

Faculty of Spatial and Environmental Planning

Department of International Planning Systems

IPS

Diploma Thesis

European Groupings of Territorial Cooperation (EGTCs)

Applicability in the Transnational and Interregional Cooperation
– The Example of Network-EGTCs –

Supervisor: Univ.-Prof. Dr.-Ing. habil. Karina M. Pallagst
Co-Supervisor: Dr., M. Arch. Giancarlo Cotella

submitted 17th August, 2012 by
Beate Caesar (361099)

Contents

0	Introduction – Research Question – Methodology	1
0.1	Introduction	1
0.2	Purpose of the Study and Research Question	1
0.3	Structure of the Thesis	2
0.4	Methodology	3
1	Historical Background of the EGTC	7
1.1	The Development of Territorial Cooperation in the EU	7
1.2	European Trends – Changes in the Political Context of the EU	13
1.2.1	Globalization and Europeanization	13
1.2.2	Decentralisation, Subsidiarity and Multi-Level Governance	14
1.2.3	Territorial Cohesion	16
1.2.4	EGTC Regulation	18
2	Operational Framework of the EGTC	19
2.1	Concept of the EGTC	19
2.1.1	Legal Framework of the EGTC	19
2.1.2	Potentials of the EGTC	23
2.2	EGTCs in Practice	26
2.2.1	Spatial Characteristics of EGTCs	27
2.2.2	Aims and Tasks of EGTCs	30
2.2.3	Organisational Structure of EGTCs	31
2.2.4	Establishment Process	35
2.2.5	Practical Execution – Fulfilment of the Potentials	37
2.2.6	Applicability of EGTCs	39
2.3	Conclusion of the Operational Framework of EGTCs	40
3	Status Quo and Expectations of Network-EGTCs	41
3.1	From EGCC to EGTC	41

3.2	Territorial Non-Contiguous Cooperation - Demarcation of the Terminology	42
3.2.1	INTERREG Categorisation	43
3.2.2	Special Characteristics of Territorial Non-Contiguous Cooperations	44
3.3	Expectations of Stakeholders about Special Characteristics of Network-EGTCs	46
3.4	Status Quo of Network-EGTCs	49
3.4.1	Existing Network-EGTCs	50
3.4.2	Planned Network-EGTCs	53
3.4.3	Common Characteristics of the Existing and Planned Network-EGTCs	65
3.4.4	Network-EGTCs in the European Territorial Co-operation Programmes	67
3.4.5	Stakeholders' Reasons for the Status Quo	70
3.5	Stakeholders' Opinions about the Applicability of EGTCs in the Non-Contiguous Cooperation	71
3.6	Conclusion of the Status Quo and Expectations of Network-EGTCs	74
4	Empirical Analysis: Network-EGTCs 'E.G.T.C. Amphictyony' & 'CETC-EGTC'	77
4.1	Case Study 1: 'E.G.T.C. Amphictyony'	77
4.1.1	Spatial Characteristics	77
4.1.2	Aims and Tasks	78
4.1.3	Organizational Structure	80
4.1.4	Establishment Process	84
4.1.5	Practical Execution – Fulfilment of the Potentials	88
4.1.6	Evaluation of the Concept and Satisfaction with the Practice of Network-EGTCs	91
4.2	Case Study 2: Planned 'CETC-EGTC'	92
4.2.1	Spatial Characteristics	92
4.2.2	Aims and Tasks	93
4.2.3	Organisational Structure	96
4.2.4	Establishment Process	101
4.2.5	Evaluation of the Concept of Network-EGTCs	105
4.3	Comparison of the Case Studies	106
4.3.1	Spatial Characteristics	106
4.3.2	Aims and Tasks	107
4.3.3	Organisational Structure	109
4.3.4	Establishment Process	112

4.3.5	Practical Execution – Estimated Development and Fulfilment of the Potentials of the Planned CETC-EGTC	115
4.4	Conclusion of the Empirical Analysis – Characteristics of Network-EGTCs	123
5	Demarcation of Network-EGTCs – Differences to Cross-Border-EGTCs	129
5.1	Spatial Characteristics	129
5.2	Aims and Tasks	130
5.3	Organisational Structure	132
5.4	Establishment Process	135
5.5	Practical Execution: Fulfilment of the Potentials	138
5.6	Conclusion of the Differences Between Network-EGTCs and EGTCs in the Cross-Border Cooperation	141
6	EGTCs in the Interregional and Transnational Cooperation – Conclusive Remarks	143
6.1	Applicability of EGTCs in the Transnational and Interregional Cooperation	143
6.2	Recommendations for Network-EGTCs	147
6.2.1	Decision-Making Process	148
6.2.2	Establishment Process	149
6.2.3	Practical Execution	151
6.3	Future of EGTCs in the Transnational and Interregional Cooperation	151
6.3.1	Changes in EU Politics	151
6.3.2	Other Factors of Influence	155
6.3.3	Expectations of the Future of EGTCs in the Transnational and Interregional Cooperation	156
	Bibliography	157
	Appendix	175
A.1	Alternatives to EGTCs	175
A.2	Interviews	182
A.3	Table: Existing EGTCs – Situation July 2012	187

List of Figures

1	Flow Chart of Research	4
2	History of the Different Strands of INTERREG 1988-2013	10
3	Cohesion Policy 2007-2013	17
4	Existing EGTCs - Situation January 2012	27
5	Map of the Members of the E.G.T.C. Amphictyony	50
6	Map of the Members of the EGTC ARCHIMED	52
7	Map of the Members of the CETC-EGTC	55
8	Map of the Members of the EUKN EGTC	57
9	Map of the Members of the CODE24 INTERREG IV B- Project	59
10	Map of the Members of the MED TECHNOPOLIS INTERREG IV B- Project	60
11	Map of the Members of the Planned Corridor VIII EGTC Euroregion	61
12	Map of the Members of the Longlife INTERREG IV B Project	63
13	Logo Amphictyony	77
14	Map of the Members of the E.G.T.C. Amphictyony	78
15	Organs of the E.G.T.C. Amphictyony	82
16	Logo CETC	92
17	Map of the Members of the CETC-EGTC	93
18	Organs of the Planned CETC-EGTC	99

List of Tables

1	Ranking of Member States' Participation in EGTCs – Situation July 2012	32
2	Existing and Planned Network-EGTCs - Situation April 2012	49
3	E.G.T.C. Amphictyony	51
4	EGTC ARCHIMED	52
5	CETC-EGTC	53
6	EUKN EGTC	55
7	CODE24 EGTC	57
8	EGTC MED TECHNOPOLIS	60
9	Corridor VIII EGTC Euroregion	62
10	Longlife Institute EGTC	63
11	Comparison of the Case Studies' Spatial Characteristics	106
12	Comparison of the Case Studies' Aims and Tasks	107
13	Comparison of the Case Studies' Organisational Structure	109
14	Characteristics of Existing EGTCs – Situation July 2012	187

List of Abbreviations

AEBR	Association of European Border Regions
CETC	Central European Transport Corridor
CESCI	Central European Service for Cross-Border Initiatives
CoR	Committee of the Regions
DG Regio	Directorate General Regional Policy
EAFRD	European Agricultural Fund for Rural Development
EC	European Commission
ECG	Euroregional Co-operation Groupings
EEIG	European Economic Interest Group
e.g.	exempli gratia
EGCC	European Grouping of Cross-border Cooperation
EGTC	European Grouping of Territorial Cooperation
EMFF	European Maritime and Fisheries Fund
ERDF	European Regional Development Fund
ERIC	European Research Infrastructure Consortium
ESDP	European Spatial Development Perspective
ESF	European Social Fund
ESPON	European Observation Network for Territorial Development and Cohesion
ETC	European Territorial Co-operation
EU	European Union
EUKN	European Urban Knowledge Network
GDP	Gross Domestic Product
MOT	Mission Opérationnelle Transfrontalière
NGO	Non-Governmental Organization
PR	Public relations
SME	Small and Medium Enterprises
TA	Territorial Agenda
VAT	Value-Added Tax

Abstract

This diploma thesis sets out to analyse the applicability of the instrument 'European Grouping of Territorial Cooperation (EGTC)' in the transnational and interregional non-contiguous cooperation. EGTCs that are applied in spatially non-contiguous cooperations are called 'Network-EGTCs'. As no scientific research about network-EGTCs has been made so far, this diploma thesis fills this research gap.

As a basis for the analysis, a literature review on the instrument EGTC in general and its historic background was conducted. In addition the scientific literature has been searched for characteristics of non-contiguous cooperations and different stakeholders were interviewed for their estimations about network-EGTCs. The so far existing and planned network-EGTCs have been explored. Out of these network-EGTCs two case studies – the E.G.T.C. Amphictyony and the planned CETC-EGTC – have been examined in depth. Their characteristics have further been compared with the information about EGTCs and non contiguous-cooperations in general.

It was found out that network-EGTCs show advantages from ordinary non-contiguous cooperations. Additionally, it was discovered that network-EGTCs do not differ in their character as much as it had been expected from EGTCs established in the cross-border cooperation. This applies also to the establishment process as well as to the fulfilment of the instrument's potentials. In general all EGTCs show discrepancies between planning and practice. Only a few differences have been discovered. Contrary to expectation network-EGTCs show only certain disadvantages but also advantages compared to EGTCs in the cross-border cooperation.

This thesis delivers evidence that EGTCs are applicable in the transnational and interregional cooperation when certain preconditions are fulfilled. Then they can contribute to a successful transnational and interregional cooperation.

Recommendations were given to territorial non-contiguous cooperations that are considering to establish an EGTC.

It is expected that more network-EGTCs will be established in the future due to the higher experience and knowledge about network-EGTCs.

Declaration of Authorship

I, Beate Caesar, hereby declare that I have written this diploma thesis on my own and that I have not used any other sources than those indicated.

Bonn, 17th August, 2012

Beate Caesar

Acknowledgements

Firstly, I would like to thank my supervisors Univ.-Prof. Dr.-Ing. habil. Karina M. Pallagst and Dr., M. Arch. Giancarlo Cotella that accompanied my work and offered me important advice and support.

Secondly, I would especially like to thank Marta Ciesielska (CETC initiative) and Vassilis Xenos-Gabrielis (E.G.T.C. Amphictyony) that took the time to give me interviews and answer questions as part of my case studies. Special thanks goes to Aphrodite Kamara for acting as interpreter in the interview with Mr. Xenos-Gabrielis. I would also like to thank Antonios Karvounis from the Hellenic Ministry of the Interior and Thomas Lantz, vice president of the parliament of Skåne for taking time to give me additional interviews.

Furthermore, I thank all stakeholders interviewed about their opinions of network-EGTCs: Elise Blais, Jens Gabbe, Jean Peyrony, Gyula Ocskay, Alfonso Alcolea Martínez, Lucas Reichel, Jan Olbrycht and Dirk Peters.

Additional thanks goes to Mart Grisel, Jörg Saalbach and Maria-Ilona Kiefel for giving me insight into their plans on establishing a network-EGTC.

Besides that I would like to thank all stakeholders from the transnational and interregional European Territorial Cooperation Programmes that have informed me about the programmes' position towards EGTCs.

Finally I would like to thank everybody else that supported me during the writing of this diploma thesis.

0 Introduction – Research Question – Methodology

0.1 Introduction

The EGTC is a new tool of European Territorial Co-operation with its own legal personality. It was introduced in the programming period 2007-2013 of the Structural Funds of the European Union (EU) (European Parliament and Council, 2006b, art.18). After a slow starting period the first EGTCs were established in 2008, nine out of 29 existing EGTCs were established in 2011 and three have been established since then (Committee of the Regions, 2011c).¹ More EGTCs are under preparation.

The European Territorial Co-operation consists of cross-border, transnational and interregional cooperations. However, when discussing the creation of a European grouping, the instrument was first called 'European Grouping of Cross-border Cooperation' (European Commission, 2004, p.2). To avoid misunderstandings and to offer the grouping to all three cooperation areas the name was changed and generalized later in the negotiations about the regulation (Olbrycht, 2005, p.5). Despite the change of its name, most of the currently existing EGTCs belong to the cross-border type, in which the EGTC members are situated in a spatial adjacent area. At least one national border is crossed. So far only the members of two EGTCs have shown a longer distance among each other. Because of their spatial distances they are called 'network-EGTC'. This network type applies to the interregional respective transnational cooperation. EGTCs have not been researched with respect to their applicability in this area yet.

0.2 Purpose of the Study and Research Question

The aim of this thesis is to analyse the applicability of the instrument EGTC in the transnational and interregional cooperation. Thus EGTCs that lead cooperations whose members do not show any immediate spatial proximity to each other – so called 'network-EGTCs' – will be explored to fill the research gap.

Especially two network-EGTC - case studies – the already existing 'E.G.T.C. Amphictyony' and the planned 'CETC-EGTC' – will be explored in depth.

¹ Until the time of writing, in the middle of July 2012.

The following questions are to be answered:

- * Why has there been such a small amount of network-EGTCs so far?
- * Which spatial characteristics, aims & tasks and organisational structure do network-EGTCs show in comparison to EGTCs in the cross-border cooperation?
- * How does the establishment process of network-EGTCs differ to the one of cross-border EGTCs?
- * Are there any differences in the practical execution and the fulfilment of the EGTC's potentials between network-EGTCs and cross-border EGTCs?
- * What will the future usage of network-EGTCs in the interregional and transnational cooperation look like? Will the new programming period 2014-2020 of the Structural Funds and the revised EGTC regulation have impacts on this future?

0.3 Structure of the Thesis

The diploma thesis consists of six parts: In the **first chapter** the historical background of the instrument EGTC is presented. The reasons for the emergence of EGTCs as an instrument for territorial cooperation at that time are illustrated. Looking at the history of territorial cooperation as well as the European political context develops the basis for the further research.

In the **second chapter** the operational framework of EGTCs is presented. First the concept EGTC will be illuminated in presenting its legal framework and its potentials. Then the practice of EGTCs is shown to illustrate the variety of existing EGTC forms. This chapter serves as a further introduction to the topic and provides the basic information about EGTCs.

In the **third chapter** network-EGTCs are presented. First the reasons are given why the instrument changed its name from 'European Grouping of Cross-border Cooperation' (EGCC) to 'European Grouping of Territorial Cooperation' (EGTC). Then the characteristics of cooperations on a non-contiguous territory are shown. This is followed by a presentation of the opinions of relevant stakeholders dealing with EGTCs about the special characteristics of network-EGTCs. Afterwards the status quo of the currently existing and planned network-EGTCs is presented and discussed by the stakeholders. At the end of this section the stakeholders' opinions about possible areas of application of network-EGTCs are shown. These pieces of information form the basis for the following case studies.

In the **fourth chapter** two network-EGTCs are analysed in depth. The first case study concerns the 'E.G.T.C. Amphictyony' which is the most advanced network-EGTC. In the second case study the planned 'CETC-EGTC' is analysed. First their spatial characteristics, aims & tasks, the organizational structure and the establishment process are presented. After that the practical execution and the fulfilment of the EGTC's potentials of the first case study that already exists are evaluated

by its director.

Then a comparison between the two cases is drawn to find out about the potential general characteristics and similar courses of action in the establishment process of network-EGTCs. Afterwards it is estimated if the potentials of the instrument EGTC can be fulfilled in the practice of the planned 'CETC-EGTC'. The chapter ends with a conclusion about general characteristics of network-EGTCs.

In the **fifth chapter** the differences of network-EGTCs to those used in a spatial adjacent area (cross-border cooperation) are illustrated. They are based on a comparison of the results of the field research and the characteristics named in the scientific literature about general characteristics of EGTCs.

In the concluding **sixth chapter** an evaluation of the applicability of EGTCs in the transnational and interregional cooperation is conducted. Recommendations for network-EGTCs are given. Then the future of network-EGTCs is discussed especially against the background of the new Structural Funds period 2014-2020.

An overview about the course of action of this thesis is given in figure 1, p.4.

0.4 Methodology

The methodology of this thesis is based on three methods: a literature review, a comparative case study and interviews.

Literature Review

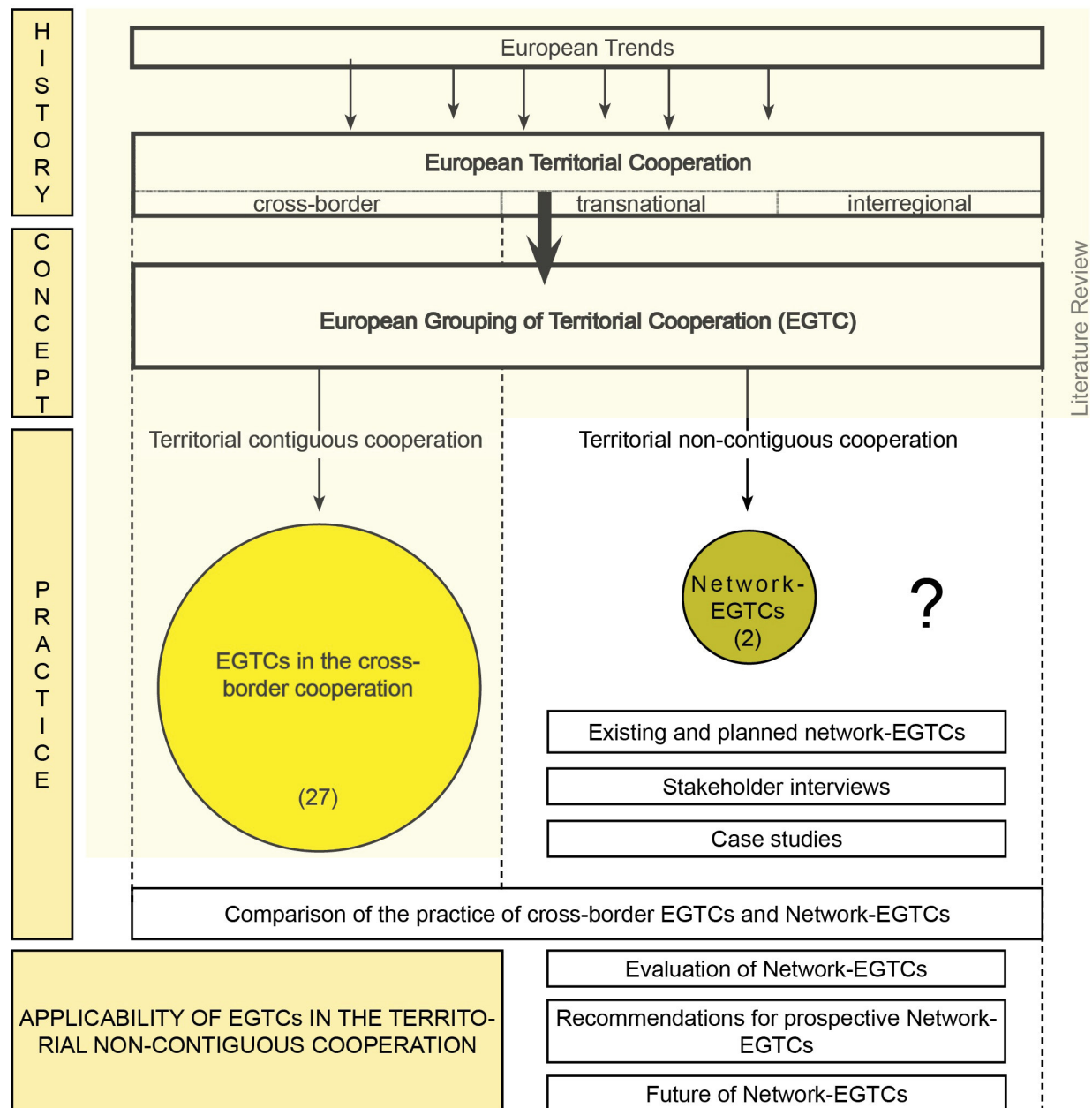
The literature review focussed on two main topics: the historical background of EGTCs and the instrument of EGTC itself. The theoretical premises and key literature were mainly based on legal and political EU documents, scientific research papers and scientific literature, respectively.

