocol no. 2 aims to strengthen inter-territorial cooperation between European countries. It follows the Council of Europe's declaration at the Vienna 1993 summit to build a tolerant and prosperous Europe through transfrontier cooperation. The Protocol complements the existing Convention and Protocol, which are concerned with relations between adjacent communities that share common borders. These two

⁴¹ Madrid Outline Convention 1980, Preamble.

⁴² Madrid Outline Convention 1980, Article 2.

⁴³ Appendix numbered 1.1 to 1.5 and 2.1 to 2.6. These model and outline agreements, statutes and contracts are intended for guidance only and have no treaty value.

⁴⁴ Council of Europe 1995. ETS No. 159.



legal texts have proved so successful that twinning agreements have begun to spring up between areas that are further apart. Protocol 2 recognises the right of authorities to make such agreements and sets out a legal framework for them to do so.⁴⁵

The Protocol no. 3 to the Madrid Convention provides for the legal status, establishment and operation of “Euroregional Cooperation Groupings”. Composed of local authorities and other public bodies from the Contracting Parties, the aim of a grouping is for transfrontier and interterritorial cooperation to be put into practice for its members, within the scope of their competences and prerogatives. Under the Protocol, the Council of Europe may draw up model national laws for facilitating adoption by the Contracting Parties of appropriate national legislation for enabling the “Euroregional Co-operation Groupings” to operate effectively.⁴⁶

One can conclude that without the Convention, the proliferation of these cross-border structures would have been impossible. Today, more than 300 such structures exist in Europe, which all are aimed at diminishing the separating effects of state borders, developing mutual trust, maintaining peaceful coexistence and promoting local cross-border democracy and the basic rights of free movement across the borders. However, several recommendations and opinions of the international organisations representing regional interests (Council of Europe; Assembly of European Regions, AER; Association of European Border Regions, AEBR) only provide a framework for cooperation, which can merely be filled with the expected content by national legal regulation. The steady guarantees going beyond the national frames has been missing until the creation of the EGTC tool.

EU – the EGTC as a legal tool for CBC

Over 25 years after the adoption of the Madrid Convention, the Regulation (EC) 1082/2006 of the European Parliament and of the Council on a European grouping of territorial cooperation (EGTC) provides a response to the lack of legal and institutional instruments and ensures cooperation facilities for the local and regional authorities and Member States under EU law. In 2013, the EGTC regulation was revised as regards the clarification, simplification and improvement of the establishment and functioning of such groupings and involvement of third countries clearer.⁴⁷ The revised EGTC Regulation has applied since 22 June 2014. The EGTC is a European legal instrument that aims to facilitate and promote territorial cooperation, including one or more types of cross-border, transnational and interregional cooperation⁴⁸ between its Parties with the aim of strengthening the Union’s economic, social and territorial cohesion.⁴⁹ The

⁴⁵ Council of Europe 1998. ETS No. 169.

⁴⁶ Council of Europe 2009. ETS No. 206.

⁴⁷ Regulation (EU) No 1302/2013.

⁴⁸ The three forms of EGTCs are: 1) cross-border cooperation between adjacent border regions in neighbouring countries; 2) trans-national cooperation between groups of countries and regions, mainly in the field of spatial planning; and 3) inter-regional cooperation between regions or cities in various countries.

⁴⁹ Regulation (EC) 1082/2006, Article 1 (2).



European Union's programming period from 2007 follows a similar logic, which adjusts the aid schemes to the appropriate forms of cooperation and provides uniform legal solutions for all cooperation programmes, establishing the institutional form of the EGTC.

In each Member State, the EGTC has the most extensive legal capacity accorded to legal persons under that Member State's national law, and the registered office of the EGTC is located in a Member State under whose law at least one of the EGTC's members is established.⁵⁰ Where it is necessary to determine the applicable law under European Union law or private international law, the EGTC is an entity of the Member State where it has its registered office.⁵¹ EGTCs are unique in the sense that they enable public authorities of various Member States to team up and deliver joint services without requiring a prior international agreement to be signed and ratified by national parliaments.⁵²

With some exceptions,⁵³ the members of an EGTC can be states, local and regional authorities as well as other bodies and public undertakings – if they are located on the territory of at least two Member States.⁵⁴ An EGTC may be made up of members located on the territory of only one Member State and of one or more third countries neighbouring that Member State, including its outermost regions, where the Member State concerned considers that EGTC to be consistent with the scope of its territorial cooperation in the context of cross-border or transnational cooperation or bilateral relations with the third countries concerned. On the basis of the EGTC Regulation Article 3a (2), the establishment of the first EGTC, which involved a third country member, namely the Tisza EGTC, has become possible because Ukraine ratified the Madrid Outline Convention and its third protocol. This legal background provided the framework for the Transcarpathian Region to join a Hungary-based EGTC.

EGTCs act on behalf of their members, who adopt their statutes by means of special conventions outlining the organisation and activities of the grouping. As a minimum requirement, an EGTC must have two organs: an assembly, which is made up of the representatives of its members, and a director, who represents the grouping and acts on its behalf.⁵⁵ Furthermore, the powers of EGTCs are limited by the respective powers of their members. Public authority powers, such as policymaking and regulatory powers, cannot be transferred to an EGTC. The assembly adopts the EGTC's annual budget estimates, in respect of which an annual activity report is produced and certified by independent experts. The EGTC can establish an annual budget which shall be adopted by the assembly, containing, especially a component on running costs and, if necessary, an operational component.⁵⁶

The EGTC signifies decentralised cooperation, and is built on decades of experience with euroregional cooperation. Its vertical projection connects actors on different levels – European, national, sub-national – and involves them in the common European decision-making. On the other hand, its horizontal dimension leads to the interaction

⁵⁰ Regulation (EC) 1082/2006, Article 1 (4)–(5).

⁵¹ Regulation (EC) 1082/2006, Article 2 (1).

⁵² MAIER 2008: 37–40.

⁵³ Except as provided for in EGTC Regulation 1082/2006, Article 3a (2) and (5).

⁵⁴ Regulation (EC) 1082/2006, Article 3.

⁵⁵ Regulation (EC) 1082/2006, Article 10.