The method of a literature review was chosen as a substitute for the traditional theoretical framework. Its aim is to summarize the current information about EGTCs provided by scientific literature. This review was the basis for the further study of network-EGTCs in practice.

Comparative Case Study

To get a deeper knowledge of network-EGTCs it was necessary to use the method of a case study (qualitative analysis) because network-EGTCs have not been explored before and not enough network-EGTCs exist to conduct a quantitative statistical analysis.

Case studies are in particular applicable to conduct a diachronic analysis or to explore so far insufficiently researched areas of knowledge (Yin, 2003, p.42). In this thesis an 'instrumental case study' was conducted (Stake, 1994, p.237): The findings were used to establish general hypotheses about the instrument network-EGTC. To minimize the risk of a deviant case (Nohlen, 2010,

Figure 1 – Flow Chart of Research

Source: Own illustration, Bonn, August 2012

p.252) and a low significance, two case studies were conducted and compared. Their common features were used to draw conclusions about general characteristics of network-EGTCs.

Interviews

As the thesis explores a new research field in which there have been not many institutions so far, it is necessary to focus on the actors to develop possible explanations of phenomenons. This thesis follows the approach of the 'actor-centered institutionalism', developed by Mayntz and Scharpf in 1995. In accordance with this approach the analysis is mainly based on interviews of actors involved in the research subject of the thesis.

The approach considers actors as the 'proximate cause' whereas the institutions are seen as the framework, and less important for the result ('remote cause') (Mayntz and Scharpf, 1995, p.44ff.). According to Mayntz and Scharpf there are different types of actors that can be included in the analysis: individual actors, corporative actors that represent more persons and 'quasi-groups', that react the same on a stimulus or because of a domino effect (Mayntz and Scharpf, 1995, p.44ff.). In this thesis corporative actors, representing different members of an association were polled.

The interviews were conducted to broaden the information accessed in scientific literature and to clarify questions and statements that arose. Additionally, gaps in scientific research were to be filled. This was important to deliver a convenient basis for the empirical research which itself was also based on interviews.

Most interviews were conducted by phone, some by email correspondence and the interview with the existing case study E.G.T.C. Amphictyony was conducted on-site visit and connected with an observation of the work flow and the organization.²

The first chapter of this thesis presents the roots of the instrument EGTC.

²An overview about the conducted interviews is provided in the appendix (see chapter A.2, p.182).

1 Historical Background of the EGTC

With the introduction of the legal instrument EGTC in 2006 the EU aimed at meeting the demands for a European-wide legal foundation for territorial cooperation¹ which at that time had been already discussed for at least 15 years (Spinaci and Vara-Arribas, 2009, p.5). Furthermore, the EU reacted to political changes and current trends in the EU (Spinaci and Vara-Arribas, 2009, p.6). In the following two sections the background for the emergence of the EGTC regulation is illustrated.

1.1 The Development of Territorial Cooperation in the EU

Beginnings of territorial cooperation

Already in the Middle Ages first forms and preliminary phases of cooperations across borders had existed (Speer, 2010, p.39), (Görmar, 2002, p.51). However, after the end of the Second World War the first territorial cooperations, according to today's understanding, had begun (Görmar, 2002, p.52), (Deppisch, 2006, p.50). Additionally, umbrella organizations for European cities and regions had been founded for an exchange of information and for the representation of the border regions like the Association of European Border Regions (AEBR) (Görmar, 2002, p.52). Furthermore, first initiatives for spatial planning across national borders had started (Dühr, Stead, et al., 2007, p.292). Apart from these cross-border cooperations² also interregional cooperations arose through twinings of cities (Görmar, 2002, p.51f.).

Madrid Outline Convention

A special inter-state agreement was developed by the Council of Europe in 1980 in cooperation with the AEBR (Gaissert, 2002, p.34): the 'European Outline Convention on Transfrontier Cooperation between Territorial Communities or Authorities' (short: 'Madrid Outline Convention'). It provides a legal and organisational framework for cross-border cooperations on a public and private law basis (Gabbe and Malchus, 2008, p.42) (Halmes, 2002, p.19), (Gaissert, 2002, p.35).³

¹ Territorial cooperation in the EU in case of this thesis always comprises that at least one national border is crossed, meaning that the cooperation comprises actors from different national territories of the EU.

² In this thesis the term 'cross-border cooperation' is used exclusively to describe the cooperation between spatially adjacent areas across one or several national borders.

³ Before territorial cooperations were only based on protocols or agreements and therefore had no legal power and could only give recommendations (Gabbe and Malchus, 2008, p.42f.).

The aim was to eliminate barriers for cooperations that existed because of different national regulations. The signing countries of the Madrid Convention have committed themselves to support territorial cooperations. However, to establish a cooperation additional agreements between the concerned countries were required. So the treaty was not considered as a direct legal basis for the cooperation of territorial authorities. Not before the 90s, did initiatives start to establish direct legal bases on the convention's basis (Halmes, 2002, p.19).

An example is the 'Isselburg-Anholt agreement' of German and Dutch regions. The agreement enabled the cooperating partners to manage a cross-border programme by having a common institutional structure: a special purpose association⁴ (Halmes, 2002, p.21ff.). The management included the "planning, implementing, monitoring, funding [and] assessment" of the programme (Gabbe and Malchus, 2008, p.44). However, the legal basis was limited to the cross-border region and the local level. Other examples were the 'Joxe-Marchand'-law, 'Vertrag von Mainz' and the 'Karlsruher Übereinkommen'.⁵

Initially the convention was only valid for directly neighbouring regions but in 1996 and 1998 the Madrid Convention was complemented by two protocols and also made applicable for entities that did not share a common border (Halmes, 2002, p.19), (Arnaud, 2002, p.18). Additionally, actions, decided on in the cooperation, became valid in the domestic laws of all countries involved. Bodies established in the cooperation got a legal status (Arnaud, 2002, p.18). However, not all members of the Council of Europe have signed the agreement and its protocols so far, which constricts their usability (Halmes, 2002, p.23).

Changed awareness about the importance of territorial cooperation

Over the years it was recognized that the territory is influenced by transboundary factors, like climate change, that do not stop at national borders but concern broader areas: The study 'Europe 2000' of the European Commission (EC) from 1991 therefore stated that spatial planning should not stop at national borders. Instead the share of information and experience in the field of spatial planning in Europe was to be enforced (European Commission, 1991, p.3f.). This resulted in the INTERREG initiative and the European Spatial Development Perspective (ESDP) (Dühr, Stead, et al., 2007, p.293).

In the ESDP, published in 1999, the ministers of the member states responsible for Spatial Planning decided voluntarily on jointly working "towards a balanced and sustainable development" (Committee on Spatial Development, 1999, preface) of the EU territory. It provided common goals and concepts for the development of the EU and became the reference framework for the

⁴The German official term was 'Grenzüberschreitender Zweckverband'.

⁵Read more about these contracts in (Halmes, 2002, p.21ff.), (Deppisch, 2006, p.51ff.), (Bräutigam, 2009, p.61), (Houbart, 2008, p.11).

spatial development of the EU (Ahlke, 2008, preface). The further development of the ESDP was published in 2007 under the name Territorial Agenda (TA) (Dühr, Stead, et al., 2007, p.293) (see more in chapter 1.2.3, p.16).

EU support for territorial cooperations

The INTERREG initiative was already prepared by the EU in the 1980s. The initial idea of the European Parliament, proposed already before the 'Madrid Outline Convention', was to establish cross-border regional associations of local and regional authorities with self-administrative tasks in public services as legal persons (Engl and Woelk, 2011, p.6). However this idea was not pursued further: The European Commission argued that the member states should develop such a framework themselves and the legislative basis to develop such a regulation would be missing. Instead the European Commission preferred to support the completion of the internal market (Engl and Woelk, 2011, p.7). It expected territorial cooperations to support the cohesion in the EU, the regions' economic development progress and the implementation of other sectoral EU policies by the regions and member states of the EU (Millan, 1994, p.21).

Through the INTERREG initiative the EU was able to steer cooperation subjects and focus the attention on topics that were considered to be important (Dühr, Colomb, et al., 2010, p.233). Territorial cooperation always implies an abdication of autonomy. Therefore the financial support provided by the initiative has been crucial for the success of the INTERREG initiative and for the emergence of territorial cooperation (Ritter and Fürst, 2009, p.148f.), (Perkmann, 2003, p.167). The support has grown over the years (European Commission, 2002, p.8) and got popular very fast (Gabbe and Malchus, 2008, p.40f.). The funds could be transferred to a common structure of the respective cooperation which could administrate them for all members (European Commission, 2002, p.7).

After the first financial incentives had been tested through pilot projects in 1988 the Regional Policy of the EU officially introduced the INTERREG initiative in 1990 (Schäfer, 2003, p.116), (Halmes, 2002, p.20), (Ritter and Fürst, 2009, p.144).

In the beginning only cross-border cooperations were supported. However, over the years also transnational cooperations (1997) and interregional cooperations (2000) became feasible (see figure 2, p.10). In 2002 the European Commission stated that the regions had to "take into account not only neighbouring regions but also those further afield and [had to] cooperate at the cross-border, transnational and interregional level" (European Commission, 2002, p.6) to be ready for the future. Still the first strand (cross-border cooperation) has stayed the main and most supported element (European Commission, 2002, p.6 and 8ff.).

The thematic focus and aims have changed over the years. In the beginning the cooperations

concentrated on common spatial planning issues and aimed at the support of European integration and the implementation of the ESDP (Gabbe and Malchus, 2008, p.40f.), (Schäfer, 2003, p.115 and 124ff.), (Dühr, Colomb, et al., 2010, p.235). Since INTERREG III the contribution to economic and social cohesion has been pursued through an additional territorial approach (see chapter 1.2.3, p.16) (Schäfer, 2003, p.93), (European Commission, 2012d). The third INTERREG period put special attention to the external borders of the EU in the face of the coming eastern enlargement (European Commission, 2002, p.46). In the current INTERREG initiative⁶ the funding is dedicated to the realisation of overarching goals of the EU like the Lisbon and Gothenburg Strategy and the Territorial Agenda (Fleischhauer, 2009, p.2)⁷ and no longer to the application of the ESDP (Dühr, Stead, et al., 2007, p.295).

Figure 2 – History of the Different Strands of INTERREG 1988-2013

HISTORY OF THE DIFFERENT STRANDS OF INTERREG (1988-2013)			
<i>Phase</i>	<i>Strand A</i>	<i>Strand B</i>	<i>Strand C</i>
Test Phase (1988-1989)	Pilot projects		
INTERREG I (1990 -1993)	Cross-border Coop. (CBC)		
INTERREG II (1994 - 1999)	CBC	CBC Energy&Traffic	Since 1997: Transnational Coop.
INTERREG III (2000-2006)	CBC	Transnational Coop.	Interregional Coop.
INTERREG IV (2007-2013)	CBC	Transnational Coop.	Interregional Coop.

Source: Own illustration, Bonn, May 2012, based on (European Commission, 2000, para.I(6.); para.IV), (European Commission, 2011a, p.10), (Gabbe and Malchus, 2008, p.40f.), (Schäfer, 2003, p.115)

The importance of the initiative has been growing until the present. INTERREG II (1994-1999) was classified as the most important community initiative at the time, became a core area of the European Regional Development Fund (ERDF) (Ritter and Fürst, 2009, p.145) and was considered to be especially important for the European integration process (Schäfer, 2003, p.124ff.), (Dühr, Colomb, et al., 2010, p.235). The third INTERREG period (2000-2006) was acknowledged as the most important instrument for implementing the ESDP (European Commission, 2002, p.7) and renamed from cross-border to 'transeuropean' cooperation because of its broader applicability (Schäfer, 2003, p.152). In the current funding period, a fundamental change has taken place: The regulations of the Cohesion Policy have been changed and the territorial cooperation in the EU has become a political objective of the EU Structural Funds (Ritter and Fürst, 2009, p.146 and p.148). Therewith INTERREG IV became a mainstream programme (Fleischhauer, 2009, p.2).

⁶INTERREG IV was from then on officially renamed as 'European Territorial Co-operation'. See more in chapter 1.2.3, p.16.

⁷In 2010 the Lisbon Strategy was redeemed by the Europe 2020 Strategy and in 2011 the Territorial Agenda (TA) by the TA 2020. Both strategies are to be supported by the territorial cooperation.

Before INTERREG had been a community initiative and as such an instrument for the Structural Funds of the Commission. The Commission had the say: It could decide widely autonomously about the contents of the initiative which directly aimed to fulfil of the Structural Funds objectives. This does not apply to the mainstream programmes which INTERREG belongs to now (Westermann, 2007, p.105f.).

Parallel to INTERREG other community initiatives contributed to foster interregional cooperation through the EU Structural Funds: In RECITE I and II (Regions and Cities of Europe) (Millan, 1994, p.21), (Dühr, Colomb, et al., 2010, p.235f.) and the ECOS-Ouverture I and II-initiative pilot projects exchanged experiences in special sectoral subjects (Dühr, Colomb, et al., 2010, p.235f.). Additionally, the Urban Pilot Programme was started in 1990 which promoted social and economic cohesion in cities through urban renewal and innovations (European Commission, 1998). Furthermore, twinning cities were supported by the EU in their exchange of experience (Görmar, 2002, p.52f.).

Additional EU funded programmes for the cross-border cooperation with non-member states followed over the years (Gabbe and Malchus, 2008, p.40f., p.68).

- It can be seen that the INTERREG initiative has strongly shaped, supported and advanced territorial cooperations in the EU. Over the years the cooperation has become more diverse in subjects, purposes, scales and composition of partnership (Houbart, 2008, p.4f.). Therewith the requirements for the management of territorial cooperation programmes and projects funded by the EU have grown and become more complex.⁸

However, besides the financial support of the EU through the INTERREG initiative the EU has not provided the cooperating authorities with a legal framework for territorial cooperations (Halmes, 2002, p.20) although there has been an increasing demand for a legal structure of European-wide cooperations.

Problems in territorial cooperation

Local and regional authorities reported to be overburdened because the requirements for EU funded projects and programmes had grown (Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, 2011, p.3). Another negative aspect was that a high percentage of the EU funds was used for the project and programme administration and not – as planned – for the implementation of projects (Halmes, 2002, p.20).

Many territorial cooperations experienced problems because of different legal provisions in the member states (Halmes, 2002, p.20), (Arnaud, 2002, p.12), (Janssen, 2006, p.10). This led to

⁸Read more in (BBSR, 2007, p.2f. and 5f.), (Ritter and Fürst, 2009, p.147), (European Parliament and Council, 2006a), (European Union, 2010), (Gabbe and Malchus, 2008, p.68ff.), (Council of the European Union, 2006).

discrepancies inspite of their legal agreements on the cooperation (Halmes, 2002, p.20 and 27). Also no mutual binding obligations of action could be decided on (Ritter and Fürst, 2009, p.150). The regulations for the financial and accounting bases for the organisation of the cooperation often differed. These differences explain the low institutionalisation rate of territorial cooperations (Gärditz, 2009, p.118f.).

Already in 1992 it was concluded that the transfrontier cooperation needed a legal status to institutionalize the cooperations (European Commission, 1994, p.9 and p.44f.). Halmes indicated a classification of handicapped and favoured regions depending on the characteristics of the co-operating regions. This resulted from the lack of legal structures of cooperations across borders. Cooperations of regions with different official languages and legal and administrative structures had to deal with more problems (Halmes, 2002, p.20f.). It was acknowledged that it would be difficult to find an appropriate form for territorial cooperations (Landaburu, 1994, p.94).

It was criticized that the local and regional authorities depended on the national levels: Neighbouring regions and communities could only start a cooperation when the national levels had made contracts with each other (Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, 2011, p.10). The regional and local authorities would have to communicate via the national levels (G.-R. Damm and Moll, 1992, p.98). It was said to be especially problematic when the national levels did not consider these cooperations to be important – as it was often the case (Houbart, 2008, p.5). Therefore it was demanded to strengthen the bottom-up approach so that the local and regional levels themselves could benefit from European integration (Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, 2011, p.10), (G.-R. Damm and Moll, 1992, p.98).

These problems were experienced although according to Dühr et al. the INTERREG funding – especially for the transnational and interregional strand – would be mainly dedicated to "soft" measures, which intended to help overcome legal, administrative and institutional differences across Europe" (Dühr, Colomb, et al., 2010, p.349).

The European Commission also announced that the application of the existing instruments for territorial cooperations (Madrid Outline Convention and European Economic Interest Group (EEIG))⁹ had not led to satisfying results (European Parliament and Council, 2006b, para.4f.).

Therefore an EU-wide legislative basis for territorial cooperations was demanded, that should simplify the management of a cooperation independent of the member states (Ritter and Fürst, 2009, p.139), (Halmes, 2002, p.20 and 27), (Gärditz, 2009, p.118f.), (G.-R. Damm and Moll, 1992, p.98), (Kistenmacher and Saalbach, 1992, p.84), (Dizdarevic, 2011, p.5). Especially cross-border regions demanded this urgently (Spinaci and Vara-Arribas, 2009, p.6).

⁹See more in chapter A.1, p.175.

Other European trends that fostered the creation of EGTCs are presented in the next section.

1.2 European Trends – Changes in the Political Context of the EU

During the development of territorial cooperations in the EU, the political context of the EU has also changed. Several European trends have influenced territorial cooperations and have lead to the creation of EGTCs.

1.2.1 Globalization and Europeanization

Globalization has effectuated stronger cooperations across borders. Through globalization the autonomy of the national states has been weakened and the regions and cities have started to compete for investments. It has become interesting to foster the development of cities and regions because these have increasingly been considered as 'territorial capital'.

Furthermore, the mutual functional dependency among places caused by globalization has made cooperations across borders possible and necessary (Dühr, Stead, et al., 2007, p.292).

The process of globalization has been facilitated by a better infrastructure (new communication technologies and improved ways of transport). It has been easier to cover long distances. The accessibility between places in Europe has also been strengthened by the Monetary Union and the Single European Market (Dühr, Stead, et al., 2007, p.292f.).

Europeanization describes the processes and changes in member states that are caused by European influence. European influence can evolve out of EU legislature, politics but also out of "cognitive and normative frame[s]" (Dühr, Stead, et al., 2007, p.296ff.) towards which the member states orient themselves (Dühr, Stead, et al., 2007, p.295ff.).

The contribution of territorial cooperation across borders to horizontal Europeanization¹⁰ – fostered especially by the INTERREG initiative – has been questioned in scientific literature. The learning effects expected in spatial planning which were considered to be the main purpose of the territorial cooperation have not been said to be fulfilled satisfactorily (Dühr, Stead, et al., 2007, p.299). Reasons are that first the cooperation initiative is pretty new, second national and European rules differ and third there is an "institutional and political resistance to change[s]" (Dühr, Stead, et al., 2007, p.299) that are not obligatory in many member states (Dühr, Stead, et al., 2007, p.299f.). Adams et al. acknowledge the firm differences in politics and administration among the member states and state that these would prevent a full Europeanization of spatial

¹⁰Europeanization takes action from different directions. First from the EU level to the member states (top-down) but second also bottom-up through lobbying and initiatives started at local, regional and national level as well as third horizontal (between the member states) and forth circular (Dühr, Stead, et al., 2007, p.298).

planning (Adams et al., 2011, p.8). Additionally, Dühr et al. criticize that the frequent changes in the legal framework behind the INTERREG initiative and its funds take cooperations a long time for amendment. So there is not much time left that can be dedicated to the cooperations themselves (Dühr, Stead, et al., 2007, p.300). Therefore they proposed to review the regulations for the territorial cooperation to make the projects show more long-term benefits (Dühr, Stead, et al., 2007, p.295ff.).

1.2.2 Decentralisation, Subsidiarity and Multi-Level Governance

According to Gu and Perkmann, globalization and the European integration were compulsory provoking a shift of structural competences in the member states of the EU (Perkmann, 2003, p.167): The national states were too small for big tasks and too big for small tasks (Gu, 2002, p.7).

In the beginning, the member states strongly influenced cross-border structures and were reluctant to give more competences to the local and regional levels. They were afraid of losing their authority (Perkmann, 2003, p.167). However, already in the 1980s, the principles of subsidiarity and mutual exchange were strengthened in the European Union. This was achieved first through the European Charter of Local Self-Government which gave municipalities the right to be part of international unions of their kinds and cooperate with other municipalities in between the legal conditions of their national laws. Secondly, the Committee of the Regions was founded in 1988 (Deppisch, 2006, p.53) which became an institution of the European Union in 1994. Since then it has represented the European local and regional authorities at the European institutions to give them a say (Committee of the Regions, accessed 2012[c]). Furthermore, it has supported the exchange between the local and regional levels on common problems (Gaissert, 2002, p.31). Third the 'Maastricht Treaty' anchored the principle of subsidiarity in 1992 (Hermanns, 2011, p.166).

In recent years, supported by the Territorial Agenda for instance, the trends of regionalisation and decentralisation have been further increased in many member states of the EU. This meant a rise of responsibilities for the sub-national levels (Spinaci and Vara-Arribas, 2009, p.7), (Waterhout, 2011, p.90).

The local and regional levels were said to have become actors of European politics through further global and European initiatives that supported cross-border regions (Gu, 2002, p.9). Gärditz underlined the need to address the sub-structures of the member states in community law (Gärditz, 2009, p.119f.).

The further enlargement of the EU and the danger that the EU- institutions might lose their contact to the European citizens pushed the process of multi-level governance¹¹ (Gaissert, 2002, p.31).

¹¹ Multi-level governance in short describes the spreading of authority on different levels and sectors and the cooperation between governmental and activated non-governmental actors (Dühr, Colomb, et al., 2010, p.98).

Its need has therefore been anchored, for instance, in the 'White Paper on European Governance' of the European Commission, published in 2001. This document demands that the European citizens should be better involved in the European policy (European Commission, 2001, p.3).

These topics mentioned above have also been regarded as crucial for the territorial cooperation. The current regulation of the Cohesion Policy¹² and the current ERDF regulation¹³ both underline the importance of the involvement of the local level and the principle of subsidiarity in the territorial cooperation (Council of the European Union, 2006, preface para.23 and 25), (European Parliament and Council, 2006a, preface para.7).

Already in 2002 Locatelli stated that the territorial cooperation should be the responsibility of the relevant levels which are directly concerned and competent because of their closeness to the case (Arnaud, 2002, p.19). This was acknowledged by Gärditz (Gärditz, 2009, p.119).

Gaissert stated that cross-border cooperation was a means to implement European integration from bottom-up (Gaissert, 2002, p.32).

In the development process of the Territorial Agenda (TA), compared to the development of the ESDP in which only the member states and the European Commission have been involved, also cities, regions and private stakeholders have participated (Battis and Kersten, 2008, p.31).

In the TA itself the importance of multi-level governance was underlined and the new expression 'territorial governance' was introduced in 2007. The TA supported the contribution of non-governmental organisations and economic stakeholders to territorial cohesion. Territorial governance is said to be secured by the connection of urban and regional policies as well as by territorial cooperation (Battis and Kersten, 2008, p.11 and 32). Also in the newly revised and re-named TA (2011), the 'Territorial Agenda of the European Union 2020', multi-level governance is said to be important. It is said to be needed to contribute to the implementation of the subsidiary principle and to ensure an equal and balanced contribution of European actors from different levels to territorial cohesion (Committee on Spatial Development, 2011, chapt.I para.11 and chapt.IV para. 40).

In the Europe 2020 Strategy the involvement of actors of different levels is said to be crucial, too (European Commission, 2010, p.4).

To strengthen multi-level governance and a decentralisation in territorial cooperation, however, a legal basis was needed which was given by the EGTC regulation.

¹²Council regulation No. 1083/2006 about the general provisions of the funds.

¹³Regulation No. 1080/2006.

1.2.3 Territorial Cohesion

Over the years the territorial dimension in the EU Cohesion Policy was fortified.¹⁴

In 1987 the European Union introduced the Cohesion Policy to reduce the disparities among the member states (Committee of the Regions, 2003, p.8). At that time the Cohesion Policy focussed only on economic and social aspects (Committee of the Regions, 2003, p.7f.). Territorial aspects with regard to cohesion were neglected. This was partly because the EU did not have the competence for spatial planning and the territorial development had also not been in its general responsibility (Committee of the Regions, 2003, p.8).

However, over the years the importance of the territory for European cohesion has grown because of different studies.¹⁵ Those found out that the European regions, although benefiting of the Community funds and improving their economic and social level, showed increasing disparities within their own territories: The regional policy until 2003 had fostered the agglomeration of economic activities and people but not an even dispersion, so that parts of regions became even poorer and socially weak. These differences were not measurable with the GDP per head of the regions. Subsequently the EU was demanded to introduce the territorial dimension into Cohesion Policy: The territory had to be looked upon more in detail when fostering cohesion (Committee of the Regions, 2003, p.10ff. and 89f.).

Based on this demand, the territorial dimension has been inserted in many legal documents of the EU like in the Amsterdam Treaty (1997) (European Union, 1997, art.16), the Lisbon Strategy (2000) (Faludi, 2007, p.569), the Territorial Agenda (2007) (Committee on Spatial Development, 2007, chapter I, No.4) and the Lisbon Treaty (2007). The latter introduced the shared competence for the economic, social and, for the first time, the territorial cohesion (European Union, 2007, art.2c). The amended version of the Lisbon Treaty of 2008 fully introduced the territorial dimension of the Cohesion Policy as a basic goal of the European Community in primary law (European Union, 2008, art.3), (Ritter and Fürst, 2009, p.105). Therewith the European Commission intended to better integrate the territorial dimension in the EU policies. Also the member states were asked to consider the territorial dimension in their policies and cooperation among each other (European Commission, 2008, p.9ff.).

The importance of the territorial dimension was also taken up in the Europe 2020 Strategy (Euro-

¹⁴Read more about the definition of Territorial Cohesion in ARL (2008): "No. 78 – The Territorial Cohesion Principles – Position paper to the EU Green Paper on Territorial Cohesion", p.5ff. and Ritter, Ernst-Hasso; Fürst, Dietrich (2009): "Europäische Raumentwicklungspolitik – Inhalte, Akteure, Verfahren, Organisation", p.105ff.

¹⁵The most important studies were the ESDP (1999), the Sixth Periodic Report on the Social and Economic Situation and Development of the Regions of the European Union and the Third Cohesion Report (2004) and a study of the Study Group for European Policies of the Committee of the Regions in 2003, read more in: Committee of the Regions (2003): Territorial Cohesion in Europe, p.10ff.

pean Commission, 2010, p.20).

Faludi describes territorial cohesion as an "umbrella concept" that comprises several areas: It should for instance support the balanced development of the EU, the EU's competitiveness, sustainability and protection of its environment (Faludi, 2007, p.569).

The final factor influencing the EU political context towards the EGTCs was the rise of territorial cooperation to an objective of the EU Cohesion Policy (Spinaci and Vara-Arribas, 2009, p.6): With the funding period between 2007 and 2013 the general provisions for the Structural Funds were changed. The aim was a simplification and a subsumption of different strands of the Cohesion Policy (Westermann, 2007, p.274f.). The existing community initiatives and objectives of the EU were comprised to the objectives 'Convergence', 'Regional Competitiveness and Employment' and the '**European Territorial Co-operation**' (Westermann, 2007, p.274f.) (see figure 3, p.17). With the new objectives the benefits of the Cohesion Policy were to be increased and it was to be ensured that economic, social as well as territorial characteristics were taken into account (Council of the European Union, 2006, para.9f. and 19). The European Territorial Co-operation (ETC)

Figure 3 – Cohesion Policy 2007-2013

COHESION POLICY 2007 - 2013			
Objectives	Structural Funds		
1. Convergence	ERDF	ESF	Cohesion Fund
2. Regional Competitiveness and Employment	ERDF	ESF	
3. European Territorial Co-operation	ERDF		

Source: Own illustration, Bonn, April 2012, based on (European Commission, accessed 2012[b])

objective covers the territorial aspect and promotes a cooperation across borders and among regions (Council of the European Union, 2006, preface para. 9f. and 19). It replaced the community initiative INTERREG (see chapter 1.1, p.7) (European Commission, 2011a, p.9f.).

The ETC got its own rights¹⁶ and its own budget (Gabbe and Malchus, 2008, p.68). Thus the territorial dimension gained much importance in the Cohesion Policy (Ritter and Fürst, 2009, p.148), (Faludi, 2007, p.570). Faludi indicated that the European Commission could probably use this new objective to practice an "implicit territorial Cohesion Policy [by] injecting territorial cohesion concerns into mainstream Cohesion Policy" (Faludi, 2007, p.570f.).

These changes are said to have made the creation of an appropriate legal structure for the ETC necessary (Spinaci and Vara-Arribas, 2009, p.6).

¹⁶Read more in chapter III of the ERDF regulation from 2006.

1.2.4 EGTC Regulation

Within the amended Cohesion Policy the EGTC regulation and the possibility to establish European Groupings of Territorial Cooperation was included.

The activator for the introduction of the EGTC regulation were the problems experienced in the implementation and management of territorial cooperation because of different national regulations and proceedings (European Parliament and Council, 2006b, para.2). This situation was tightened through the further enlargement of the EU which increased the amount of borders and different national regulations (European Parliament and Council, 2006b, preamble, no.5 and 8). Because of the increased awareness that the territorial cooperation was needed to strengthen the economic and social cohesion in the EU, it was decided that the conditions for the implementation and management of territorial cooperation needed to be improved.

Already in 2004, the European Parliament proposed to establish the instrument 'European Grouping of Cross-border Cooperation'. After long negotiations and changes it was renamed as 'European Grouping of Territorial Cooperation' (see chapter 3.1, p.41) (Zapletal, 2010, p.16).

The proposal was accepted due to favourable terms: The EGTC regulation had been connected with the new Structural Funds regulations and was just a small item of the big package of regulations. Furthermore, the EGTC regulation could refer to a similar regulation of the instrument 'EEIG' that already existed (Engl and Woelk, 2011, p.8ff.).

The European Parliament had been strengthened in its role through the co-decision procedure and signalized its approval to the new Structural Funds regulation if the EGTC regulation was included. The European Commission supported this because it wanted to introduce a legal instrument to simplify the administration of the cooperation programmes. Partly because of this pressure the European Council agreed on the new EGTC regulation (Engl and Woelk, 2011, p.8ff.). In this way the term territorial cooperation has been taken up in secondary law (Ritter and Fürst, 2009, p.105).

More information on the new legal instrument will be given in the next chapter.

2 Operational Framework of the EGTC

This chapter gives an overview about the instrument EGTC. It illuminates the concept EGTC and its practice.

2.1 Concept of the EGTC

The first section presents the concept of the EGTC, its legal framework and its potentials.¹

2.1.1 Legal Framework of the EGTC

The possibility to establish EGTCs has been given to the member states through the 'REGULATION (EC) No 1082/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL' – in the following simplified named 'EGTC regulation' – which has been published on 31st July, 2006 in the Official Journal of the European Communities.

Legal basis for the introduction of the EGTC regulation

The right to create the EGTC regulation was given in the third subparagraph of article 159 of the Treaty establishing the European Community² saying that if special actions beyond the funds turn out to be necessary to achieve the aim of economic and social cohesion a new law can be passed by the European Parliament and Council after the consultation of the European Economic and Social Committee and the Committee of the Regions (European Union, 2008, art.175 para.3). On the 5th July, 2006 the EGTC regulation was passed.

National provisions

The member states had to make provisions to ensure the application of the regulation (European Parliament and Council, 2006b, art.16 para.1). At least they had to appoint an authority responsible for EGTCs (European Parliament and Council, 2006b, art.4 para.4). This should have been fulfilled by 1st August, 2007 from which date on the EGTC regulation has been applicable (European Parliament and Council, 2006b, art.18). However, many member states did so with delay. Three countries have still not fully implemented the EGTC regulation: Austria, Germany and Belgium (Pucher and Radzyner, 2011, p.11). A reason for the late implementations is that there were

¹This section does not explain the whole regulation in detail, but focusses on the main legal procedures and characteristics of EGTCs and on their application.

²This right can today be found in the current consolidated version of the Treaty on the Functioning of the European Union of the 9th May 2008 in art. 175, subpara. 3.

no sanctions for non-compliance (Luciani, 2009, p.55).

Amendment of the EGTC regulation

By 1st August, 2011 the European Commission had to report on the application of the EGTC regulation and to propose amendments (European Parliament and Council, 2006b, art.17). Currently these amendments are being discussed and it is planned to amend the regulation for the next funding period (see chapter 6.3, p.151).

Aims of the EGTC regulation

The European regulation over-arches the different national regulations of the member states. It offers the option to create independent European groupings with legal personality that act on behalf of their members in the area of territorial cooperation (European Parliament and Council, 2006b, preamble, no.1ff.). The application of the instrument is optional because it was not intended to replace or to unionise other European structures of territorial cooperation (European Parliament and Council, 2006b, para. 8).

EGTC regulation as a framework for territorial cooperation

The EGTC regulation is a framework regulation. It precedes the different national regulations on territorial cooperation (Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, 2011, p.2) and is directly applicable to the member states (Maier, 2008, p.57) but does not change the competences between the EU and the member states (Ritter and Fürst, 2009, p.140). Differences among the members states' national provisions can exist. The regulation prescribes the basic terms and conditions which have to be fulfilled and leaves the concretion to the EGTC's members. These concretions have to be stipulated in the two legal documents each EGTC has to compose: the convention and statute. The documents have to be adopted unanimously by its members (European Parliament and Council, 2006b, art.2 para.1b).

Hence the EGTC regulation predetermines which concretions have to be specified in the convention and statute of each EGTC. Among others these are the EGTC's name, the members, the location of the registered office, the applicable law, the geographical and temporal scope³, the aims and tasks, the organs and their tasks, the operating provisions (decision-making, personnel management, recruitment and contracts), the EGTC's financing, the liability, the working language(s) and the provisions concerning changes of the statute (European Parliament and Council, 2006b, art.9).⁴

³In the amended version of the EGTC regulation provisions are made for that the geographical scope does not have to be determined in network-cooperations anymore (European Commission, 2011b, art.1 para.2)

⁴There are some more issues the convention and statute have to clarify that are not mentioned here because this would go to far into the legal dimension. However more issues can be found in articles eight and nine of the EGTC regulation.

Legal nature of EGTCs

With its establishment an EGTC gets the most extensive legal personality possible according to each member state's law (European Parliament and Council, 2006b, art.1). If the EGTC becomes a private or public law entity depends on the national provisions of the country in which its registered office will be located. EGTCs get the right to acquire or dispose properties, employ staff and "be party to legal proceedings" (European Parliament and Council, 2006b, art.1).

The EGTC regulation does not dictate conditions concerning the liability of its members. Still EGTCs are liable for all their debts. If the EGTC is not able to meet its liabilities its members are liable. It is possible that some members can have a limited liability as a result of their national law. If this is the case, the other members can also decide to limit their liability. However, the member states can prohibit EGTCs on their territory with limited liability (European Parliament and Council, 2006b, art.12 para.2).

Aims and tasks of EGTCs

An EGTC cannot be used for all cooperations. It is restricted to certain prerequisites: An EGTC shall contribute to economic and social cohesion.⁵ (see chapter 1.2.3, p.16) and can only be used to simplify and foster territorial cooperation⁶

Furthermore, an EGTC can only carry out tasks which all of its members are responsible for (European Parliament and Council, 2006b, art.7 para.2).⁷

EGTCs shall not be a new administrative level, but execute concrete actions (Gabbe, 2006, p.6). The EGTC regulation specifies that EGTCs should be primarily used to implement territorial cooperation projects and programmes funded by the EU. Besides they can carry out other specific actions supporting economic and social cohesion with or without EU-funding (European Parliament and Council, 2006b, art.7 para.3f.). Still the member states can restrict tasks that do not support EU funded programmes or projects (European Parliament and Council, 2006b, art.7 para.3 sub-para.3).

Further restrictions are that EGTCs are not allowed to exercise "powers conferred by public law or of duties whose object is to safeguard the general interests of the State or of other public authorities" (European Parliament and Council, 2006b, art.7 para.4) and to execute profit-oriented activities (Weinviertel Management, 2006, p.12). Yet, EGTCs can manage public funds when they

⁵At the time the EGTC regulation had been developed, the territorial cohesion had not been introduced by the Lisbon Treaty yet. Therefore the third dimension, namely territorial cohesion, is not mentioned in the regulation. In the amended version of the regulation it will be introduced (Peters, 2012) (European Commission, 2011b, art.1 para.8).

⁶Territorial cooperation is defined in the regulation as cross-border, transnational and interregional cooperation (European Parliament and Council, 2006b, art.1 para.2) (see chapter 1.1, p.7). One EGTC can work for several of these three cooperation forms (Hermanns, 2011, p.167).

⁷In the amended EGTC regulation it will be sufficient that only one of the EGTC's members has the respective competence (European Commission, 2011b, art.1 para.8).

have the task to be the administrative authority (Weinviertel Management, 2006, p.13).