⁵⁶ Regulation (EC) 1082/2006, Article 11 (1).



of actors on the same level, thus creating a European network whose operating principle is autonomy based on vertical and horizontal partnerships in accordance with multi-level governance.⁵⁷ According to the famous two models of multi-level governance introduced by Hooghe and Marks,⁵⁸ the second model can be considered a rather network-based solution where jurisdictions can be overlapped.⁵⁹ The White Paper on Multi-level Governance released by the Committee of the Regions in 2009 followed the second model, including the presentation of cross-border cooperation structures.⁶⁰ The multi-level governance platform is characterised by Liesbet Hooghe and Gary Marks as “task-specific governance”: the flexible structure of a network with multi-level and cross-cutting membership aiming at delivering specific public goods for society.⁶¹

However, the adaption of the form of the EGTC is not obligatory; it is an instrument besides the existing ones, and choosing it is optional, it represents a new alternative to increase the efficiency, legitimacy and transparency of the activities of territorial cooperation, and at the same time secures legal certainty and the institutional guarantees for maintaining the results of cross-border projects founded by the Interreg CBC programmes. It is applicable in every Member State, even in those that have not signed the Madrid Convention and its Additional Protocols or specific bi- and multilateral agreements. The new legal instrument supplements the already existing initiatives and forms of cooperation.

In its report of April 2018 on the application of the EGTC Regulation, the Commission confirmed the European added value of the instrument: cooperation among EGTC members from different Member States and third countries facilitates decision-making and contributes to the joint development of objectives and strategies across national borders. EGTCs and EGTC memberships are growing steadily in number across the EU, and their uses are multiplying. As a result of the changes to the EGTC Regulation in 2013, EGTCs are now involved in various European territorial cooperation (INTERREG) programmes and projects, and in implementing other cohesion policy programmes, for example in the field of rural development.

Despite positive developments in the use of these instruments, the Parliament believes there is room for improvement: in its resolution of 11 September 2018 on boosting growth and cohesion in EU border regions, the Parliament regrets that the potential of EGTCs is not being fully exploited.⁶² This could be due partly to regional and local authorities’ reluctance, and partly to their fear of a transfer of competences and a lack of awareness of their respective competences. In addition, Parliament calls on the Commission to propose measures to overcome the obstacles to the more effective application of the EGTC instrument.

On 15 September 2022, the Parliament adopted a resolution on EU Border Regions: Living Labs of European Integration.⁶³ The resolution proposes addressing the structural

⁵⁷ MEDEIROS 2020: 145–168; PEYRONY 2020: 220–223; SCOTT 2020: 37–63.

⁵⁸ HOOGHE–MARKS 2003.

⁵⁹ HOOGHE–MARKS 2001: 4–29.

⁶⁰ Committee of the Regions 2009.

⁶¹ HOOGHE–MARKS 2003: 6–12.

⁶² European Parliament 2018.

⁶³ European Parliament 2021.



disadvantages faced by all border regions through a dedicated regional aid scheme. It also asks that 0.26% of the EU's cohesion policy budget be allocated to tackling the structural challenges in border areas. It specifies that the amount should be granted at the start of the new budget programming period (2028–2034) and should be awarded to EGTCs or similar structures in border regions.

Towards a permanent mechanism eliminating border obstacles

Classification of border obstacles

Undoubtedly, the EGTC tool meant a revolutionary breakthrough in the European territorial cooperation policy giving permanency for partnerships which enabled long-term strategic planning and the maintenance of project results. At the same time, in the absence of competences,⁶⁴ the tool is “considered as insufficient to overcome all existing legal obstacles to cross-border cooperation”.⁶⁵ This shortage became salient during the Covid-19 pandemic, when border closures dramatically paralysed cross-border mobility and collaboration regardless of the existence of EGTCs and other structures.⁶⁶

In addition, it is a common observation that, in parallel with the intensification of cooperation, the quantity of obstacles also increases.⁶⁷ These barriers and obstacles can be classified along diverse aspects (e.g. by sectors like transport, health, etc.; by nature: physical/infrastructural, geographical, mental/cultural/linguistic, etc.; geographic scope: local, national, international, global, etc.). Based on the model applied at the Spanish-Portuguese EUROACE Euroregion, Kurowska-Pysz et al.⁶⁸ differentiate between *internal* and *external* obstacles to cross-border cooperation. The first type includes barriers characterising the cooperation itself, like the method of communication, the availability of internal resources and capacities, the knowledge of the involved actors. These are barriers whose elimination is manageable by the cooperating partners themselves, unlike external ones (the socio-economic conditions, the Cohesion Policy principles and EU funding rules, as well as the administrative and legal obstacles). When assessing these obstacles, the legal barriers prove to be the most important, as polls show it.⁶⁹ The highest ranking among the barriers is well justified by the strong capacities of standards and rules in defining further (e.g. institutional, technical, political, fiscal, etc.) factors for cooperation.

Based on an EU document of 2017,⁷⁰ Engl and Evrard⁷¹ and Klatt and Winkler⁷² equally differentiate between three types of legal-administrative obstacles within the

⁶⁴ PEYRONY et al. 2022.

⁶⁵ JANČOVÁ et al. 2023: 5.

⁶⁶ See e.g. BÖHM 2020; ALBERS et al. 2021; GIACOMETTI–MEIJER 2021; MEDEIROS et al. 2021; PEYRONY et al. 2021.

⁶⁷ GUILLERMO-RAMÍREZ 2018; ENGL–EVRARD 2020; MEDEIROS et al. 2022.

⁶⁸ KUROWSKA-PYSZ et al. 2018: 136.

⁶⁹ MEDEIROS 2018.

⁷⁰ European Commission 2017b.

⁷¹ ENGL–EVRARD 2020.

⁷² KLATT–WINKLER 2020.



context of the European Union. There are obstacles which stem from the absence of EU legislation or the failed adaptation thereof in a policy field where the EU has competence. Another group is composed by the barriers generated by the incoherent or inconsistent implementation of national laws where the EU has no or partial competence. The third type of administrative obstacles is caused by the inadequate procedures. The last group can be completed with the phenomenon of hierarchical asymmetry, meaning that due to the differences between the national administrative systems, the competences are delegated to different levels on the two sides of the border (e.g. to the local level on the one side, to the national one on the other).⁷³ According to Kurowska-Pysz et al.: “External barriers are particularly difficult to overcome.”⁷⁴ One can add that they cannot even be overcome without external assistance.

The Commission’s proposal of 2018 on a European mechanism for eliminating cross-border obstacles

In order to ease cross-border mobility and integration, the European Commission initiated the third tool of the tool-kit, namely a mechanism facilitating the elimination of legal and administrative obstacles.⁷⁵ The proposal was born in a very optimistic atmosphere, before the series of deep crises of the European project, including the migration, the Brexit, the Covid-19 and the Ukrainian crises. All these crises amplified the security discourse favouring for border closures and weakening the positive attitude towards cross-border integration. This change can be detected through the story of the proposal on the mechanism.