Organizational structure

Location and legal status of an EGTC

An EGTC has to be established on community territory (European Parliament and Council, 2006b, art.1 para.1). Yet, in accordance with the national law of the non-EU country it can be established at the external frontiers of the EU (European Parliament and Council, 2006b, preamble, no.16). The registered office has to be in a country of which at least one of its members is located (European Parliament and Council, 2006b, art.8 para.2a).

The members have to decide unanimously on the country in which the EGTC's registered office will be established. It is a momentous decision because the EGTC will be subject to the law of this country. Its legal nature and other characteristics as well as its financial control will depend on these national provisions in matters not regulated in detail by the EGTC regulation and the EGTC's convention and statute (European Parliament and Council, 2006b, art.1 para.1c and art.6 para.1). The member state of the EGTC's registered office will monitor the EGTC's future management of public funds and can in special cases stop the EGTC (European Parliament and Council, 2006b, art.6 para.1 and art.13).

Members of EGTCs

EGTCs can consist of member states, regional and local authorities, bodies governed by public law and associations that belong to one or more of these categories. Sheer private entities are not allowed to participate (Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, 2011, p.2).

Entities from non-EU member states can also become members of an EGTC. The only prerequisite is that partners of at least two member states are involved (European Parliament and Council, 2006b, art.3).

Although the members have to be named in the statute of an EGTC prepared before its foundation, it is possible that further members are accepted subsequently. The only constraint is that the existent members and the member states agree (European Parliament and Council, 2006b, art.8 para.1 and art.4 para.6).

Organs of EGTCs

EGTCs have to consist of at least two organs: an Assembly and a Director. More organs can be established. The Assembly is made up by representatives of its members. The Director represents the EGTC (European Parliament and Council, 2006b, art.10).

The financing of an EGTC has to be regulated in the statute of an EGTC but is not predetermined by the EGTC regulation (European Parliament and Council, 2006b, art.9).

The members of an EGTC can decide to empower one member to execute all EGTC's tasks (European Parliament and Council, 2006b, art.7 para.5).

Establishment procedure

The initiative to create an EGTC should come from its prospective members.

All members have to inform the responsible authorities of their member states about their intention to join a new EGTC. The members additionally, have to submit the beforehand prepared convention and statute. The authorities then have to decide on the requests within three months. Their permission is needed for the creation of an EGTC but only in rare cases can the authorities deny the permission. This holds true if the member's participation is either not considered to be conform with the EGTC regulation or national law⁸, or if it is considered to be contrary to reasons of public interest or public policy (European Parliament and Council, 2006b, art.4).⁹ The control of the member states is said to be needed because EGTCs could manage community funds for which the member states are liable (Engl and Woelk, 2011, p.11).

When each member has received the permission to participate in the EGTC the statute has to be registered or published according to the law of the member state in which the EGTC will have its registered office. With the publication or registration the EGTC acquires its legal personality. Then the information about the establishment of the new EGTC has to be reported to the Committee of the Regions (CoR) and to the member states. Additionally, it has to be published in the Official Journal of the European Union (European Parliament and Council, 2006b, art.5).

In the following subsection the EGTC's accredited potentials shall be demonstrated.

2.1.2 Potentials of the EGTC

Flexibility of application

EGTCs are said to be an open and independent instrument for territorial cooperation (Engström et al., 2011, p.4).

First, EGTCs are said to be spatially flexible. EGTCs are not limited to cross-border cooperations (European Parliament and Council, 2006b, art.1 para.2) but can also be used on the transnational and interregional scale (Gabbe, 2006, p.9). Therefore they can either comprise very large (Houbart, 2008, p.15) or very small areas within the EU (Spinaci and Vara-Arribas, 2009, p.6ff.). It might lead to a rising number of projects in the transnational and interregional cooperations

⁸This refers also to the competences and duties of the respective member (European Parliament and Council, 2006b, art.4 para.3).

⁹If a conflict to the public interest is experienced in the practice of an EGTC, the member states can still intervene and prescribe actions or force the respective members to withdraw from the EGTC (European Parliament and Council, 2006b, art.13).

(Maier, 2008, p.57).

Second, EGTCs are said to be very flexible in their tasks and purposes (Houbart, 2008, p.12). If an EGTC implements several ETC projects at the same time it can be very cost-efficient and foster exchange among the projects (Committee of the Regions, 2010, p.17). Because it can pursue different purposes, the instrument EGTC is expected to establish ties between the European Structural Funds and other non-EU funded territorial cooperation structures (Gabbe, 2006, p.9). More cooperation projects that are not dependent on EU funding might arise (Engström et al., 2011, p.4). It is said to have the chance to become the central instrument of the integrated European spatial development and to strengthen the horizontal European Spatial Planning network (Battis and Kersten, 2008, p.31).

Third, EGTCs are expected to be very open in the composition of their members: Many different actors and governmental levels can be involved in an EGTC at the same time (Houbart, 2008, p.8 and 13), (Coen, 2010, p.98).

National states can be included, which is a unique feature of EGTCs. If the national levels are involved this might lead to a stronger support of the EGTC (Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, 2011, p.19) because it bonds the national levels closer to the respective cooperation (Engström et al., 2011, p.11). On the other hand it is also considered to be positive that local and regional authorities can lead an EGTC on their own without the involvement of the EU level or national states (Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, 2011, p.14).

Under specific conditions EGTCs are also said to be open for non-EU member states (European Parliament and Council, 2006b, preamble no.16).

Besides, according to Houbart, EGTCs are able to make agreements with private sector entities. A horizontal cooperation with these could widen the scope of the territorial cooperation by adding experience (Houbart, 2008, p.13).

Finally it is expected that the variety and large number of members offers high potentials for the cooperation and territorial cohesion (Pucher and Radzyner, 2011, p.114). Applying the principle of multi-level governance EGTCs shall be able to implement the European Commission's aim of European integration (Dizdarevic, 2011, p.12).

Contribution to European Cohesion and territorial cooperation

EGTCs are said to be able to contribute to a more balanced development of the EU territory because they can establish counter points to the 'Blue Banana', enhance urban-rural connections or pool resources in peripheral areas (Spinaci and Vara-Arribas, 2009, p.8).

Alberto Núñez Feijoo, president of the autonomous community of Galicia and member of the

CoR, sees in EGTCs the potential of bringing the "EU closer to its citizens" (Nuñez Feijoo, 2010). According to him EGTCs can improve the visibility of European integration achieved by local communities (Nuñez Feijoo, 2010).

Standardization of legal forms

The EGTC regulation shall lead to a European-wide standardisation of legislative forms for territorial cooperation (Ritter and Fürst, 2009, p.140): EGTCs are said to simplify the cooperation between authorities of different countries so that cooperations led by an EGTC do not differ from cooperations taking place within only one country (Roch and Vock, 2008, p.47). The simplification mentioned above is said to be an advantage especially for transnational and interregional cooperations which consist of entities coming from more than two member states. However, cross-border cooperations mostly involve solely two member states so that a standardization of legislative forms could have already been implemented by means of bilateral agreements (Maier, 2008, p.58).

Stabilization and intensification of the cooperation

EGTCs are said to legally stabilize and intensify territorial cooperations (Spinaci and Vara-Arribas, 2009, p.5):

EGTCs might foster the cooperation bonds among their members (Coen, 2010, p.103) because they have an indefinite lifetime in contrast to INTERREG projects. Therefore they are expected to safeguard the continuity of decision-making and of the cooperation (Houbart, 2008, p.9 and 12), (Spinaci and Vara-Arribas, 2009, p.6).

Furthermore, EGTCs are said to have a higher political and economic power than other forms of territorial cooperation (Pucher and Radzyner, 2011, p.115): First, the EGTC's commonly decided budget and organs bind its members to contribute to the cooperation (Houbart, 2008, p.12). Second, a bigger planning reliability concerning finances and staff is expected to result from the EGTC's legal stability (Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, 2011, p.8). Third, the decisions are taken democratically by all members at the same time, which is considered to be a big advantage compared to the decision-making procedures in inter-state agreements (see chapter A.1, p.175) for instance (Maier, 2008, p.62f.). Therefore the members are said to be more motivated in decision-making. As the decisions taken in an EGTC are binding (Spinaci and Vara-Arribas, 2009, p.6ff.) this opens the possibility of sanctions when the commitments are not fulfilled (Ritter and Fürst, 2009, p.140f.).

Another factor of stabilization is that EGTCs ensure the neutral coordination of their members, processes and activities (Houbart, 2008, p.12): The members are represented in an equal and democratic manner through the EGTC organs (Houbart, 2008, p.12), (Maier, 2008, p.61).

Moreover EGTCs are said to bundle forces through the consolidation of tasks and processes, so they can be used to relieve local administrations (Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, 2011, p.2 and 19).

Better implementation

In EGTCs the commitments of action between all parties involved are said to have the same impacts in all countries (Spinaci and Vara-Arribas, 2009, p.6). As EGTCs are a legal person they are expected to become an accepted member of society (Maier, 2008, p.56) and to have the legal guarantee to implement joint actions (Houbart, 2008, p.12).

Improvement of the representation and public appearance

According to Houbart EGTCs can promote common objectives and encourage their implementation. They are said to improve the public appearance of the cooperation at the European level (Houbart, 2008, p.8 and 12), (Spinaci and Vara-Arribas, 2009, p.6), (Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, 2011, p.8).

Financial advantages

A financial advantage is that EGTCs have to establish their own budget (European Parliament and Council, 2006b, art.11 para.1). This is supposed to strengthen the success of a cooperation (Maier, 2008, p.75).

Additionally, the stronger involvement of regional and local authorities and other actors in an EGTC might lead to a more effective distribution of resources (Committee of the Regions, 2008, no.26f.).

Easy establishment

Only few requirements are said to be needed to set up an EGTC (INTERACT, 2011, p.13). Also its establishment can only be forbidden because of an infringement of rights (Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, 2011, p.10). In all other cases the national levels of the member states have to permit the EGTC.

After the legal framework and the potentials of the concept of EGTCs have been illustrated the next section investigates how EGTCs are implemented in practice.

2.2 EGTCs in Practice

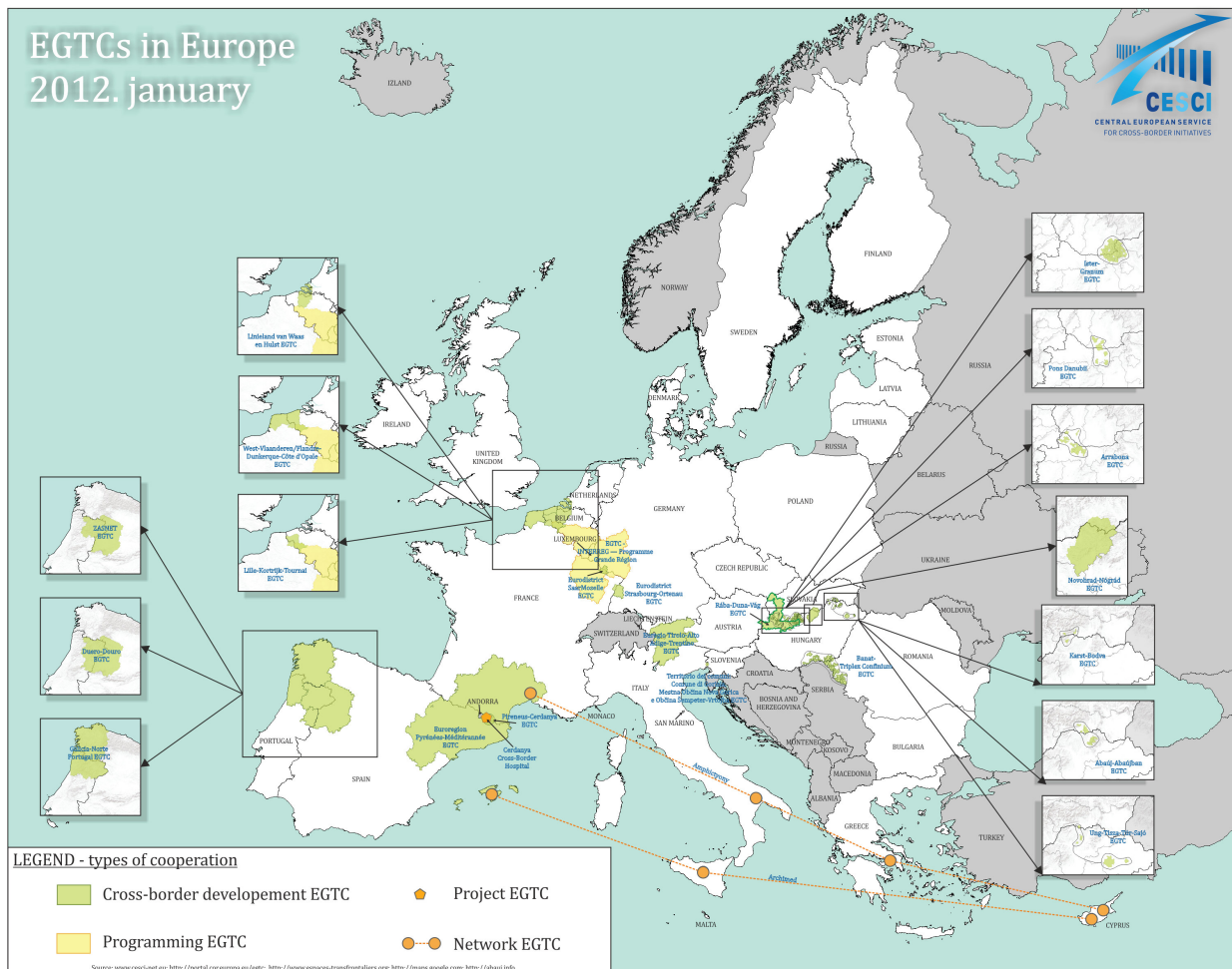
EGTCs are very diverse. Their diversity will be presented by looking at different aspects: Spatial characteristics, aims and tasks, organisational structure, establishment process and practical execution. The applicability of EGTCs in practice is evaluated at the end of this section.

2.2.1 Spatial Characteristics of EGTCs

Spatial concentration of EGTCs in Europe

So far the EGTCs have been unevenly spread on EU territory. Most EGTCs have developed at certain borders: between France - Germany - BENELUX; France - Spain; Spain - Portugal; Hungary - Slovakia and in the Mediterranean Area (see figure 4, p.27).

Figure 4 – Existing EGTCs - Situation January 2012



Source: Central European Service for cross-border initiatives (2012): EGTCs in Europe 2012. january

Some countries have not participated in any EGTC so far like the Scandinavian countries, Poland, the Czech Republic, the Baltic countries, Bulgaria, Malta, the United Kingdom and Ireland (see figure 4, p.27). Hungary, France, Spain and Slovakia are the most active countries in EGTCs (see table 1, p.32).

Spinaci tried to explain the unequal dispersion of EGTCs with the fact that not all countries had implemented their national provisions of the EGTC regulation in the beginning. Many did so later, some have not done so until now. This might have led to a low degree of knowledge about this instrument (Spinaci and Vara-Arribas, 2009, p.6). However, in 2012 the only three countries that have not yet adopted the national provisions were Germany, Belgium and Austria which are al-

ready participating in EGTCs (Committee of the Regions, accessed 2012[a]). All other member states with the exception of Malta (national provisions adopted in 2011) have adopted the national provisions already at the end of 2009 at the latest. The United Kingdom and Bulgaria even did so before August 2007 and still do not participate in any EGTC (Pucher and Radzyner, 2011, p.11). Another reason for the unequal dispersion named in literature could be the stronger tradition of the territorial cooperation on some borders (Spinaci and Vara-Arribas, 2009, p.6).

Spain, France and Portugal have a strong cooperation tradition. Additionally, the cooperation is simplified through similar languages and culture. The cooperation between France and Spain has also been strongly supported by the national levels (Pucher and Radzyner, 2011, p.107). Between the Netherlands, Belgium, Luxembourg, France and Germany an ongoing cooperation and integration process has started since the end of World War II (Pucher and Radzyner, 2011, p.107f.). The establishment of EGTCs can stimulate further cooperations in the vicinity of the existing EGTC to do the same (Spinaci and Vara-Arribas, 2009, p.6).

Hungary has been very active in EGTCs especially together with Slovakia: So far eight EGTCs have been established.¹⁰ The similar economic situation and common difficulties of these countries are reasons for their intense cooperation. They are dependent on the acquisition and the funding of EU projects (Pucher and Radzyner, 2011, p.108).

EGTCs between old and new member states are rare. The only exceptions are the participation of Cyprus in two EGTCs in the Mediterranean Area and an EGTC between Italy and Slovenia. Lingual differences as well as differences in culture and political views might be reasons for this rare combination (Pucher and Radzyner, 2011, p.108f.).

All EU-Nordic countries implemented their national provisions on EGTCs. However, they have not participated in any EGTC so far. This might be explained by their differences in attitude and national provisions. Additionally, the possibility to establish EGTCs is said to be often not known at the local and regional levels (Hörnström, 2011, p.13). Another reason might be that the Nordic countries are already organised in different ways – for instance by institutions of the Baltic Sea Region.

Territorial scope of EGTCs: Cross-border EGTCs and network-EGTCs

Most of the existing EGTCs are located in spatially adjacent and overlapping areas.

These can be divided in three different categories: Besides the 'normal' cross-border cooperations there has been one project EGTC whose spatial dimension is very small (the management of a cross-border hospital) and there have been two very large areas so far. The first bigger area

¹⁰The information is based on data provided by the Committee of the Regions on their homepage: <http://portal.cor.europa.eu/egtc/en-US/Projects/already/Pages/welcome.aspx> and was accessed on 4th April, 2012.

comprises an INTERREG A cooperation area ('Greater Region') and the second EGTC ('Euroregion Pyrénées-Méditerranée') covers two French and three Spanish regions (one of the Spanish regions is the autonomous community of the Balearic Islands).

The number of inhabitants of the area each EGTC is responsible for differs due to the different geographical scopes and the diverse character of the European regions (Dizdarevic, 2011, p.9).

However, not all EGTCs' members are located close to each other. Such EGTCs are therefore called '**Network-EGTC**' (see figure 4, p.27). Two network-EGTCs exist. They are both located in the Mediterranean area. Network-EGTCs are characterized as cooperations that do not show a spatial proximity but instead a thematic closeness: The cooperation is said to be based on certain topics and common interests (CESCI, 2010, p.4).

The first network-EGTC 'Amphictyony' is a cooperation among authorities in France, Italy, Greece and Cyprus. The second, ARCHIMED, is an EGTC among authorities in Spain, Italy and Cyprus. The cooperating authorities are separated by the Mediterranean Sea (see figure 4, p.27).