After having good results of the Interreg programmes and the EGTC tool, at the beginning of the 2010s, the attention turned towards the legal and administrative differences and obstacles hampering further integration of the EU across the borders.⁷⁶ The first step was taken again by the Council of Europe, which commissioned the Institute of International Sociology of Gorizia (ISIG) with the compilation of a manual⁷⁷ and the development of a portal called E-DEN providing knowledge and guide for eliminating cross-border obstacles.⁷⁸ The project was based on a Recommendation adopted by the Committee of Ministers as early as 2005, encouraging the member countries to improve the legal environment for transfrontier and interterritorial cooperation. The Council of Europe launched a survey in 2009 targeting cross-border obstacles, which was followed by the above-mentioned project implemented by the ISIG. The portal included several hundreds of cases of cross-border legal and administrative obstacles and numerous best practices open for the public and the regional stakeholders, which generated a favourable climate for further initiatives.

⁷³ MEDEIROS et al. 2022.

⁷⁴ KUROWSKA-PYSZ et al. 2018: 143.

⁷⁵ MOT 2018.

⁷⁶ MOT 2018.

⁷⁷ Council of Europe 2013.

⁷⁸ The online platform, which is available at <https://edenplatform.org/> has been further developed since then.



In 2015, Corina Crețu, Commissioner for Regional Policy launched the Cross-Border Review project with the aim of developing further cross-border cohesion already facilitated by the Interreg programmes and the EGTC tool. During the project, the Commission collected evidence on persisting legal and administrative obstacles through a stakeholder consultation including a survey, advisory missions at 11 locations throughout Europe and stakeholder group meetings, a study⁷⁹ and a comprehensive database.⁸⁰ The experts identified 239 obstacles hindering cross-border mobility and integration along the internal land borders of the EU. In addition, the researchers of another commissioned scientific study⁸¹ demonstrated that the elimination of legal and administrative obstacles would increase the GDP of the border areas with 8.7% and the number of jobs with 1 million, which became a reference point in arguing for the elimination of obstacles in border regions representing 40% of the entire territory of the EU and giving home to nearly 30% of its total population.

As a result, in 2017 the Commission issued the Communication “Boosting Growth and Cohesion in EU Border Regions”⁸² including an Action Plan identifying necessary interventions on 10 fields in order to ease the life of border citizens often locked away from high-quality services.⁸³ In 2018, the DG REGIO established the Border Focal Point providing assistance for local actors in sharing expertise relating to obstacles and opened a platform for exchanges at the EU’s Futurium portal; published the outcomes of its PILOT project targeting data harmonisation of the national statistical offices;⁸⁴ and launched the so-called b-solutions initiative managed by the Association of the European Border Regions (AEBR). The AEBR addressed local and regional institutions in order to collect examples on persisting obstacles and assigned legal experts to analyse the reported cases and to find solutions thereto. During the first two phases of the initiative, between 2018 and 2023, more than 100 cases were reported and analysed. By the time of writing of this article, 90 cases were published, which, on the one hand, presented national level policy solutions replicable in other European regions;⁸⁵ and, on the other hand, pointed at the need for a new mechanism enabling the elimination of the obstacles, which could be the European Cross-Border Mechanism (ECBM).⁸⁶

The proposed Regulation on the European Cross-Border Mechanism was a result of a preparatory work launched in parallel with the Cross-Border Review project by the Luxembourg Presidency of the EU, which set up a working group on innovative solutions to cross-border obstacles coordinated by the French Mission Opérationnelle Transfrontalière (MOT) in 2015.⁸⁷ The informal working group, which involved experts of national authorities from 12 member states, EU institutions and advocacy organisations

⁷⁹ PUCHER et al. 2017.

⁸⁰ The database was not available at the time of writing.

⁸¹ CAMAGNI et al. 2017.

⁸² European Commission 2017a.

⁸³ SIELKER 2018; ENGL–EVRARD 2020; MEDEIROS et al. 2022; FEJES 2023.

⁸⁴ VAN DER VALK 2018.

⁸⁵ MEDEIROS et al. 2022.

⁸⁶ JANČOVÁ et al. 2023.

⁸⁷ MOT 2018; SIELKER 2018; ENGL–EVRARD 2020. The preparatory process of the proposal is explained in detail by ENGL–EVRARD 2020.



like AEBR and CESC⁸⁸ held 7 meetings between 2016 and 2018⁸⁹ and issued a report during the summer of 2017, proposing the establishment of a European Cross-Border Convention (ECBC) to eliminate cross-border legal and administrative obstacles. The Convention would have enabled the adoption of one member state's legislation on the other side of the border and the elimination of those discrepancies generated by failed adaptation of EU law in neighbouring countries, for the purpose of a cross-border project, infrastructure or service of general economic interest, with a limited geographic scope.⁹⁰

Based on the working group's activities, in June of 2018, the Commission presented a draft Regulation on a European mechanism⁹¹ to resolve legal and administrative obstacles in a cross-border context [COM (2018) 373 proposal].⁹² Following the positive opinion of the European Parliament, the Working Party on Structural Measures of the Council (SMWP) included the proposed Regulation in the Cohesion Policy package, which was welcomed both by the Committee of the Regions and the European Economic and Social Committee.⁹³ The draft regulation proposed two solutions: the European Cross-Border Commitment (ECBC), which would have been self-executive (transferring one Member State's law in another one without amending the national regulations); and a European Cross-Border Statement (ECBS), which would have obliged the member states to amend their legislation for eliminating the obstacle. In addition, the Regulation required the Member States to set up a Cross-border Cooperation Point designed to communicate with the initiators and the authorities, to develop proposals on the amendments, as well as to operate a database on the obstacles met. As Sielker⁹⁴ and the MOT⁹⁵ highlight, if neither an ECBC nor an ECBS proved to be efficient, the authorities could have opted for an ad hoc solution as well. What might be seen the most advanced element of the proposal, it was the authorisation of local or regional authorities to trigger legislative processes at national level,⁹⁶ conferring thus competences to the sub-state level.⁹⁷ As Engl and Evrard⁹⁸ stipulate: "In allowing sub-state authorities to apply the law of a neighbouring member state, this mechanism would empower border areas to manage their own integration through projects (functional-horizontal) and institutionalise a policy pathway for finding dedicated solutions to border-specific legal or administrative obstacles (institutional-vertical). The ECBM therefore gives a new impetus to multi-level governance." This might have been the main reason of the concerns and critics of the Member States in the Council.

⁸⁸ SVENSSON-BALOGH 2018.

⁸⁹ ENGL-EVRARD 2020.

⁹⁰ SIELKER 2018; ENGL-EVRARD 2020; JANČOVÁ et al. 2023.

⁹¹ The term of Convention was found inadequate by the Commission as being already booked for inter-state agreements.

⁹² MOT 2018; FEJES 2023.

⁹³ SIELKER 2018; ENGL-EVRARD 2020.

⁹⁴ SIELKER 2018.

⁹⁵ MOT 2018.

⁹⁶ SIELKER 2018.

⁹⁷ ENGL-EVRARD 2020; JANČOVÁ et al. 2023.

⁹⁸ ENGL-EVRARD 2020: 931.



The strongest counter-argument to the proposal was that it questioned the territorial sovereignty of the nation states when allowing the jurisdiction of another country on their own territory. This extraterritorial aspect of the draft regulation could have breached even the constitution of some Member States despite that the adoption of the neighbour's law would have required the approval of both states⁹⁹, while regional authorities would have not been equipped with direct regulating power.¹⁰⁰ However, the proposal raised concerns regarding the subsidiarity principle as it would have authorised the Commission with competences in several policy fields falling under national competence¹⁰¹ and resulting in legal uncertainty (as a consequence of the self-executive procedure of the ECB).¹⁰²

Another critical remark questioned the voluntary nature of the proposal, because the Regulation obliged the Member States to opt for one of the solutions.¹⁰³ Other member states pointed at the complexity and burdensome character of the proposed solutions compared with much simpler bi-lateral treaties, especially if we take the marginal nature of the expected cases into consideration.¹⁰⁴

The strongest opposers of the proposal were the Swedish and the Spanish governments. The latter one raised concerns related to the Basque and Catalan separatist movements seen equipped with further justification for their ethno-political actions through the ECBM tool.¹⁰⁵ Sweden criticised the draft regulation from the point of view of subsidiarity despite that the Nordic States agreed on mutual exchange of information on legal acts influencing the Nordic cooperation as early as 1962 (Helsinki Treaty), and in 2014, the Nordic Council of Ministers set up the Freedom of Movement Council with the same mission as the ECBM would have been triggered. Since 2014, the Council has systematically been eliminating cross-border legal obstacles within the Nordic area.¹⁰⁶ Article 4 of the draft Regulation¹⁰⁷ clearly allows for applying existing solutions like the one created by the Nordic states, however, as the CLS underlined, the voluntariness of the tool cannot be based on this article, due to the ruling power of a Regulation.

As a consequence of the critics and concerns, the Council's Legal Service (CLS) issued its opinion in March 2020 underpinning the Member States' concerns regarding sovereignty and subsidiarity.¹⁰⁸ During the Slovenian Presidency in the second half of 2021, the SMWP decided to suspend the work with the file.¹⁰⁹

⁹⁹ SIELKER 2018; European Commission 2020.

¹⁰⁰ ENGL-EVRARD 2020.

¹⁰¹ SIELKER 2018; European Commission 2020; JANČOVÁ et al. 2023.

¹⁰² ENGL-EVRARD 2020.

¹⁰³ SIELKER 2018; JANČOVÁ et al. 2023.

¹⁰⁴ SIELKER 2018; JANČOVÁ et al. 2023.

¹⁰⁵ ENGL-EVRARD 2020.

¹⁰⁶ SVENSSON-BALOGH 2018.

¹⁰⁷ European Commission 2018.

¹⁰⁸ JANČOVÁ et al. 2023.

¹⁰⁹ PEYRONY et al. 2022; JANČOVÁ et al. 2023.



The Commission's proposal of 2023 on a facilitating tool to remove cross-border obstacles

In November 2022, as a consequence of the EP Resolution 'EU Border Regions: Living Labs of the European Integration' adopted in the summer at the same year, the European Parliament triggered the compilation of an own-initiative report aiming to amend the ECBM proposal.¹¹⁰ In parallel with these steps, the Committee of the Regions, together with AEBR, MOT and CESC launched the European Cross-Border Citizens' Alliance, which, responding the challenges generated by the border closures during the Covid-19 pandemic, adopted a declaration titled 'Cross-Border regions at the heart of tomorrow's Europe'; and launched a public consultation providing evidence for the CoR' Resolution 'Vision for Europe: Future of Cross-Border Cooperation' which, among others, expressed the CoR's support towards an amended proposal on ECBM.¹¹¹

In 2022, the EP commissioned the European Parliamentary Research Service with the compilation of an added value assessment of the new mechanism, which included practical recommendations on how to amend the ECBM proposal through simplification, strengthening the Member States' ownership and providing them with larger room for implementation, extending the geographic scope of the tool to NUTS II level, keeping the coordination points and ensuring financial assistance for their operation.¹¹² The same experts replied the value-added analysis of the study of 2017 and concluded that the "total GVA benefit from the complete removal of legal and administrative barriers would yield around €457 billion per year, representing 3.8% of total EU GVA in 2019. Looking at a more realistic and feasible scenario of a 20% removal of obstacles for all border regions, we found a total GVA benefit of €123 billion per year, representing around 1% of total EU GVA in 2019."¹¹³ In addition, the experts estimated the loss of 4 million jobs due to the persisting legal obstacles breaching the fundamental rights of border citizens¹¹⁴ and highlighting the failures of the functioning of the Single Market.¹¹⁵

In 2023, the European Parliament¹¹⁶ and the Committee of the Regions¹¹⁷ adopted two reports calling and encouraging the Commission to compile an amended proposal on the ECBM tool. The new proposal, which was published in December 2023,¹¹⁸ triggered a new lively debate in the Council's Working Party on Structural Measures and Outermost Regions (SMOR). Interestingly, regardless of the amendments implemented by the Commission in compliance with the critics of the Member States and the CLS (including radical simplification of the tool to mere coordination measures between the countries; the operation of at least one Cross-Border Coordination Point acting as a one-stop-shop

¹¹⁰ JANČOVÁ et al. 2023.

¹¹¹ JANČOVÁ et al. 2023.

¹¹² JANČOVÁ et al. 2023: 29.

¹¹³ JANČOVÁ et al. 2023: 26.

¹¹⁴ JANČOVÁ et al. 2023.

¹¹⁵ ENGL-EVRARD 2020.

¹¹⁶ European Parliament 2023.

¹¹⁷ Committee of the Regions 2023.