Spinaci and Vara-Arribas call the emergences in the Mediterranean area 'functional macro regions' because they comprise a larger area than cross-border cooperations. The researchers say that these EGTCs are more targeted than the EU funded transnational cooperation areas, focus on common needs, goals and policy making and show a bottom-up approach (Spinaci and Vara-Arribas, 2009, p.8). These researchers see a high potential for the usage of network-EGTCs in the field of integrated basin strategies which have been applied in the Baltic Sea Region and the Danube River basin (Spinaci and Vara-Arribas, 2009, p.8). Engström et al. (Engström et al., 2011, p.19) also stated that the application of an EGTC in macro-regions could give them a more solid structure because of the EGTC's openness for different tasks in territorial cooperation and different actors and its unlimited duration (METIS GmbH, 2010, p.5). However, the proposal to establish EGTCs in macro-regions¹¹ was also criticized. These regions were said to be too large and complex for an EGTC (Committee of the Regions, 2010, p.24).

Although the geographical scope of EGTCs is not limited, EGTCs have to define the scope of cooperation in their convention (European Parliament and Council, 2006b, art.8 para.2). This is especially supposed to be hard for multi-purpose EGTCs and those in the transnational and interregional cooperation. Their cooperation might influence a larger area than the territorial administrative scope of its members (Maier, 2008, p.68f.).

¹¹ There exists no definition of macro-regions, commonly agreed on, so their seize can differ.

The next subsection analyses the different aims and tasks that EGTCs fulfil in practice.

2.2.2 Aims and Tasks of EGTCs

Reasons for the establishment

Based on previous cooperations, the EGTC establishment was mostly done to ensure the continuity and a better public appearance of the cooperation and to use economies of scale. Other reasons were the development of joint strategies and the implementation of joint projects (Committee of the Regions, 2010, p.19).

Aims of EGTCs

The literature differentiates between mono-thematic EGTCs that have only one specialised purpose and multi-purpose groupings with a broad range of tasks in their cooperation area (Spinaci and Vara-Arribas, 2009, p.8).

Mono-purpose EGTCs on the local level are said to deal with for instance issues of tourism or environment (Weinviertel Management, 2006, p.18). For instance, the EGTC 'Hospital de La Cerdanya' provides cross-border health services (Committee of the Regions, 2007). The offer of public services is also thinkable in areas like transport and waste management and environmental protection (Pucher and Radzyner, 2011, p.111). There are also EGTCs that focus on special factual issues, for example disaster operations and flood control measures (Weinviertel Management, 2006, p.18). The members of EGTCs with factual concentrations would not necessarily have to be located close to each other when they focus on the exchange of experiences.

However, most EGTCs do have multi-purposes (Pucher and Radzyner, 2011, p.109). An example is the 'Lille-Kortrijk-Tournai Eurometropolis'-EGTC whose task is the development and implementation of strategies (Houbart, 2008, p.15). Other tasks are the EGTCs management and implementation of projects and making life easier for the inhabitants (Houbart, 2008, p.15). This comprises the consultation about the 'Eurometropolis' and the encouragement of the political debate.

Another purpose of EGTCs is said to be the lobbying at international or European level (Houbart, 2008, p.12) to promote the external representation and common interests. It is even said that most EGTCs would concentrate on the above named issues and not or hardly on territorial development. This is said to be the case especially in multi-purpose groupings (Spinaci and Vara-Arribas, 2009, p.8).

Tasks of EGTCs

The instrument EGTC has been mainly created to implement European cooperation programmes or projects (European Parliament and Council, 2006b, art.7 para.3.).

It can be a managing authority for European Territorial Cooperation programmes. However, so far there has only been one EGTC, the EGTC 'INTERREG - Programme Grande Région' with this task (Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, 2011, p.6).

The implementation of cooperation projects can comprise projects financed by the EU-Structural Funds¹² when the EGTC is the beneficiary. So far the only example has been the 'Hospital de La Cerdanya' which is managed by an EGTC (Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, 2011, p.4). Additionally, other cooperations that are supported by the EU and concern territorial development can be implemented by an EGTC, so far this has been rare. Only the EGTC Duero - Douro has applied for the programme 'Life+' (Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, 2011, p.4). It is also possible that EGTCs support the implementation of cooperations without EU funding. In this area most EGTCs have been applied so far (Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, 2011, p.4).

The EGTC regulation was evaluated as a 'cautious approach' of the community law because EGTCs were not allowed to "exercise [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" (European Parliament and Council, 2006b, art.7 para.4). There are voices in literature that demand to delete this restriction (Obwexer and Happacher, 2010, p.97). This restriction would exclude possible actions of EGTCs that improve the European integration and cohesion, like the aligning of educational systems of neighbouring regions. However, if EGTCs got this power, they would become a supranational organisation which was originally not intended (Maier, 2008, p.71).

It was further criticized that the tasks of EGTCs are limited to the support of economic and social cohesion (European Parliament and Council, 2006b, art.1 para.2), which might be a disadvantage for some cooperations (Maier, 2008, p.66).

In the following subsection the different organisational structures of EGTCs are illuminated.

2.2.3 Organisational Structure of EGTCs

The organisational structure of EGTCs can differ in several aspects: the basis of the EGTC establishment, the legal status (public/private), the composition of members, the duration, the organs, the communication, the finances and other conditions depending on the national law of the location of the EGTC's registered office (see table 14, p.187).

¹²These are the ERDF, the European Social Fund (ESF) and the Cohesion Fund.

Historical basis

EGTCs have been mostly established on the basis of already long existing cooperation structures (Dizdarevic, 2011, p.9f.), (Committee of the Regions, 2010, p.19).

Location and legal status

So far entities from 15 member states have been participating in EGTCs (Committee of the Regions, 2011a), some have been more often involved, others less (see table 1, p.32).

Table 1 – Ranking of Member States' Participation in EGTCs – Situation July 2012

Rank EGTC	Country	Number of EGTCs	Number of seats	Rank seat
1	Hungary	11	9	1
1	France	11	8	2
2	Spain	9	4	3
3	Slovakia	8	2	5
4	Italy	4	3	4
4	Belgium	4	1	6
5	Portugal	3	1	6
5	Germany	3	0	7
6	Cyprus	2	0	7
6	Slovenia	2	0	7
6	Romania	2	0	7
7	Greece	1	1	6
7	Luxembourg	1	0	7
7	Austria	1	0	7
7	Netherlands	1	0	7

Source: Own illustration, Bonn, April 2012, based on (Committee of the Regions, 2011a).

The number of EGTC seats in a country is mainly associated with the number of EGTCs the country is participating in. Still Slovakia has been less often chosen as location for the EGTCs' registered office in its several cooperations with Hungary (see table 14, p.187). The decision on the location of the EGTC's registered office decides about the EGTC's applicable national law (European Parliament and Council, 2006b, art.1 para.1c and art.6 para.1).

The existing EGTCs have different legal statuses (Committee of the Regions, 2010, p.3): Almost 60 % of the EGTCs are public entities, the residual EGTCs are private ones (see table 14, p.187). Maier stated that an EGTC can only have a transparent structure if it is a public entity (Maier, 2008, p.55). Therefore it was suggested to give EGTCs solely the public nature (METIS GmbH, 2010, p.7). The EGTC regulation, however, leaves this choice to the members of an EGTC. The

EGTC's legal nature depends on the national law of the EGTC's seat.

Composition of members

Characteristics of its members

The two EGTCs with the most countries involved are 'Amphictyony' and 'Grande Région' with four countries each. However, in 25 out of the 29 established EGTCs only two countries are involved. There are very big differences between the EGTCs in terms of number of members: the extremes are 86 members in the Hungarian - Slovakian EGTC 'Ister-Granum' and just two members in the 'Galicia Norte Portugal'-EGTC.

The nature of members differs in the EGTCs: Some involve national levels, like in the 'Eurométropole Lille-Kortrijk-Tournai' or in the EGTC 'Hospital de la Cerdanya'. Many EGTCs consist only of local authority members or a mixture of local and regional authorities. Few EGTCs also incorporate other public bodies like a development agency that represents Cyprus in the EGTC ARCHIMED (Committee of the Regions, 2011a).

Some EGTCs stated to expect more members to join the EGTC in the future. These expected entities had previously had problems keeping the deadlines (Committee of the Regions, 2010, p.22).

Multi-level governance

Although EGTCs would offer the potential of multi-level governance, 20 out of 29 EGTCs do solely involve homogeneous partners. Therefore the principle is rarely used (see table 14, p.187).

The EGTC regulation was criticized not to make any provisions concerning the involvement of NGOs and other representatives of the civil society because these would be needed to comply with the requirements of the Structural Funds (Maier, 2008, p.75). Another negative item was that the participation of private entities was excluded (Engl and Woelk, 2011, p.14). This was considered to be a disadvantage for those cooperations that depended on the expertise of the private sector (Luciani, 2009, p.42).

Non-EU members

The participation of third countries is not fully clarified in the EGTC regulation. Therefore it has been discussed controversially (Engl and Woelk, 2011, p.14). The regulation says that if at least two partners of an EGTC come from different countries of the EU, third countries could also become members (European Parliament and Council, 2006b, art.3). Still, the participation of non-EU members in an EGTC was reported to be problematic (Committee of the Regions, 2010, p.8). So far only the EGTC Bánát-Triplex Confinium EGTC has included a non-EU member state: The Republic of Serbia (Committee of the Regions, 2011a).

The EU cannot regulate more because the respective legal basis in the EU-Treaties is missing

(European Parliament and Council, 2006b, para.16).

Reasons for the composition of members

The members of most EGTCs got to know each other already in the previous cooperation on whose basis the EGTC was established (Dizdarevic, 2011, p.9f.), (Committee of the Regions, 2010, p.19).

Organs

All EGTCs have more organs than prescribed in the EGTC regulation. They employ different kinds of working committees that are supposed to support the General Assembly and the Director (Engström et al., 2011, p.14). Furthermore, many EGTCs included a President besides the Director, and Supervisory or Audit Committees that are supposed to monitor the work of the EGTC (see table 14, p.187).

Communication

The meeting of the General Assembly, which includes all members of an EGTC, usually takes place only once or twice a year. However, the organs of the EGTCs meet more frequently. The EGTC 'Ister Granum' reported to have problems. Not all 89 members managed to attend the General Assembly meetings twice a year. Therefore the EGTC considered introducing an internet platform with e-administration (Pucher and Radzyner, 2011, p.30ff.).¹³

Finances

The most important source of income of EGTCs are the membership fees. Some EGTCs also plan to apply for or have already been supported by the ERDF or other grants. One EGTC is solely financed through ERDF money and national co-financing because it manages an INTERREG Programme. Another EGTC planned on setting up its own businesses (Pucher and Radzyner, 2011, p.28ff.).¹⁴

It was demanded to support EGTCs financially in their establishment process. Other voices opposed this (Committee of the Regions, 2010, p.18).

Duration

None of the EGTCs has terminated its cooperation yet. Only five out of 29 EGTCs are limited in their duration (see table 14, p.187). Most EGTCs have short-term perspectives while also pursuing long-term visions (Engström et al., 2011, p.14).

¹³It cannot be said if there is more communication among the EGTC members during the year because there was not data available.

¹⁴This information is based on data that was collected until the end of the year 2010. Newer data was not available.

Staff

EGTCs rather employ a low amount of staff. The number of staff has never transcended ten employees. Most EGTCs have employed between one and four employees (Pucher and Radzyner, 2011, p.30ff.).¹⁵

As the rules of employment have to abide by national law of the country where the EGTC is registered (European Parliament and Council, 2006b, art.2 para.1c), staff coming from other member states has often been excluded (Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, 2011, p.6 and 8). Salaries, social protection and retirement regulations differ among the countries (Committee of the Regions, 2010, p.13). Working rights and taxation issues were reported to be especially problematic for staff coming from other countries than the EGTC's registered office location (Zapletal, 2010, p.25).

Additionally, it was stated that the staff should have the required language skills and knowledge in the area of cooperation (Committee of the Regions, 2010, p.13).

Also the execution of public procurement in other countries than the one with the registered seat was said to produce problems in practice (Committee of the Regions, 2010, p.9).

- There has been only a small amount of success for the EGTC. Many problems and much criticism of EGTCs have been registered.

Many problems already appeared in the establishment process. These are presented in the following subsection.

2.2.4 Establishment Process

Preconditions

National provisions

The founding procedure has been described by many projects as a lengthy process because often the national provisions have not yet been applied (Pucher and Radzyner, 2011, p.116).

Attitudes towards the EGTC

It was said that there is often no trust in the EGTC so that the establishment does not receive political support. This was said to have led to a long founding process (Committee of the Regions, 2010, p.11).

Support of the establishment

Political support in the establishment process was often missed (Committee of the Regions, 2010, p.11).

¹⁵This information is based on data that was collected until the end of the year 2010. Newer data was not available.

There was a lack of information, communication and assistance about and for the creation of EGTCs at the European level (Engl and Woelk, 2011, p.14). A high reluctance in the application of the new instrument was reported especially because of the legal uncertainties that existed in connection with the big scope of interpretation (Janssen, 2009, p.179f.). There were many fears and prejudices about EGTCs (Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, 2011, p.16). Because of all these problems it was demanded to introduce technical assistance and trainings (METIS GmbH, 2010, p.7).

Exchange with other EGTCs

Many EGTCs indicated that there was a need to exchange experiences with other EGTCs because they missed information and assistance in the establishment process as well as in the practical execution of EGTCs (Committee of the Regions, 2010, p.3 and p.11). For this reason the EGTC Platform was established on the homepage of the CoR (Committee of the Regions, 2011b, p.1).

EGTC regulation

The EGTC regulation has been assessed as too complex and difficult to apply (Dizdarevic, 2011, p.21). It was criticized that EGTCs were limited by the EU regulation, the status, the convention and the national law in which the EGTC has its registered seat (European Parliament and Council, 2006b, art.8 para.2a), (Coen, 2010, p.103).

Course of action

Legal documents

It was criticized that the establishment of an EGTC resembled the conclusion of a contract (Gärditz, 2009, p.120). Some EGTCs were said to have had problems in writing the convention and the statute (Committee of the Regions, 2010, p.3).

Competences and tasks

It has been considered to be problematic that an EGTC can solely carry out the tasks all members are competent for (European Parliament and Council, 2006b, art.7 para.2). The competences of the authorities in the different member states were diverging, so that the competences of EGTCs were also limited. Furthermore, it was said that the EGTCs needed much time to clarify common competences (Pucher and Radzyner, 2011, p.116).

Application at the national responsible authorities

The national authorities responsible for EGTCs should decide within three months (European Parliament and Council, 2006b, art.4 para.3) about the application of the members that want to join an EGTC. In practice this often took longer (Senatsverwaltung für Wirtschaft, Technologie und

Frauen Berlin, 2011, p.9), (Committee of the Regions, 2010, p.10). This might have partly been due to lacking experience of the responsible authorities (Pucher and Radzyner, 2011, p.116). In some countries this took longer because several authorities needed to decide jointly about the application (Committee of the Regions, 2010, p.10). If the responsible authorities do not show any reaction the potential members will not be accepted automatically (Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, 2011, p.9).¹⁶

The national levels are only allowed to forbid an EGTC when the EGTC conflicts with national interests. It was argued that the missing definition of the term 'national interest' might lead to higher degree of banning EGTCs (Committee of the Regions, 2010, p.10).

In the next subsection the fulfilment of the EGTC's potentials in practice is presented.

2.2.5 Practical Execution – Fulfilment of the Potentials

Flexibility

EGTCs have shown their flexibility in application: They are highly diverse. However, it was criticized that the open EGTC regulation would leave too much liberty to the members of an EGTC: It would not define a clear strategic framework and thus diminish the quality of territorial cooperations (Maier, 2008, p.54).

Contribution to European Cohesion and territorial cooperation

Most EGTCs have aimed at the improvement of cooperation among their members and at making European Cohesion more visible. The cooperations were said to be more stable in an EGTC and ensured a continuity of cooperation of the partners which was started from bottom-up. Especially EGTCs that use the potential of multi-level governance were expected to strongly contribute to European Cohesion (Pucher and Radzyner, 2011, p.114f.).

Standardization of legal forms

It was criticized that the EGTC regulation did not bring a full harmonisation of the national laws and that EGTCs would be influenced too much by the still diverging national laws (Maier, 2008, p.58), (Janssen, 2009, p.180). Coen stated that it seemed as if there was no restriction for the national states to pose limits for the EGTC's competences (Coen, 2010, p.103). Especially the national law of the country in which the EGTC is registered would have too much influence on the EGTC (Gärditz, 2009, p.120). Many EGTCs demanded to harmonise the national provisions of EGTCs again. This could happen via the restriction of options in the regulation or by asking

¹⁶The tacit agreement is discussed to be introduced in the amended version of the EGTC regulation to accelerate the decision process.

neighbouring member states to coordinate their regulations (Committee of the Regions, 2010, p.9). The latter however, would not have any positive effects for the interregional cooperation.

It was often argued that at least in some subjects (e.g. the control mechanism for the EGTC's finances) a more precise regulation would have been better (Maier, 2008, p.59).

However, Gärditz stated that a more binding legal framework would not have been possible (e.g. the obligation of EGTCs in the territorial cooperation or the direct addressing of the local and regional authorities as European Community subjects) on the legal basis the EGTC has been developed on. Furthermore, he stated that the EGTC regulation would already infringe primary Community law (Gärditz, 2009, p.120). This, however, had not had any consequences so far.

Stabilization and intensification of the cooperation

The Grande Région EGTC experienced the establishment of the EGTC as a political sign for the cooperation and its importance: The EGTC would make binding decisions, the organisation was experienced to be stable and the responsible persons would stay permanently regardless of political changes (Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, 2011, p.6). Therefore the instrument has been considered to be attractive.

As the legal nature of EGTCs depends on the country of their registered office, they become a domain of this member state (Maier, 2008, p.60). In this context it was questioned if the members of an EGTC were treated equally or if members coming from the country in which the registered office is located would be favoured (Maier, 2008, p.72f.).

It was said that EGTCs needed to take at least the very important decisions (e.g. changes in the statute or convention) unanimously. Then EGTCs would be a rather non-flexible structure because such decisions would be hard to take (Pucher and Radzyner, 2011, p.117f.), (Committee of the Regions, 2010, p.17). Problems in decision-making would rather lead to a low motivation for making decisions (Spinaci and Vara-Arribas, 2009, p.8).

Better implementation

The implementation of EU funded projects was said to be difficult for EGTCs because the EGTC regulation was not coordinated with the Structural Funds regulation. Therefore EGTCs had problems becoming the single beneficiary for EU projects. When using the EGTC as a managing authority for a programme, the problems with responsibility and non-synchronous structures have appeared between the EGTC and the programme secretariat.¹⁷

¹⁷Read more about the experiences of the EGTC in the Greater Region in the appendix of the proceedings of the EGTC Workshop in Berlin (Dokumentation des EVTZ-Workshops am 30. Mai 2011 in der Vertretung der Europäischen Kommission, Berlin) in the slides of Jean-Claude Sinner(2011): Die Großregion.

Improvement of the representation and public appearance

The identity building of the cooperation area is said to be important for the success of cross-border institutions. It was criticized not to be included in the EGTC regulation. EGTCs would rather focus on institutional and administrative functions. However, interregional cooperations for instance are said not to need a common identity (Maier, 2008, p.55f.).

In the case of the EGTC 'Eurodistrict Saar-Moselle' the EGTC has been proven to be successful in grouping several small entities to one community, in speaking with one voice and in lobbying for issues of their cooperation at institutions (Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, 2011, p.8).

Financial advantages

The EGTC regulation was criticized not to sort out the financing of an EGTC (Engström et al., 2011, p.5). Instead it would leave the decision to the members of an EGTC. To avoid financial problems of an EGTC it was considered to be better to have a more concrete regulation (Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, 2011, p.8).

It was experienced that EGTCs have a high administrative expenditure (Janssen, 2009, p.180).

In the next subsection the discussion about the applicability of EGTCs is presented.

2.2.6 Applicability of EGTCs

Although EGTCs are the new instrument that has been developed to remove the disadvantages of the existing instruments of cooperation, they are said not to be the best solution for all territorial cooperations. The instrument should be matched to the planned duration, the membership, the ambitions and the area of cooperation (Houbart, 2008, p.12).

Janssen sees in EGTCs the risk to be a too complex structure of excessive bureaucracy (Janssen, 2009, p.180). Cooperations feared that there might be more input of efforts than output of benefits (Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, 2011, p.16).

According to the rational choice institutionalism the instrument of EGTC should only be used when it is needed and brings advantages. As the EGTC is considered to be a "heavy and complex form of cooperation" (Dizdarevic, 2011, p.20), it should only be chosen by cooperations that have already developed a 'sufficient level' that means that they show an intensive cooperation with the need to build a legal structure (Dizdarevic, 2011, p.20).

Furthermore, the opinion exists that the application of an EGTC would be only interesting for long-term cooperations or projects out of which institutions would develop. Also, the establishment of EGTCs would only make sense if the cooperation had already existed for some time. Other voices say that it might also be reasonable to create an EGTC at the very beginning of a cooperation to

spread the idea of cooperation and to stimulate it (Janssen, 2009, p.181).

2.3 Conclusion of the Operational Framework of EGTCs

To sum up, EGTCs are a new tool for the territorial cooperation and have many potentials. However, in practice many problems have arisen, some even question the added value. These experiences point out that the EGTC instrument has to be improved. The discussions for the amendment of the regulations are proceeding.

The existing EGTCs show a high variety. Yet, there are only two EGTCs in the transnational and interregional cooperation although the EGTC regulation implicitly allows the establishment of EGTCs in these cooperation areas.

In the following parts of the thesis the reasons for the low rate of application of EGTCs in the transnational and interregional cooperation will be analysed. As there have been no studies about these so-called 'network-EGTCs' so far, their character shall be explored in depth.

3 Status Quo and Expectations of Network-EGTCs

This chapter explores network-EGTCs. First reasons for the change of name of the instrument EGTC are given. Then characteristics of non-contiguous cooperations – cooperations in which network-EGTCs can evolve – are demarcated to characteristics of cross-border cooperations. Furthermore, estimations of stakeholders that deal with EGTCs about network-EGTCs are presented. Additionally, the status quo of network-EGTCs is shown.

3.1 From EGCC to EGTC

In the beginning the instrument EGTC was called European Grouping of Cross-border Cooperation (EGCC). The actions of EGTCs were considered to take place mainly in the cross-border cooperation. Therefore the initial name was different (Olbrycht, 2012), (Peyrony, 2012). However, already in the first proposals of the EGTC regulation, the two other strands of territorial cooperation were mentioned (Blais, 2012b).

Another reason why the instrument had first been named EGCC was that the Lisbon Treaty that introduced the term 'territorial cohesion' had not entered into force yet. Therefore the instrument could not be named European Grouping of 'Territorial' Cooperation (Peters, 2012). After the name 'territorial' had been used in other EU documents like the Territorial Agenda and the Lisbon Treaty the instrument was renamed (Gabbe, 2012).

The transnational and interregional cooperation had to be included in the EGTC regulation because of its legal basis: Article 175 of the Treaty on the Functioning of the European Union refers to territorial cohesion, so that the regulation could not limit its scope to cross-border cooperation but had to be open to the whole territorial cooperation (Blais, 2012b).

To prevent confusions and to make clear that there are no constraints, Olbrycht, rapporteur about EGTCs in the European Parliament, and the AEBC proposed to change the name of the instrument (Blais, 2012b), (Association of European Border Regions, 2004, p.2f.).

It was said that the European Commission wanted this instrument to be consistent and as open as possible to all kinds of cooperation (Peyrony, 2012), (Gabbe, 2012), (Blais, 2012b).

The instrument was to be better linked with the whole regulation package of territorial cohesion. This was partly due to the fact that the EGTC regulation had not been connected with additional funding possibilities (Olbrycht, 2012).

However, the geographical requirements of the ETC programmes have not been coincident with those of the EGTCs until now. Some of the existing EGTCs cooperating in cross-border cooperation would not be eligible in the INTERREG cross-border cooperation because their areas are too large and would rather fit into the transnational cooperation (Alcolea-Martínez, 2012).

Cross-border cooperations had already been fostered by many legal instruments before the introduction of the EGTC regulation (see chapter A.1, p.175). For the interregional and transnational cooperation, however, there had been no EU-wide legal instruments of support (Riou, 2010, p.15).¹ Thus the EGTC brought an even greater possibility for the latter two kinds of cooperations.

The application of EGTCs in the spatially non-contiguous cooperation shall be analysed in the following parts of the thesis. However, first the terminology has to be clarified, as there is a broad difference in the understanding of the cooperation terms in scientific literature.

3.2 Territorial Non-Contiguous Cooperation - Demarcation of the Terminology

The term of 'cross-border cooperation' is often used to describe cooperations between bodies of different countries in general. 'Transnational cooperation' is often used ambiguously. The term 'interregional cooperation' has also been used for different cases.²

This section is dedicated to define interregional and transnational territorial cooperations – so-called territorial non-contiguous cooperations – as they are used in this thesis.

The spatial differentiation of cooperation areas of the INTERREG categorisation (see chapter 3.2.1, p.43) is taken as a basis for the definition of the transnational and interregional cooperation.

However, the definition of terms is supplemented by more information of scientific literature (see chapter 3.2.2, p.44) because this thesis does not only aim at exploring the application of EGTCs in the transnational and interregional cooperations in the framework of the INTERREG initiative, but also at investigating the use of EGTCs in all cooperations that are not considered to be cross-border cooperations.

The characteristics of the transnational cooperation and those of the interregional cooperation are different, but as the territorial non-contiguous cooperation is to be addressed in general, the differentiation between these is not seen as relevant for this thesis. Instead the special charac-

¹There had been only the second protocol of the 'Madrid Outline Convention' which acknowledged interregional cooperation. However this protocol was signed only by a minority of the member states of the Council of Europe and can therefore only be applied by few states (Riou, 2010, p.15f.).

²Read more in Eißel et al. (1999): Interregionale Zusammenarbeit in der EU – Analysen zur Partnerschaft zwischen Hessen, der Emilia-Romagna und der Aquitaine, p.24f.

teristics and problems of both are put together. The main attribute of demarcation is the missing spatial contiguity of the cooperation partners.

3.2.1 INTERREG Categorisation

The current INTERREG categorisation (2007-2013) differentiates between three different kinds of cooperations based on spatial characteristics. Besides cross-border cooperations, which are only applicable for cooperations in a relatively small spatial radius around a common border³, the so-called 'transnational' and 'interregional' cooperations are an additional option for funding (Council of the European Union, 2006, art.7). Both are bound to special requirements.

Transnational cooperation

The transnational cooperation is defined within determined cooperation areas.⁴ Important for the definition of transnational cooperations is that they take place within a large-scale cooperation area in which several national states are included. The aim of these cooperations is to benefit the whole large-scale cooperation area. In this large area it is impossible that all actors do cooperate with each other at the same time: There are different cooperation projects, in which the partners do not have to be located close to each other. The aim of a project, however, has to be for the benefit of the whole cooperation area (Huebner and Stellfeldt-Koch, 2009, p.3).

The testing of strategies and courses of action and the development of effective and innovative transnational solutions (BBSR, 2007, preface) in a certain decentralised and problem-related cooperation (Huebner and Stellfeldt-Koch, 2009, p.3) are tasks of transnational cooperation projects.

Interregional cooperation

In the interregional cooperation the cooperation partners can come from any EU member state and do not have to be spatially close to each other in any way. Interregional cooperations, according to the INTERREG definition, aim at exchanging best practices and experiences between regional and local entities to enhance the regions' regional policy (Gabbe and Malchus, 2008, p.69).

In the next subsection other characteristics of territorial non-contiguous cooperations in general are presented.

³The only exception are cooperations at maritime borders in which the cooperating partners can be separated by 150 km at the most (Council of the European Union, 2006, art.7).

⁴The current transnational cooperation areas are: Northern Periphery, Baltic Sea, North West Europe, North Sea, Atlantic Coast, Alpine Space, East-Central Europe, South West Europe, Mediterranean Area, South East Europe, Caribbean Area, Açores-Madeira-Canarias (Macronesia) and the Indian Ocean Area (European Commission, 2007).

3.2.2 Special Characteristics of Territorial Non-Contiguous Cooperations

Spatial characteristics

Cooperations in very large cooperation areas and especially between partners that do not even come from the same large scale cooperation area show special traits:

Territorial non-contiguous cooperations mostly miss a (close) spatial reference and a direct relation to the other partners of the cooperation. Therefore the cooperations are generally less focussed on space-oriented and traditional common activities (Eiße et al., 1999, p.15). 'Natural issues', like a common border, are not the reason for cooperation (Eiße et al., 1999, p.15).

Aims and tasks

Territorial non-contiguous cooperations often focus on the exchange of information and the common representation and lobbying at European institutions (Speer, 2010, p.69). Furthermore, the cooperating partners often want to foster their international relations (Riou, 2010, p.15).

In contrast to cross-border cooperations they often only have one single purpose in a special sector and do not consider all topics of daily life (Association of European Border Regions, 2000, p.15). Some cooperations aim at reinforcing ancient cooperations (Riou, 2010, p.15).

Organisational structure

Only few territorial non-contiguous cooperations are based on ancient cooperations (Riou, 2010, p.15) and so are often less advanced than cross-border cooperations (Association of European Border Regions, 2000, p.15).

The members of non-contiguous cooperations often share similar economic and social structures, problems or political orientations. These features are often the reason for a cooperation (Eiße et al., 1999, p.336ff.).

It is important that the members have areas of common competences so that all entities involved can implement their tasks (Eiße et al., 1999, p.338).

Establishment process

Interregional cooperations often emerge accidentally on the initiative of a few high-ranking regional representatives (Eiße et al., 1999, p.336). Therefore common features of the members and the reasons to cooperate have to be found afterwards (Eiße et al., 1999, p.333, p.335f. and p.338).

There are some requirements to be fulfilled to ensure a successful cooperation:

As there is no spatial connection among the members, it is recommended to make cooperation contracts. It is criticized that many cooperation contracts in the non-contiguous cooperation have not been very restrictive. This might not secure the further existence of cooperations after a polit-

ical change (EiBel et al., 1999, p.333ff.).

The management of a territorial non-contiguous cooperation influences the success of a cooperation. At best the involved administrative units are motivated to cooperate. Otherwise delays and a slow handling might be the consequence. Capacity overloads and lacking language skills of the administrative staff are conditions that might lead to a less successful cooperation (EiBel et al., 1999, p.340).

However, EiBel et al. argued that the contents and practical embodiment were more important in practice than the formal contract tenor (EiBel et al., 1999, p.340).

Practical Execution

In the practical execution of non-contiguous cooperations special problems often occur. First, the communication among the partners is often handicapped. Spatial distances among the partners can hamper regular meetings. Non-contiguous cooperations often entail different languages and cultural barriers because the partners mostly did not share a common history (EiBel et al., 1999, p.333 and 335).

Second, the cooperation partners often do not share the same economic and geographical characteristics. The identification of common features is not easy, especially when there are no common problems (EiBel et al., 1999, p.333 and 335).

Third, the administrative levels are strongly influenced by local politics and their attitude can also differ strongly because of different cultural and institutional conditions (EiBel et al., 1999, p.340f.). This might also be the case in the cross-border cooperation but the differences are expected to be stronger in spatially non-contiguous cooperations. Other problems are the missing mobility and flexibility on administrative levels, missing motivations and organisational and procedural problems (EiBel et al., 1999, p.342, p.344 and p.346).

Fourth, non-contiguous cooperations often suffer from financial problems. The INTERREG initiative offers less money to the transnational and interregional cooperation than to the cross-border cooperation. Also because of missing funds the institutionalisation of the cooperation can be hindered (EiBel et al., 1999, p.342, p.344 and p.346). However, the funds for these have been raised constantly in the last years (European Commission, accessed 2012[a]).

When cooperations are only or mainly based on a similar political orientation this bears a high risk for the cooperation's duration: After political changes caused by elections, for instance, the cooperation could get problems of continuity because of newly arisen political differences (EiBel et al., 1999, p.336 and p.338f.).

Additionally, some partners might be only temporarily interested in the cooperation, for instance, only as long as the cooperation is supported by funds. This can hinder a cooperation from having

a long term strategic cooperation (EiBel et al., 1999, p.336 and p.338f.).

Possibilities for improvement

In 1999, EiBel et al. considered the outsourcing of tasks to an interregional association as a possibility to advance interregional cooperation. However, at that time there had been no legal basis to do so. They also proposed to create an international law dedicated for interregional cooperation to simplify cooperations. However, they advised not to overestimate the importance of legal statuses (EiBel et al., 1999, p.342, p.344 and p.346). Seven years later, their ideas were implemented with the introduction of the EGTC regulation.

The following section presents the expectations of stakeholders from the European Commission, the European Parliament, the CoR, INTERACT, the Association of European Border Regions, the Mission Opérationnelle Transfrontalière and the Central European Service for Cross-Border Initiatives dealing with EGTCs about the characteristics and tasks of EGTCs in the territorial non-contiguous cooperation.⁵

3.3 Expectations of Stakeholders about Special Characteristics of Network-EGTCs

It was controversially discussed if there were substantial differences between EGTCs established in the cross-border cooperation and network-EGTCs.

Olbrycht and Reichel stated that from the legal point of view there were no differences between them (Olbrycht, 2012), (Reichel, 2012).

However, the interviewed stakeholders expected several differences in the spatial characteristics, the aims and tasks, the organisational structure as well as in the establishment process and the practical execution of EGTCs in the transnational and interregional cooperation.

Spatial Characteristics

According to Ocskay the main difference between EGTCs in the cross-border cooperation and network-EGTCs was that the members of network-EGTCs would not be located spatially close to each other. Despite that or actually because of that, the members would have to share common interests as territorial contiguous cooperations do or topics that unify them. These interests could even concern a common territory (Ocskay, 2012a).

⁵More information about the interviewed stakeholders can be found in chapter A.2, p.183.

Aims and Tasks

Legally the tasks of EGTCS in the transnational and interregional cooperation are not restricted. In practice, however, they are said to depend on the national provisions of the member states involved (Olbrycht, 2012) and the geographic conditions of the respective cooperation (Alcolea-Martínez, 2012), (Reichel, 2012). Especially in the interregional cooperation the tasks could not be related to a common territory (Alcolea-Martínez, 2012). Reichel supposes that the operation of a common airport could hardly be the aim of a network-EGTC (Reichel, 2012). Peyrony also thinks that the tasks and aims of network-EGTC are different to those EGTCS operating in the cross-border cooperation: Cross-border EGTCS would mostly intend to organize public services and governance. Transnational and interregional cooperations would rather cooperate for the exchange of ideas and experiences and less for the management of services and infrastructures (Peyrony, 2012). This is also stated by Blais: She does not expect network-EGTCS to carry out common projects (Blais, 2012b).

In Ocskay's opinion network-EGTC can have the task to manage infrastructures. Three transport corridors (Corridor 5 and 8 and the Central European Transport Corridor) would intend to establish an EGTC for the planning, coordination and management of their corridor. The members of these corridors, though, are not located spatially contiguous to each other (Ocskay, 2012a).

Although the stakeholders expected that network-EGTCS would have limited tasks compared to cross-border EGTCS they named several fields in which it was reasonable to establish network-EGTCS:

- * education and research, (Reichel, 2012)
- * clusters, (Alcolea-Martínez, 2012)
- * small and medium enterprises (SMEs), (Reichel, 2012)
- * environment, (Ocskay, 2012a)
- * infrastructure building and logistic centres (Gabbe, 2012).

More precisely they could fulfil the following tasks:

- * public procurement, (Blais, 2012b)
- * exchange of ideas and experiences, (Peyrony, 2012)
- * lobbying, (Peyrony, 2012)
- * organization of meetings and conferences, (Peyrony, 2012)
- * management of operational programmes, (fulfilment of the Europe 2020 Strategy) (Alcolea-Martínez, 2012)
- * management of former cooperations, (Ocskay, 2012a) and the
- * management of macro-regions (Alcolea-Martínez, 2012).

Organisational Structure

The stakeholders expected network-EGTCs to differ in their organisational structure from cross-border EGTCs.

Olbrycht believes that the members of a network-EGTC have a similar culture and tradition (Olbrycht, 2012).

Blais thinks that network-EGTCs consist of more members than EGTCs in the cross-border cooperation do (Blais, 2012b).

Alcolea Martínez considers the planned European Urban Knowledge Network (EUKN) EGTC to become substantially different as it will only consist of national states (Alcolea-Martínez, 2012).

Peters assumes that the partners of a network-EGTC would change more frequently whereas in the cross-border cooperation they would stay the same. The frequent change of partners could pose problems for an EGTC because the statute has to be changed every time the partners change (Peters, 2012).

Establishment Process

Many interviewees considered the establishment of an EGTC in non-contiguous cooperations to be more difficult than in cross-border cooperations. As non-contiguous cooperations would not develop out of neighbouring relationships, which foster the getting to know each other and mutual trust, Reichel considers it to be harder to start a cooperation. It might be hard to find partners for an EGTC because the power of imagination concerning possible partners might be missing (Reichel, 2012). The members' interests might differ and it could be hard to harmonize them (Ocskay, 2012a).

The higher number of partners and involved member states expected could slow down the cooperation process: The slowest member is said to decide about the EGTC's pace of establishment (Peters, 2012).

Political support might be missing because of the spatial distances among the members (Alcolea-Martínez, 2012). It might be harder to get access to financial support for the implementation of projects and aims which might often distract possible partners from participating in an EGTC (Ocskay, 2012a). Olbrycht thinks that it might be especially hard to get the establishment permission of the respective national governments (Olbrycht, 2012).

Practical Execution

Gabbe believes that network-EGTCs would have a less dense and less intense cooperation (Gabbe, 2012). This goes hand in hand with Peters' impression: He stated that the cooperation in network-EGTCs was harder to experience as the cooperation area would be hard to define (Peters, 2012). Blais has the impression that the existing network-EGTCs were not very active at

the European level and considers them to be less coherent (Blais, 2012b).