¹¹⁸ European Commission 2023a. The amended proposal explicitly limits its scope to facilitating cross-border solutions instead of enabling the application of an extraterritorial law in any of the EU Member States.



of obstacles as the only mandatory component of the proposal; avoiding obligations on the national authorities regarding the elimination of the reported obstacles; and the mere optional application of the so-called Cross-Border Facilitation Tool), the national representatives raised the same concerns of subsidiarity, sovereignty, legal uncertainty, effectiveness, administrative and financial burdens, etc. as in the period of 2018–2021. The strongest opponents were again Spain and Sweden accompanied with Finland and the maritime countries (Cyprus and Malta), which hardly can implement the rules of the proposed Regulation. At the same time, the reluctance of the majority of the Member States neglecting the positive assessment given by the CLS experts on the amended proposal might result not from the legal concerns but from the worsening climate for cooperation: the re-bordering tendencies, re-nationalisation of policies and the raise of a populist discourse disfavouring initiatives aiming to dismantle border barriers.

Conclusions

If we have a look at the European history of the last 400 years spent since the Westphalian Treaty, we can see a continuous series of armed conflicts targeting the set and re-set of national borders. In the meantime, some countries disappeared, many new ones were born, still, others have been moved from one territory to another. But the border drawing game has rarely been delivered in a peaceful way. On the contrary, the modification of the borders was accompanied with expelling or exchange of the population, breakout of new and new ethnic conflicts, forced assimilation and much suffering.

When creating the financial (Interreg) and the governance (the Madrid Outline Convention and the EGTC) framework, as well as a tool for removing legal barriers (the ECBM and the FCBS) for the cross-border cooperation, the Council of Europe, and more recently the European Union, enable us to lay the basis for peaceful encounters where the different ethnic groups have the opportunity to get to know each other better, to work together on their shared future, which are the basic conditions for mutual trust and respect. Furthermore, cross-border governance has an additional positive impact, by these new experiences, the European nations may overcome their past conflicts generating so much trouble.

The European Union provided new tools in every 15 years to reach these goals: the Interreg in 1989, the EGTC in 2004 (the year of the publication of the draft regulation) and the ECBM in 2018. Until 2015, when both the Cross-Border Review project and the ECBM proposal were launched, the evolution of the tool-box was unbroken. Even more, some protagonists of CBC suggested to conferring competences for and enabling the election of representatives of cross-border structures, like the EGTCs.

However, the year of 2015 also introduced the period of permanent crises. The unprecedented migration wave and the terrorist attacks in France and Belgium (2015) forced several governments to re-allocate their border controls keeping still in effect. The Brexit campaign (between 2016 and 2020) reinforced the sceptical voices questioning the European messages, while during the Covid-19 pandemic (between 2020 and 2021) the states re-installed the long-ago spiritualised borders even in highly integrated cross-border areas. The Russian invasion against Ukraine in 2022 brought the issue of



territorial sovereignty back to the forefront. Undoubtedly, the optimistic atmosphere, in which the ECBM proposal was born has gone. The fierce opposition to the proposal on behalf of some Member States indicates that the re-bordering tendencies succeeding the crises impacted the spirit of cooperation the most. It is a big question, how this new tendency will influence the future programming period and the role of European Territorial Cooperation therein. Well, the signs are not encouraging...

References

- ALBERS, Tetyana – KÖBELE-ENNAJI, Valerie – ROSS, Jacob – WOLFART, Veit (2021): *Quand les mécanismes de la coopération sont mis à l'épreuve. L'épidémie du Covid-19 et la fermeture de la frontière franco-allemande au printemps 2020 comme stress test pour la coopération transfrontalière*. Paris: École nationale de l'administration.
- ALLMENDINGER, Phil – HAUGHTON, Graham – KNIELING, Jörg – OTHENGRAFEN, Frank (2015): *Soft Spaces, Planning and Emerging Practices of Territorial Governance*. In ALLMENDINGER, Phil – HAUGHTON, Graham – KNIELING, Jörg – OTHENGRAFEN, Frank (eds.): *Soft Spaces in Europe. Re-Negotiating Governance, Boundaries and Borders*. London: Routledge, 3–22.
- BARANYI, Béla (2007): *A határmentiség dimenziói Magyarországon* [The Dimensions of Borderlands in Hungary]. Budapest–Pécs: Dialóg Campus.
- BENKO, Georges (1999): *A regionális tudomány* [Regional Science]. transl. Csizmadia, C. – Enyedi, György. Pécs–Budapest: Dialóg Campus.
- BLATTER, Joachim – NORRIS, Clement (2000): *Cross-Border Cooperation in Europe: Historical Development, Institutionalization and Contrasts to North America*. *Journal of Borderlands Studies*, 15(1), 15–53. Online: <https://doi.org/10.1080/08865655.2000.9695541>
- BÖHM, Hynek (2020): *Researching Cross-Border Cooperation under the Shadow of COVID 19 Pandemic: Scientific Report from e-Conferences and Blog-Reflections Produced between 14 March and 21 June 2020*. *Pogranicze Polish Borderlands Studies*, 8(2), 81–86. Online: <https://doi.org/10.25167/ppbs2099>
- CAMAGNI, Roberto – CAPELLO, Roberta – CARAGLIU, Andrea – TOPPETA, Alessandro (2017): *Quantification of the Effects of Legal and Administrative Border Obstacles in Land Border Regions*. Final report. Luxembourg: Publications Office of the European Union. Online: <https://data.europa.eu/doi/10.2776/25579>
- CESCI (2014): *Report on the Impact of the Madrid Outline Convention and its Protocols on Cross-Border Cooperation between Hungary and Its Neighbours*. Online: <https://budapest.cesci-net.eu/en/report-on-the-impact-of-the-madrid-outline-convention-and-its-protocols-on-cross-border-cooperation-between-hungary-and-its-neighbours/>
- Committee of the Regions (2009): *White Paper on Multilevel Governance*. CoR: Brussels, 17–18/06/2009. CdR 89/2009 fin.
- Committee of the Regions (2023): *Opinion of the European Committee of the Regions – European Cross-Border Mechanism 2.0. (C/2023/1326)*.