In the practical execution high costs for communication and meetings might exist (Ocskay, 2012a). To use an EGTC as the managing authority of a transnational cooperation programme might be harder than in a cross-border programme. A higher amount of members from different countries and different national legislations could pose problems (Olbrycht, 2012).

Finally, in a network-EGTC it was said to be harder to make common decisions and to ensure the proper operation of the EGTCs organs. Members might experience problems in attending the meetings, especially with a growing number of members and larger distances. When many members cooperate it is expected to be hard for an EGTC to represent the interests of each member (Ocskay, 2012a).

After presenting the stakeholders' expectations of network-EGTCs, the following section shows the status quo of network-EGTCs.

3.4 Status Quo of Network-EGTCs

So far there have been only two existing network-EGTCs: E.G.T.C. Amphictyony and ARCHIMED. Yet, there are already six more network-EGTCs at the planning stage. These existing and planned network-EGTCs will be presented in the following.

The CoR provides a register with the existing and planned EGTCs. When an EGTC is established the CoR has to be notified. However, there is no obligation to announce planned EGTCs. The table gives an overview about the currently existing and potential network-EGTCs (see table 2, p.49) based on the CoR's list and the author's own investigations.

Table 2 – Existing and Planned Network-EGTCs - Situation April 2012

No.	Name	Seat	Member states involved	Foundation
Existing network-EGTCs				
1	Amphictyony	Athens (GR)	CY, FR, GR, IT	12/2008
2	ARCHIMED	Taormina (IT)	CY, ES, IT	03/2011
Planned network-EGTCs ⁶				
3	CETC	Szczecin (PL)	HU, PL, SE, (HR)	Autumn 2012
4	EUKN	The Hague (NE)	BE, CY, CZ, DE, DK, ES, FR, HU, LUX, NL, RO	10/2012
5	CODE24	(DE)?	CH, DE, IT, NL + ?	2013
To be continued on the next page				

⁶Most of this information is based on expectations and can change until the foundation.

No.	Name	Seat	Member states involved	Foundation
6	MED TECHNOPOLIS	?	ES, FR, GR, IT, PT + ?	2013
7	Euroregion Corridor 8 ⁷	?	BG, IT, (AL, MK, SK, GR)	?
8	LONGLIFE	Berlin (DE)	DE, DK, LIT, PL +?	2013/14

Source: Own illustration, Bonn, April 2012, based on (Koutsaki, 2012a), (Saalbach, 2012a), (Committee of the Regions, 2011a), (Committee of the Regions, accessed 2012[b]), (Kiefel, 2012), (Daniel, 2012), (Ciesielska, 2012b), (Ciesielska, 2012a), (Belof, 2012), (Grisel, 2012), (Secretariat Corridor 8, accessed 2012) and (Fiera del Levante Press Office, 2010).

3.4.1 Existing Network-EGTCS

In this subsection the reasons for the EGTC's establishment and the basic characteristics of the existing network-EGTCS are presented.

No. 1: E.G.T.C. Amphictyony

The E.G.T.C. Amphictyony is classified as a network-EGTC because its members are not spatially close to each other but spread in the Mediterranean area, especially on islands. Very long distances exist between the Cypriot communities and the French member. The Greek communities compose the core area of the cooperation as most members are Greek (see figure 5, p.50).

Figure 5 – Map of the Members of the E.G.T.C. Amphictyony



Source: Own illustration, Bonn, August 2012 based on (E.G.T.C. Amphictyony, 2012).

⁷No contact possible.

Table 3 – E.G.T.C. Amphictyony

Characteristics of E.G.T.C. Amphictyony	
Name of the EGTC	AMPHICTYONY of Twinned Cities and Areas of the Mediterranean, European Grouping of Territorial Cooperation
Decision to establish an EGTC	January 2008
Date of foundation	December 2008
Countries involved	Cyprus, France, Greece and Italy
Location of the registered office	Athens (GR)
Number and character of members	44 local authorities and two unions of local authorities
Duration	Limited to 25 years
Legal form	Private (civil company of a non-profit nature)
Organs	<ul style="list-style-type: none"> - General Assembly - Board of Directors - President of the Board of Directors - Executive Committee - Audit Committee
Working languages	Greek, English, French and Italian

Source: Own illustration, Bonn, April 2012, based on (Pucher and Radzyner, 2011, p.41), (Committee of the Regions, 2012b, p.14), (E.G.T.C. Amphictyony, 2008), (Koutsaki, 2012b) and (Koutsaki, 2012a).

The cooperation of Amphictyony had already existed before the EGTC was established. The history of cooperation started in 1997: 93 Mediterranean twinned cities from nine countries, not all members of the EU, have been cooperating since then.

The reason to establish an EGTC was that the cooperation felt the necessity to adjust their existing charter to the current EU legislation.

The objectives of the EGTC are to ensure a peaceful and constant development in the Mediterranean area. They focus on economic, social and environmental topics to ensure cohesion, security, the support of joint actions and the cooperation of its members.

The EGTC has several tasks. It shall facilitate territorial cooperation and realize EU-funded programmes (ERDF, ESF, Cohesion Fund) and other territorial co-operations without EU-funding. Furthermore, it shall foster the cooperation with (scientific) institutions and organizations to exchange information and provide information, experiences and knowledge. The EGTC shall support the cultural identity of the Mediterranean area and strengthen the citizens and the local level participation in the territorial, financial and social cooperation among its members.

No. 2: EGTC ARCHIMED

As all three members of this EGTC are located on different islands the EGTC is characterised as a network-EGTC. These islands are located in the Mediterranean Sea and show long distances among each other. One member, the autonomous community of the Balearic Islands itself consists of several islands (see figure 6, p.52).⁸

Figure 6 – Map of the Members of the EGTC ARCHIMED



Source: Own illustration, Bonn, August 2012 based on (Committee of the Regions, 2011a).

Table 4 – EGTC ARCHIMED

Characteristics of EGTC ARCHIMED	
Name of the EGTC	European Grouping of Territorial Cooperation of the Mediterranean Archipelagus
Decision to establish an EGTC	?
Date of foundation	November 2011
Countries involved	Cyprus, Italy, Spain
Location of the registered office	Taormina (IT)
Number and character of members	Three members, two regional authorities and a national development agency
Duration	Limited to 20 years
Legal form	Public law
Organs	<ul style="list-style-type: none"> - President, - Assembly, - Director, - Technical Secretariat
Working languages	Italian, Castilian Spanish, English and French

Source: Own illustration, Bonn, April 2012, based on (EGTC ARCHIMED, 2010)

⁸Unfortunately not all information about the EGTC could be received because of language barriers and contact problems.

The EGTC is based on a former cooperation of working communities of the Mediterranean Islands and their declaration from 2004 to establish a Euroregion.

The EGTC aims to jointly represent the Mediterranean islands and their needs (EGTC ARCHIMED, 2010, p.1 and art.5). It shall support economic and social cohesion in the cooperation area, common projects, foster the exchange of experiences among the partners and guarantee a long term cooperation. Other fields of cooperation are possible and especially welcomed if they allow an allocation of ERDF money (EGTC ARCHIMED, 2010, art.5 and 6)

The EGTC's task is the preparation, organisation and implementation of programmes and projects. PR-activities and the sharing of best practices and experiences are further tasks (EGTC ARCHIMED, 2010, art.7).

In the following subsection the planned network-EGTCs are presented.

3.4.2 Planned Network-EGTCs

The information on the planned network-EGTCs is often vague and based on the expectations of the interviewed stakeholders. The characteristics of the planned EGTCs might change until they are established. The plans that have existed until the time of writing⁹ will be presented in the following to give an overview about the status quo.

No. 3: CETC-EGTC

The geographical scope of the planned EGTC spans from the region Skåne in the south of Sweden along the European transport route E65 through Polish and Hungarian regions. Partner observers will be some Polish and Croatian regions. These might join the EGTC later on (Ciesielska, 2012b), (Ciesielska, 2012a). Not all regions bordering the transport corridor are participating so that the cooperation is not contiguous and the EGTC is considered to be a network-EGTC. Especially the Swedish partner is separated from the other members through the Baltic Sea (see figure 7, p.55).

Table 5 – CETC-EGTC

Characteristics of the planned CETC-EGTC	
Name of the EGTC	Central European Transport Corridor Limited Liability European Grouping of Territorial Co-operation
Decision to establish an EGTC	May 2010
Date of foundation	Autumn 2012
To be continued on the next page	

⁹July 2012.

Planned CETC-EGTC	
Current status	Process of approving the statute and the convention by local governments
Countries involved	Poland, Hungary, Sweden, (Croatia)
Location of the registered office	Szczecin (PL)
Number and character of members	Six regional authorities; Later: universities, transport operators, other private companies, ministries, clusters and chambers of commerce
Duration	Indefinite
Legal form	Private
Organs	<ul style="list-style-type: none"> - President - General Assembly - Supervisory Board - Strategic Centre - Administrative Centre - Director
Working languages	Polish, Hungarian, Swedish, English, (Croatian)

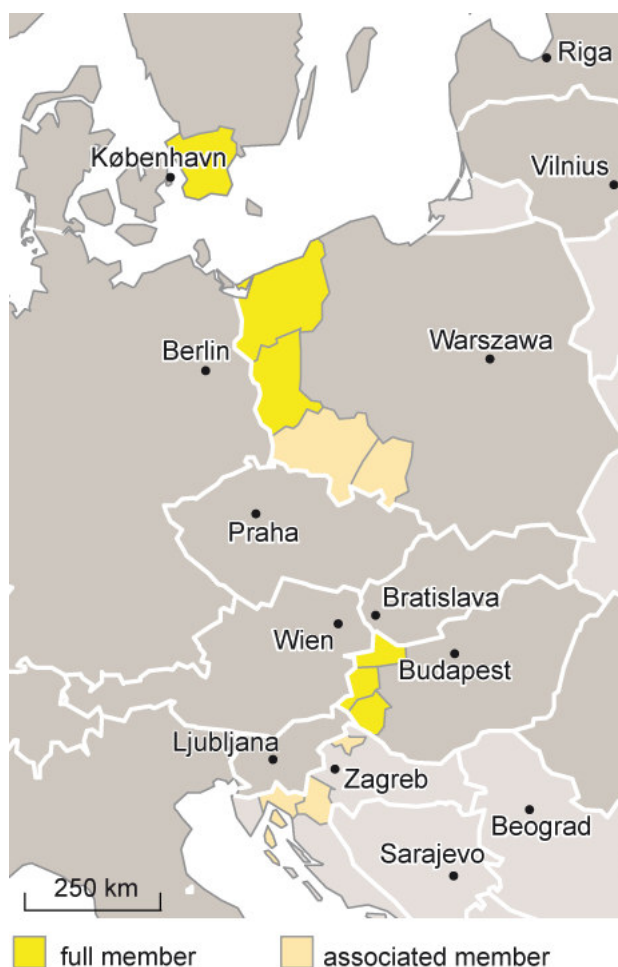
Source: Own illustration, Bonn, April 2012, based on (Ciesielska, 2012b), (Ciesielska, 2012a), (Belof, 2012) and (CESCI, 2010).

The cooperation was started in 2004 as the Central European Transport initiative by Swedish, Polish, Czech and Slovakian regions. The initiative aims at the establishment and promoting of the Central European Transport Corridor between the Baltic and the Adriatic Sea (Ciesielska, 2012b).

There are several reasons for the EGTC establishment. As it is a new instrument the EGTC is expected to raise the European awareness and publicity of the cooperation. Second, the possibility was seen to be able to influence the new Structural Funds regulation and to receive funds as a proper institution (Ciesielska, 2012b). Third, an EGTC was seen as a necessary measure to compete with other European corridor initiatives and to be preferred at European level (Ciesielska, 2012b). Fourth, the current method of the CETC's management is said not to have proven to be successful for new challenges. A more integrated and powerful solution would be needed. The current organization, working under Polish law, had not been allowed to govern the non-Polish members (Ciesielska, 2012b).

The EGTC's objectives are linked to those of the initiative. The aim is to enhance the transport infrastructure and support economical growth in the corridor. Furthermore, the environmental and living conditions are to be improved.

The EGTC's tasks are various. To sum up, the EGTC has planning and representative tasks,

Figure 7 – Map of the Members of the CETC-EGTC

Source: Own illustration, Bonn, August 2012 based on (Ciesielska, 2012a).

shall foster the communication among its members and make R&D partners join the grouping. Therewith the cooperation is to be improved (Ciesielska, 2012b).

No. 4: EUKN EGTC

The spatial characteristics of this EGTC are special as it will comprise 11 member states. Cyprus, Hungary and the Czech Republic are not connected to the large comprehensive area that is spanned by the other member states. Thus the EGTC's scope will be very large but non-contiguous (EUKN, 2011) (see figure 8, p.57).

Table 6 – EUKN EGTC

Characteristics of the planned EUKN EGTC	
Name of the EGTC	European Grouping of Territorial Cooperation European Urban Knowledge Network Limited
Decision to establish an EGTC	2010
Date of foundation	10/2012
To be continued on the next page	

Planned EUKN EGTC	
Current status	Convention and statute have been approved by the Dutch state and almost all prospective members have finally confirmed their participation
Countries involved	Belgium, Cyprus, Czech Republic, Denmark, France, Germany, Hungary, Luxembourg, the Netherlands, Romania and Spain
Location of the registered office	The Hague (NE)
Number and character of members	11 member states
Duration	Indefinite
Legal form	Public with limited liability
Organs	<ul style="list-style-type: none"> - Assembly, - Director, - Secretariat - National Focal Points
Working language	English

Source: Own illustration, Bonn, April 2012, based on (EUKN, 2011), (Grisel, 2012).

The EUKN EGTC will be based on the cooperation of the European Urban Knowledge Network, an intergovernmental organisation, started as a pilot project in 2004 (EUKN, 2009).

The reasons to establish an EGTC are multiple: First, it is expected that the cooperation will get a higher publicity in Europe because of its unique character. Second, it is envisaged that the EGTC will support the transformation of the network into a learning platform with new products and services. The network shall be enabled to participate in and cooperate with EU projects and programmes. Third, an EGTC is expected to offer additional funding possibilities. Fourth, the EGTC might contribute to the intensification of the collaboration with other urban networks and organizations like URBACT. The 'EUKN-EGTC' envisages to start a "common search engine with URBACT" (EUKN, 2011, p.11) and contribute to the enlargement of the network. Fifth, the EGTC is expected to strengthen the long-term sustainability, the intergovernmental nature of the network and provide it with a greater transparency and accountability. This is expected to increase the value of being a member of the EUKN (EUKN, 2011, p.11ff.).

The EGTC's aim is to make the EUKN become the most important "urban knowledge dissemination hub in Europe" (European Urban Knowledge Network, 2011, art.4, para.2). This is to be achieved by stimulating the exchange of urban knowledge. By that the network wants to sustain urban development and so foster the competitiveness of European cities (EUKN, 2011, p.14).

The EGTC will have the task to enhance the communication among urban professionals and with

Figure 8 – Map of the Members of the EUKN EGTC

Source: Own illustration, Bonn, August 2012 based on (Grisel, 2012).

other European networks and programmes. Furthermore, it will have administrative tasks like the organisation of conferences and implement PR-activities (EUKN, 2011, p.15 and 18f.), (European Urban Knowledge Network, 2011, art.4, para.3).

No. 5: CODE24 EGTC

The geographical scope of the planned EGTC has not been decided yet, but will mainly consist of members of the INTERREG project concentrated along the trans-European railway axis 24 from Rotterdam to Genoa.

It is not expected that the members will be located contiguously to each other (Saalbach, 2012a) (see figure 9, p.59).

Table 7 – CODE24 EGTC

Characteristics of the planned CODE24-EGTC
To be continued on the next page

Planned CODE24-EGTC	
Name of the EGTC	Not decided yet
Decision to establish an EGTC	2009
Date of foundation	2013
Current status	Information of the potential members of the EGTC about the instrument EGTC
Countries involved	France, Germany, Italy, the Netherlands, Switzerland and more
Location of the registered office	Probably Germany
Number and character of members	Regions, local authorities, universities and research centres. Private partners might be associated in an advisory board but this has not been discussed yet
Duration	Not decided yet
Legal form	Public
Organs	Not decided yet
Working languages	English

Source: Own illustration, Bonn, April 2012, based on (Saalbach, 2012a), (CODE24, 2010) and (Saalbach, 2012b).

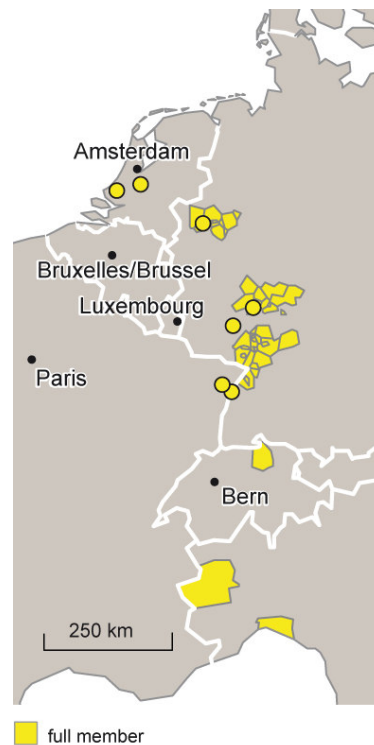
The planned CODE24-EGTC will be established on the basis of the cooperation of the INTERREG IV B- project CODE24, funded in the North-West Europe Programme. The project started in October 2008. However, the members of the INTERREG project are not bound to become members of the EGTC. Still the EGTC is expected to consist mainly of the members of this project. Some of them are said to have already decided to join the EGTC (Saalbach, 2012a).

The EGTC establishment is special as it will take place in the final phase of the INTERREG project (Saalbach, 2012a).

So far half of the INTERREG project time has passed but up to now there have been no drafts for obligatory provisions of the planned EGTC. The EGTC establishment belongs to the project package of public relations and it is planned to attract potential members of the EGTC until the end of 2012. Additionally, the framework conditions of the EGTC, possible objectives, tasks and advantages shall be formulated and analysed in 2012. The following step will be the signing of the declarations of interest (Saalbach, 2012a).

The INTERREG projects plans to apply for an extension stage (one more year of funding) to have the EGTC co-financed in its start-up phase (Saalbach, 2012a).

It has not been decided about the duration of the EGTC yet. At the beginning of its existence, however, the registered office of the EGTC will probably be established as part of the existing INTERREG-project organisation with clear tasks and a limited budget but is envisaged to grow

Figure 9 – Map of the Members of the CODE24 INTERREG IV B- Project

Source: Own illustration, Bonn, August 2012 based on (CODE24, 2012).

afterwards to an entity of its own (Saalbach, 2012b).

The EGTC is planned to be established because of many reasons: First of all the planned EGTC is expected to safeguard the extension of the cooperation, which has been limited to the INTERREG project funding time before. As EGTCs can apply for funding the durability of the cooperation might be supported. A longer cooperation is considered to be important because the INTERREG project supports the cooperation only for a short time – not all problems of the corridor might be solved. The EGTC, however, can ensure the ongoing cooperation beyond the time of funding. Additionally, the EGTC was chosen because it was said to have a better appearance as legal person and to be needed for the competition with other corridors. The plan to establish an EGTC facilitated the project approval in the INTERREG funding (Saalbach, 2012a).