- Council of Europe (1966): *Draft Convention on European Cooperation between Local Authorities*. 26.09.1966. Doc. 2109. Online: <https://assembly.coe.int/nw/xml/XRef/X2H-Xref-ViewPDF.asp?fileid=2404&lang=EN>
- Council of Europe (1980): *European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities*. ETS No. 106. Online: <https://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=106>
- Council of Europe (1995): *Additional Protocol to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities*. ETS No. 159. Online: <https://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=159>
- Council of Europe (1998): *Protocol No. 2 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities Concerning Interterritorial Co-operation*. ETS. 169. Online: <https://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=169>
- Council of Europe (2009): *Protocol No. 3 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities Concerning Euroregional Co-operation Groupings (ECGs)*. ETS 206. Online: <https://www.coe.int/en/web/conventions/full-list?module=treaty-detail&treatynum=206>
- Council of Europe (2013): *Manual on removing obstacles to cross-border cooperation*. Strasbourg: Council of Europe. Online: <https://isig.it/wp-content/uploads/2014/10/Manual-on-removing-obstacles-to-cross-border-cooperation.pdf>
- Council's Legal Service (2020): *Opinion of the Legal Service: Proposal for a Regulation of the European Parliament and of the Council on a mechanism to resolve legal and administrative obstacles in a cross-border context*. Brussels, 2 March 2020. 6009/20.
- CZIMRE, Klára (2019): Shifting Focuses in European CBC Modelling: Theories Influenced by Space and Time. *Eurolimes*, (27–28), 49–64.
- DURAND, Frédéric – DECOVILLE, Antoine (2018): Establishing Cross-Border Spatial Planning. In MEDEIROS, Eduardo (ed.): *European Territorial Cooperation. Theoretical and Empirical Approaches to the Process and Impacts of Cross-Border and Transnational Cooperation in Europe*. Cham: Springer, 229–244. Online: https://doi.org/10.1007/978-3-319-74887-0_12
- ENGL, Alice – EVRARD, Estelle (2020): Agenda-Setting Dynamics in the Post-2020 Cohesion Policy Reform: The Pathway towards the European Cross-Border Mechanism as Possible Policy Change. *Journal of European Integration*, 42(7), 917–935. Online: <https://doi.org/10.1080/07036337.2019.1689969>
- ENYEDI, György (2005): Processes of Regional Development in Post-Socialist Hungary. In BARTA, Györgyi – FEKETE, Éva G. – SZÖRÉNYINÉ KUKORELLI, Irén – TIMÁR, Judit (eds.): *Hungarian Spaces and Places: Patterns of Transition*. Pécs: Centre for Regional Studies, Hungarian Academy of Sciences, 18–27.
- European Commission (2017a): *Communication from the Commission to the Council and the European Parliament. Boosting Growth and Cohesion in EU Border Regions*. COM(2017) 534 final. Online: https://ec.europa.eu/regional_policy/sources/communication/boosting_growth/com_boosting_borders.pdf.



- European Commission (2017b): *Quantification of the effects of legal and administrative border obstacles in land border regions*. Luxembourg: Publications Office of the European Union. Online: <https://doi.org/10.2776/25579>
- European Commission (2018): *Report from the Commission to the European Parliament, the Council and the Committee of the Regions on the application of Regulation (EC) No 1082/2006 on a European Grouping of Territorial Cooperation (EGTC) as amended by Regulation (EU) No 1302/2013 as regards the clarification, simplification and improvement of the establishment and functioning of such groupings*. COM/2018/597 final.
- European Commission (2023a): *Amended proposal for a Regulation of the European Parliament and of the Council on a mechanism to resolve legal and administrative obstacles in a cross-border context*. COM(2023) 790 final.
- European Commission (2023b): *Commission proposal to strengthen the Single Market by tackling legal and administrative obstacles in Europe's cross-border regions*. Online: https://ec.europa.eu/commission/presscorner/detail/en/ip_23_6463
- European Commission (2024a): *Forging a sustainable future together: Cohesion for a competitive and inclusive Europe. Report of the high-level group on the future of Cohesion Policy*. Luxembourg: Publication Office of the European Union.
- European Commission (2024b): *Ninth Report on Economic, Social and Territorial Cohesion*. Online: <https://doi.org/10.2776/264833>
- European Parliament (2018): *Boosting Growth and Cohesion in EU Border Regions – European Parliament Resolution of 11 September 2018 on Boosting Growth and Cohesion in EU Border Regions*. 2018/2054(INI). 2019/C 433/06.
- European Parliament (2021): *EU Border Regions: Living Labs of European Integration. European Parliament Resolution of 15 September 2022 on EU Border Regions: Living Labs of European Integration*. 2021/2202(INI). 2023/C 125/10.
- European Parliament (2023): *Report with Recommendations to the Commission on Amending the Proposed Mechanism to Resolve Legal and Administrative Obstacles in a Cross-Border Context*. 2022/2194(INL).
- European Union (2007): *Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community*. OJ C 306, 17.12.2007.
- European Union (2018): *Proposal for a Regulation of the European Parliament and of the Council on a mechanism to resolve legal and administrative obstacles in a cross-border context*. COM(2018) 373 final.
- ÉGER, György (2020): *Regionalizmus, határok és kisebbségek Kelet-Közép-Európában* [Regionalism, Borders and Minorities in Central and Eastern Europe]. Budapest: Osiris.
- FEJES, Zsuzsanna (2023): Evolution of Cross-Border Cooperation in the European Union – Challenges and Opportunities. *Social Horizons*, 3(5), 55–77. Online: <https://doi.org/10.5937/drushor2305055F>
- FALUDI, Andreas (2010): Beyond Lisbon: Soft European Spatial Planning. *disP – The Planning Review*, 46, 14–24. Online: <https://doi.org/10.1080/02513625.2010.10557098>
- FALUDI, Andreas (2018): *The Poverty of Territorialism. A Neo-Medieval View of Europe and European Planning*. Cheltenham: Edward Elgar.



- GIACOMETTI, Alberto – MELJER, Mari Wøien (2021): *Closed Borders and Divided Communities: Status Report and Lessons from Covid-19 in Cross-Border Areas*. Nordregio Report 2021:6. Online: <https://doi.org/10.6027/R2021:6.1403-2503>
- GUILLERMO-RAMÍREZ, Martín (2018): The Added Value of European Territorial Cooperation. Drawing from Case Studies. In MEDEIROS, Eduardo (ed.): *European Territorial Cooperation. Theoretical and Empirical Approaches to the Process and Impacts of Cross-Border and Transnational Cooperation in Europe*. Cham: Springer, 25–47. Online: https://doi.org/10.1007/978-3-319-74887-0_3
- HARDI, Tamás (2000): Államhatárok és regionális együttműködések [State Borders and Regional Co-operations]. In HORVÁTH, Gyula – RECHNITZER, János (eds.): *Magyarország területi szerkezete és folyamatai az ezredfordulón* [Territorial Structure and Procedures of Hungary in the Millennium]. Pécs: MTA RKK, 595–615.
- HARDI, Tamás (2004): Az államhatárokon átnyúló régiók formálódása. [Forming Regions across the State Borders], *Magyar Tudomány*, 49(9), 991–1001. Online: <http://www.matud.iif.hu/04sze.html>
- HARGUINDÉGUY, Jean-Baptiste – HAYWARD, Katy (2014): The Institutionalisation of the European Internal Cross-Border Cooperation Policy: A First Appraisal. *European Planning Studies*, 22(1), 184–203. Online: <https://doi.org/10.1080/09654313.2012.741571>
- HOOGHE, Liesbet – MARKS, Gary (2001): *Multi-Level Governance and European Integration*. Oxford: Rowman-Littlefield.
- HOOGHE, Liesbet – MARKS, Gary (2003): Unraveling the Central State, But How? Types of Multi-Level Governance. *American Political Science Review*, 97(2), 233–243. Online: <https://doi.org/10.1017/S0003055403000649>
- HORVÁTH, Gyula (2017): Spatial researches in Central and Eastern Europe. In LUX, Gábor – HORVÁTH, Gyula (eds.): *The Routledge Handbook to Regional Development in Central and Eastern Europe*. New York – London: Routledge, 295–308. Online: <https://doi.org/10.4324/9781315586137-18>
- HORVÁTH, Gyula – RECHNITZER, János eds. (2000): *Magyarország területi szerkezete és folyamatai az ezredfordulón* [Territorial Structure and Procedures of Hungary in the Millennium]. Pécs: MTA RKK.
- JANČOVÁ, Lenka – KAMMERHOFER-SCHLEGEL, Christa – SAULNIER, Jérôme – PUC, Anja (2023): *Mechanism to Resolve Legal and Administrative Obstacles in a Cross-Border Context European Added Value Assessment*. Brussels: European Parliamentary Research Service. Online: <https://doi.org/10.2861/942114>
- KAISER, Tamás (2006): Euroregions in the New Member States: Emerging Process of Institution-building. In ÁGH, Attila – SZEMERE, Veronika (eds.): *New Member States in the Enlarged Europe: The Hungarian Perspectives*. Debrecen: Táncsics Foundation, 51–71.
- KLATT, Martin – WINKLER, Ingo (2020): Lessons from the Danish-German Border Region for Post 2020 Interreg A – An Alignment with Cross-Border Functional Regions? *Europa XXI*, 38, 139–156. Online: <https://doi.org/10.7163/Eu21.2020.38.5>



- KRUPPA, Éva (2003): *Régiók a határon. Határmenti együttműködés az Európai Unióban és Közép-Európában*. [Regions on the Border. Cross-Border Cooperation in the European Union and in Central Europe]. Budapest: Budapesti Közgazdaságtudományi és Államigazgatási Egyetem Nemzetközi Kapcsolatok Doktori Iskola.
- KUROWSKA-PYSZ, Joanna – CASTANHO, Rui Alexandre, NARANJO GÓMEZ, José Manuel (2018): Cross-Border Cooperation – The Barriers Analysis and the Recommendations. *Polish Journal of Management Studies*, 17(2), 134–146. Online: <https://doi.org/10.17512/pjms.2018.17.2.12>
- MAIER, Johannes (2008): *The European Grouping of Territorial Cooperation (EGTC) – Regions' New Instrument for 'Co-operation beyond Borders'. A New Approach to Organise Multi-Level-Governance Facing Old and New Obstacles*. Bolzano–Luxembourg–Graz–Barcelona: M.E.I.R.
- MARKS, Gary (1993): Structural Policy and Multilevel Governance in the EC. In CAFRUNY, Alan – ROSENTHAL, Glenda G. (eds.): *The State of the European Community*. New York: Lynne Rienner, 391–410. Online: <https://doi.org/10.1515/9781685856540-024>
- MEDEIROS, Eduardo (2018): The Role of European Territorial Cooperation (ETC) in EU Cohesion Policy. In MEDEIROS, Eduardo (ed.): *European Territorial Cooperation. Theoretical and Empirical Approaches to the Process and Impacts of Cross-Border and Transnational Cooperation in Europe*. Cham: Springer, 69–92. Online: https://doi.org/10.1007/978-3-319-74887-0_5
- MEDEIROS, Eduardo (2020): The EGTC As a Tool for Cross-Border Multi-Level Governance. In OCSKAY, Gyula (ed.): *15 Years of the EGTCs. Lessons Learnt and Future Perspectives*. Budapest: CESCO, 145–168.
- MEDEIROS, Eduardo – GUILLERMO-RAMÍREZ, Martín – BRUSTIA, Giulia – DELLAGIACOMA, Anna Cinzia – MULLAN, Caitriona A. (2023): Reducing Border Barriers for Cross-Border Commuters in Europe via the EU *b-solutions* Initiative. *European Planning Studies*, 31(4), 822–841. Online: <https://doi.org/10.1080/09654313.2022.2093606>
- MEDEIROS, Eduardo – GUILLERMO-RAMÍREZ, Martín – OCSKAY, Gyula – PEYRONY, Jean (2021): Covidfencing Effects on Cross-Border Deterritorialism: The Case of Europe. *European Planning Studies*, 29(5), 962–982. Online: <https://doi.org/10.1080/09654313.2020.1818185>
- MOT (2018): *Working Group on Innovative Solutions to Cross-Border Obstacles. Luxembourg Presidency of the EU Follow-Up*. 8th meeting of the working group 28th June 2018 – Brussels (Belgium). Report. Paris: Mission Opérationnelle Transfrontalière.
- NÁRAI, Márta – RECHNITZER, János eds. (1999): *Elválaszt és összeköt – a határ: társadalmi és gazdasági változások az osztrák–magyar határ menti térségben* [Separation and Connection – the Border: Social and Economic Changes in the Austrian–Hungarian Border Region]. Győr–Pécs: MTA Regionális Kutatások Központja.
- NEWMAN, David (2019): Managing Borders in a Contrasting Era of Globalization and Conflict. In GYELNÍK, Teodor (ed.): *Lectures on Cross-Border Governance: Situatedness at the Border*. Budapest: CESCO, 91–112.
- NYIKOS, Györgyi (2014): New Territorial Development Tools in the Cohesion Policy 2014–2020. *DETUROPE: The Central European Journal of Regional Development and Tourism*, 6(3), 39–53. Online: <https://doi.org/10.32725/det.2014.020>



- OCSKAY, Gyula (2020): Changing Interpretation of the EGTC Tool. In OCSKAY, Gyula (ed.): *15 Years of the EGTCs. Lessons Learnt and Future Perspectives*. Budapest: CESCI, 48–62.
- PÁLNÉ KOVÁCS, Ilona (2008): *Helyi kormányzás Magyarországon* [Local Governance in Hungary]. Pécs: Dialóg-Campus.
- PAPP, István – PÉNZES, János – CZIMRE, Klára (2021): Defining Borders and Border Regions with the Application of Geoinformatics. In CHIRODEA, Florentina – TOCA, Constantin-Vasile – SOPRONI, Luminita – STOICA, Alina – CZIMRE, Klára (eds.): *Europe in a Changing World: Opportunities and Challenges*. Oradea–Debrecen: University of Oradea Press – Debrecen University Press, 211–223.
- PÁSZTOR, Szabolcs – KOZMA, Gábor (2013): Border Research and Economic Theory. In POPOVICIU, Adrian-Claudiu – CIGAN, Dana (eds.): *The Frontier Worker: New Perspectives on the Labor Market in the Border Regions*. Bucuresti: C.H. Beck, 187–198.
- PÉNZES, János (2020): The Impact of the Trianon Peace Treaty on the Border Zones – An Attempt to Analyse the Historic Territorial Development Pattern and Its Changes in Hungary. *Regional Statistics*, 10(1), 60–81. Online: <https://doi.org/10.15196/RS100102>
- PERKMANN, Markus (2003): Cross-Border Regions in Europe: Significance and Drivers of Regional Cross-Border Co-Operation. *European Urban and Regional Studies*, 10(2), 153–171. Online: <https://doi.org/10.1177/0969776403010002004>
- PEYRONY, Jean (2020): Underlying Visions of Cross-Border Integration. In OCSKAY, Gyula (ed.): *15 Years of the EGTCs. Lessons Learnt and Future Perspectives*. Budapest: CESCI, 219–242.
- PEYRONY, Jean – RUBIO, Jean – VIAGGI, Raffaele (2021): *The Effects of COVID-19 Induced Border Closures on Cross-Border Regions. An Empirical Report Covering the Period March to June 2020*. Paris–Brussels: Mission Opérationnelle Transfrontalière – European Union. Online: <https://doi.org/10.2776/092793>
- PEYRONY, Jean – SIELKER, Franziska – PERRIN, Thomas (2022): Cross-Border Territorial Cooperation between France and Germany: Evolution, Convergence and Perspectives. In GUSTEDT, Evelyn – GRABSKI-KIERON, Ulrike – DEMAZIÈRE, Christophe – PARIS, Didier (eds.): *Cities and Metropolises in France and Germany*. Hanover: Academy for Territorial Development in the Leibniz Association, 180–199.
- PUCHER, Jürgen – STUMM, Thomas – SCHNEIDEWIND, Patricia (2017): *Easing Legal and Administrative Obstacles in EU Border Regions*. Final Report. Luxembourg: Publications Office of the European Union. Online: <https://doi.org/10.2776/251376>
- RECHNITZER, János – LENGYEL, Imre eds. (2009): *A regionális tudomány két évtizede Magyarországon* [Two Decades of Regional Science in Hungary]. Budapest: Akadémiai. Online: <https://doi.org/10.17649/TET.23.2.1247>
- RECHNITZER, János – SMAHÓ, Melinda (2011): *Területi politika* [Territorial policy]. Budapest: Akadémiai.
- 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). OJ L 210 31.7.2006, p. 19. Amended by Regulation (EU) No. 1302/2013 European Parliament and of the Council of 17 December 2013. Consolidated version.



- Regulation (EU) No 1302/2013 of the European Parliament and of the Council of 17 December 2013 amending Regulation (EC) No 1082/2006 on a European Grouping of Territorial Cooperation (EGTC) as Regards the Clarification, Simplification and Improvement of the Establishment and Functioning of Such Groupings.
- REITEL, Bernard – WASSENBERG, Birte – PEYRONY, Jean (2018): The INTERREG Experience in Bridging European Territories. A 30-Year Summary. In MEDEIROS, Eduardo (ed.): *European Territorial Cooperation. Theoretical and Empirical Approaches to the Process and Impacts of Cross-Border and Transnational Cooperation in Europe*. Cham: Springer, 7–23. Online: https://doi.org/10.1007/978-3-319-74887-0_2
- SCOTT, James Wesley (2020): The European Groupings of Territorial Cooperation as a Process of Europeanisation. In OCSKAY, Gyula (ed.): *15 years of the EGTCs. Lessons Learnt and Future Perspectives*. Budapest: CESCO, 63–80.
- SIELKER, Franziska (2018): The European Commission's Proposal for a Cross-Border Mechanism (ECBM): Potential Implications and Perspectives. *Journal of Property, Planning and Environmental Law*, 10(3), 219–239. Online: <https://doi.org/10.1108/JPEL-08-2018-0024>
- SOÓS, Edit (2015): New Modes of Governance. In WISZNIOWSKI, Robert – GLINKA, Kamil (eds.): *New Public Governance in the Visegrád Group (V4)*. Torun: Wydawnictwo Adam Marszałek, 35–49.
- SÜLI-ZAKAR, István (2009): A határok és a határon átnyúló kapcsolatok átértékelődése Kelet-Közép-Európában [Borders and Changes of Cross-Border Cooperation in Central and Eastern Europe]. *Közép-Európai Közlemények*, 2(4–5), 137–144.
- SVENSSON, Sara – BALOGH, Péter (2018): Limits to Integration: Persisting Border Obstacles in the EU. In MEDEIROS, Eduardo (ed.): *European Territorial Cooperation. Theoretical and Empirical Approaches to the Process and Impacts of Cross-Border and Transnational Cooperation in Europe*. Cham: Springer, 115–134. Online: https://doi.org/10.1007/978-3-319-74887-0_7
- Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community (2007)
- VAN DER VALK, Johan (2018): *Border Region Data Collection. Final report*. Luxembourg: Publications Office of the European Union. Online: <https://doi.org/10.2776/182672>
- VAN HOUTUM, Henk (2000): An Overview of European Geographical Research on Borders and Border Regions. *Journal of Borderlands Studies*, 15(1), 57–83. Online: <https://doi.org/10.1080/08865655.2000.9695542>
- VEGGELAND, Noralv (2004): Post-National Governance and Transboundary Regionalization. Spatial Partnership Formations as Democratic Exit, Loyalty and Voice Options? In HOOPER, Barbara – KRAMSCH, Olivier (eds.): *Cross-Border Governance in the European Union*. Abingdon – New York: Routledge, 157–170.
- ZACHAR, Péter Krisztián (2023): *Transition, Participation and Self-Governance: The Institutional Change of Hungarian Chambers*. Budapest: Ludovika.