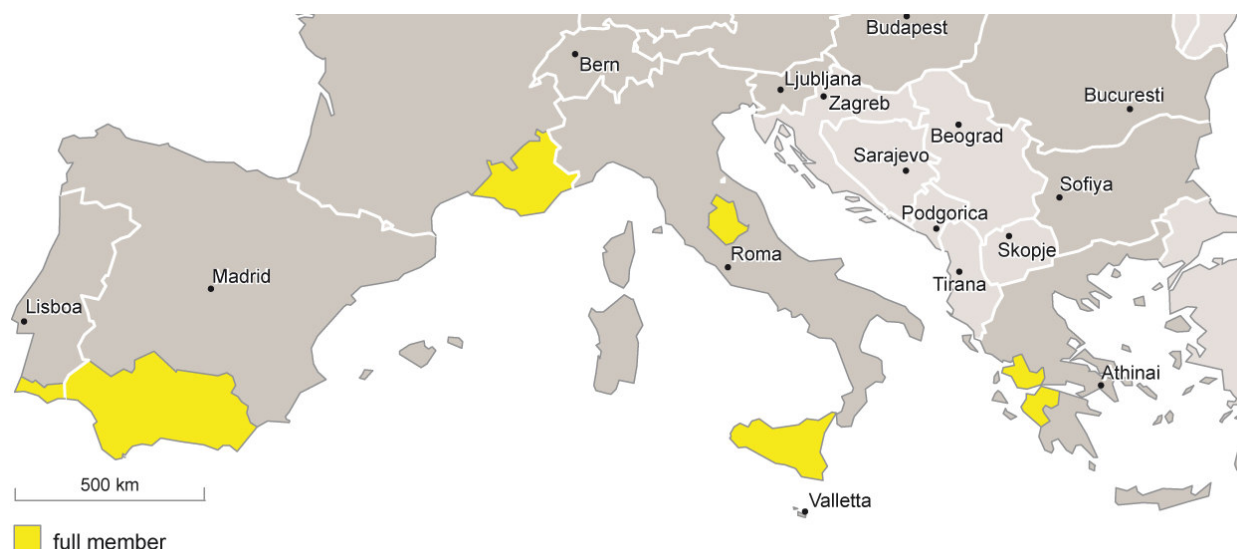
The objectives of the EGTC will be similar to those of the INTERREG project: It aims to improve the economic, spatial, transport and ecological development of the corridor. This shall be ensured by implementing a coordinated transnational strategy for the development of the corridor and the strengthening of the involved actors' position. The cooperation among the existing members shall be improved and new partners are to be incorporated (Saalbach, 2012a).

The EGTC's tasks will be to continue the coordination of the spatial and infrastructural planning in the corridor, the further development of the corridor-information system and the external representation of the corridor with PR-activities (Saalbach, 2012a).

No. 6: EGTC MED TECHNOPOLIS

The geographical scope of the EGTC will be concentrated in the Mediterranean region but will be territorial non-contiguous and probably mostly consist of the members of the INTERREG project (Daniel, 2012). Therefore it has been classified as a network-EGTC (see figure 10, p.60).

Figure 10 – Map of the Members of the MED TECHNOPOLIS INTERREG IV B- Project



Source: Own illustration, Bonn, August 2012 based on (Parque Tecnológico de Andalucía (PTA) Malaga, accessed 2012[b]).

Table 8 – EGTC MED TECHNOPOLIS

Characteristics of the planned EGTC MED TECHNOPOLIS	
Name of the EGTC	European Grouping for Territorial Cooperation MED TECHNOPOLIS
Decision to establish an EGTC	Probably 2009
Date of foundation	2013
Current status	Preparation has just started, will be executed at the beginning of 2013
Countries involved	France, Greece, Italy, Portugal, Spain
Location of the registered office	Not decided yet
Number and character of members	Local and regional authorities, universities, research centres, national centre of entrepreneurship
Duration	Not decided yet
Legal form	Not decided yet
Organs	Not decided yet
Working languages	Not decided yet
To be continued on the next page	

Planned EGTC MED TECHNOPOLIS

Source: Own illustration, Bonn, April 2012, based on (Daniel, 2012), (Programme Med, 2009) and (Parque Tecnológico de Andalucía (PTA) Malaga, accessed 2012[a]).

As well as the planned CODE24-EGTC the establishment of the EGTC MED TECHNOPOLIS is based on a INTERREG IV B- cooperation project and the establishment of the EGTC will be one of the last actions of the project (Daniel, 2012). The EGTC is also planned to be established in 2013 but so far the preparation has just started and therefore not much information could be accessed (Daniel, 2012).

The objectives of the EGTC respectively of the INTERREG- project will be the increase of the competitiveness of the Mediterranean area, the promotion of territorial cohesion and environmental protection and the securing of equal opportunities.

The expected tasks of the EGTC will be the implementation of the INTERREG project's findings into practice. The EGTC shall lead a network of developed technological interface structures and establish an academy and an association that will provide training courses for entrepreneurs and managers in innovation and competitiveness (Parque Tecnológico de Andalucía (PTA) Malaga, accessed 2012[a]). More detailed information could not be accessed.

No. 7: Corridor VIII EGTC Euroregion

Figure 11 – Map of the Members of the Planned Corridor VIII EGTC Euroregion



Source: Own illustration, Bonn, August 2012 based on (Secretariat Corridor 8, accessed 2012) and (Fiera del Levante Press Office, 2010).

The geographical scope of the Corridor VIII EGTC Euroregion is expected to be concentrated along the Paneuropean transport corridor 8 between Italy and Bulgaria. It is expected to be also non-contiguous (Secretariat Corridor 8, 2005).

Table 9 – Corridor VIII EGTC Euroregion

Characteristics of the planned Corridor VIII EGTC Euroregion	
Name of the EGTC	Corridor VIII EGTC Euroregion
Decision to establish an EGTC	?
Date of foundation	?
Current status	?
Countries involved	Italy, Bulgaria, (Albania, Macedonia, Slovakia, Greece)
Location of the registered office	?
Number and character of members	Province of Puglia, Bulgarian State, +?
Duration	?
Legal form	?
Organs	?
Working languages	?

Source: Own illustration, Bonn, April 2012, based on (Fiera del Levante Press Office, 2010) and (Secretariat Corridor 8, 2005).

Unfortunately the Corridor VIII Secretariat and other possible actors of the cooperation could not be reached. Therefore the information is very limited and it cannot be said for sure if the plan to establish the EGTC is still prevailing. The last information stems from 2010. It is still listed in the register of the CoR for the EGTCs under preparation (Committee of the Regions, accessed 2012[b]).

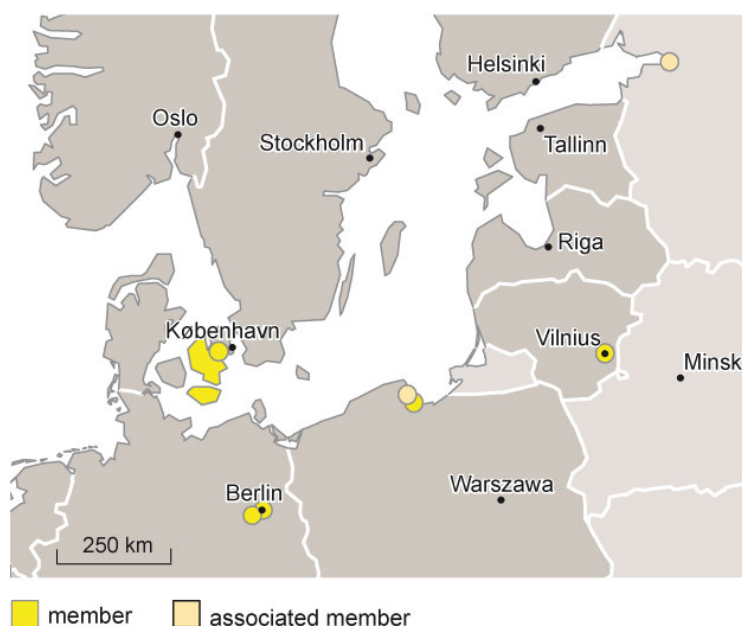
The EGTC is expected to be based on the Corridor VIII Euroregion and the Paneuropean Transport Corridor VIII which aim to improve the transport and energy infrastructure in and among Albania, Macedonia and Bulgaria because their infrastructure has been traditionally weak. Italy is said to be participating in this cooperation because it hopes that its southern and north-eastern regions benefit from the better integration of South Eastern Europe (Secretariat Corridor 8, 2005). The objectives of the EGTC are the improvement of the transport infrastructure, economic cooperation and the international representation. Additionally, cultural exchanges shall be fostered and human capital pooled. This shall facilitate the EU accession of Albania and Macedonia (Fiera del Levante Press Office, 2010).

The management of EU funds and the support of the corridor's objectives were said to be possible tasks of the EGTC (Fiera del Levante Press Office, 2010).

No. 8: Longlife Institute EGTC

The EGTC will be mainly concentrated in the Baltic Sea Region, as the members of the current cooperation come from this area. However, the cooperation is open for new members. The INTERREG project members consisted mainly of associations located in different municipalities so that the cooperation has not been contiguous (Kiefel, 2012) (see figure 12, p.63).

Figure 12 – Map of the Members of the Longlife INTERREG IV B Project



Source: Own illustration, Bonn, August 2012 based on (LONGLIFE, accessed 2012).

Table 10 – Longlife Institute EGTC

Characteristics of the planned Longlife Institute-EGTC	
Name of the EGTC	Longlife Institute EGTC
Decision to establish an EGTC	March 2011
Date of foundation	End of 2014 at the latest
Current status	Allocation of money, identification of more potential members
Countries involved	Germany, Denmark, Lithuania, Poland, (Russia) and open to others
Location of the registered office	Berlin (DE)
Number and character of members	Local authorities, universities, research centres and other associations
Duration	Not decided yet
Legal form	Public
Organs	Not decided yet
Working languages	English

Source: Own illustration, Bonn, April 2012, based on (Kiefel, 2012).

This EGTC will be established on the basis of the terminated INTERREG IV B- project Longlife which has been funded in the Baltic Sea Region Programme. At the end of the cooperation the Longlife Institute has been established, an incorporated society under German law.

It is planned to apply for an extension stage in the INTERREG IV B-programme and to establish the EGTC which is expected to manage the institute. At the moment the cooperation is in the process of allocating money to be able to establish the EGTC (Kiefel, 2012).

A reason for the establishment of the EGTC is that the cooperation needed to be a public entity to found an academy and to allow a certification of project results. The legal status in general is expected to bring more advantages for the cooperation. It is wished to implement the European idea and to ensure a better representation of the institute within Europe. The good experiences that were made in the project partnership of the cooperation strongly supported the idea to establish an EGTC (Kiefel, 2012).

The objectives of the EGTC will be the promotion of energy efficient building, the strengthening of regional economies and the use of synergies among its members (Kiefel, 2012).

The task of the EGTC will be the management of the Longlife institute and the fulfilment of the EGTC's objectives (Kiefel, 2012).

Planned Network-EGTCs that have been discontinued

The former INTERREG II B project 'Donauhanse' planned to establish an EGTC (Zapletal, 2010, p.22) and can still be found in the CoR's list of EGTCs under preparation (Committee of the Regions, accessed 2012[b]). It would have been another network-EGTC. However, according to recent information by the project manager, the EGTC establishment is not being followed up any more. A reason for the abandoning of the plan to establish an EGTC was said to be the slow implementation process of the national provisions by the member states. Additional reasons were the overall hesitant establishment of EGTCs and the rareness of EGTCs that were not established on the basis of historic cooperation traditions (M. Damm, 2012).

There were several more potential network-EGTCs, however, they decided not to choose an EGTC as cooperation structure (Pienkoß, 2012). An other reason was that different attitudes towards EGTCs existed like in the case of the former INTERREG III B-project STRING¹⁰. Here German, Danish and Swedish partners cooperated. As the Nordic countries had reservations towards the application of an EGTC the creation of this instrument will not be implemented in the near future (Littmann, 2012).

Littmann, German partner of the STRING cooperation from Hamburg, thinks that more EGTCs

¹⁰The name STRING stands for Strategic Partnership in the South Western Baltic Sea Trans Regional Area Implementing New Geography.

would be applied if the allocation of Structural Funds was bound to the establishment of EGTCS (Littmann, 2012).

The next subsections summarize the common features of the existing and planned network-EGTCS.

3.4.3 Common Characteristics of the Existing and Planned Network-EGTCS

The comparison of the planned and existing EGTCS shows that the EGTCS are different but show several common features. These are subsumed in the following.

Spatial characteristics

Italy is involved in five of eight network-EGTCS. Other often involved countries are Cyprus, France, Germany and Spain.¹¹ Although network-EGTCS stand for a non-contiguous cooperation, six out of eight network-EGTCS focus on a large common area. Three of the network-EGTCS aim at strengthening the Mediterranean area, the other three want to develop a common transport corridor.

Aims and tasks

Often named reasons for the choice of an EGTCS were the access to funds, an increased publicity and better appearance on EU level as well as the legal status.

Network-EGTCS aim at contributing to European cohesion and especially to the development of a common cooperation area. The improvement of the previous cooperation has often been envisaged. This concerns the joint representation, improvement of services, using of synergies, accession of more members and a higher publicity. The exchange and provision of information and experiences was named both as objective as well as a task. Depending on the cooperation's aim the individual tasks differ. Some similar tasks were discovered such as lobbying, common presentation, other PR-activities, the strengthening of their cooperation, common planning as well as organisational tasks.

Organisational structure

Historic basis

All cooperations are based on an earlier cooperation. The establishment of the EGTCS was often supposed to intensify and to ensure a long-term cooperation. The two already existing network-EGTCS, however, have a limited duration of 25 respectively 20 years. Still, this period can be prolonged if all members agree upon it.

¹¹In general, however, France and Spain participate in many EGTCS (see table 1, p.32). In contrast Cyprus solely participates in network-EGTCS. This is due to its geographic characteristics as an island.

Location and legal status

So far network-EGTCs have not preferred a certain country for the registered office of the EGTC. However, frequently inexperienced countries have been chosen.

Two EGTCs will have a limited liability and most network-EGTCs seem to have a public status. This depends on the location of the registered office.

Composition of members

The number of members varies. Half of the EGTCs have not known the number of members yet. The two already existing EGTCs show very different results. It is expected that most EGTCs will consist between 10 and 20 members. The EGTCs supposed that the number of members would increase during the time of cooperation. The members are expected to consist of local, regional and national levels. Some EGTCs are restricted to only one kind, like the EUKN EGTC, others can be mixed. Some additionally plan to involve research institutions, private companies and other organisations.

Organs

In the four EGTCs where it has already been decided which organs to have, the EGTC will consist of four to six organs.

Duration

Only four network-EGTC have known so far if their cooperation will be limited to a certain span of time. The two existing EGTCs limited it to 20 respectively 25 years. Two planned EGTCs, however, will establish an EGTC with an indefinite duration.

Working languages

Most network-EGTCs accept all languages spoken by its members as working languages. Additionally, all network-EGTCs included English as additional working language. Yet, many language problems were experienced when searching for information about network-EGTCs. Only few of the persons responsible spoke English fluently. This questions the significance of the official inclusion of English as working language. The missing language skills might complicate a frequent exchange among the EGTC members.

Establishment process

The time for establishing the EGTCs varies but tends to require a long time. The first network-EGTC, E.G.T.C. Amphictyony, was established the fastest.

These findings are to be broadened through an in depth analysis of the existing 'E.G.T.C. Amphictyony' and one of the most advanced planned 'CETC-EGTC' in the next chapter of the thesis

(see chapter 4, p.77).

In the following subsection the attitudes of the different EU funded cooperation programmes in the transnational and interregional cooperation towards the use of EGTCS are presented.

3.4.4 Network-EGTCS in the European Territorial Co-operation Programmes

Originally the introduction of the instrument EGTC was targeted at the simplification of the management of the territorial cooperation programmes (Gabbe, 2012). However, only one EGTC manages a programme area. In the transnational and interregional cooperation no EGTC fulfils this task. Instead there are many different models to manage transnational and interregional programmes. According to Ocskay, the European institutions' intention is that more EGTCS will be used for the management of programmes (Ocskay, 2012b). However, most transnational and interregional programmes seem not to be in favour of using an EGTC instead of the existing structures.

In the **INTERREG B** cooperation programmes the use of EGTCS as managing authority has been discussed in several cooperation areas. The existing organisations were considered to work out well so that there was no need experienced to establish an EGTC (Lieske, 2012), (Möllers, 2012), (Westerholt, 2012). Additionally, it was supposed that disadvantages or problems might occur when applying an EGTC. Ritt, for instance, considers the use of an EGTC as a managing authority not to be suitable in the **Central Europe** Programme: An EGTC would not fit the scale of the cooperation area. In his opinion it would almost be impossible to integrate nine countries (Ritt, 2012). Möllers, from the **North-West Europe** Programme expects an EGTC to pose financial questions for which there have been no solutions so far (Möllers, 2012). Westerholt, from the **North Sea** Programme does not expect any advantages of the management by an EGTC. It would rather lead to additional efforts (Westerholt, 2012).

This shows that it is not probable that EGTCS will be used for the management in the Baltic Sea Region, North-West Europe or in the North Sea Programme. Lieske thinks that a change in the Baltic Sea Region might only happen if the member states would urgently demand it (Lieske, 2012). Westerholt is of the opinion that the member states involved in the Central Europe Programme would oppose the use of an EGTC (Westerholt, 2012).

The **South East Europe** Programme, however, is said to be open for the use of an EGTC as managing authority in the next Structural Funds period (Ocskay, 2012b) but this has not yet been decided (Curzolo, 2012).

All INTERREG IV B cooperation areas were said to be open for EGTCS as project partners. How-

ever, in practice, there has only been one project so far, with an EGTC as partner: The EGTC Eurorégion Pyrénées-Méditerranée participates as a beneficiary in the transnational INTERREG project CREAMED (Roger, 2012).

There have been only few projects so far that plan to establish an EGTC after the end of funding. In the **Alpine Space** the possibility was discussed in some projects. However, there have been no EGTC plans so far. Ballnus thinks that this has been caused by too big uncertainties and few experiences (Ballnus, 2012). In the **North Sea** Programme there were two project applications that included the establishment of an EGTC at the end of funding. However, these applications were not accepted for other reasons (Westerholt, 2012). The same was the case in **Central Europe** with one project proposal that had not been accepted for funding (Ritt, 2012). In the current INTERREG IV B Programme there have been only three projects that plan to establish an EGTC: CODE24 (North West Europe), MED TECHNOPOLIS (Mediterranean Programme) and Longlife (Baltic Sea Region) (see chapter 3.4.2, p.53).

The **INTERREG IV C** Programme is organized by an EEIG¹² and according to Lamblin, the director of the programme, this is considered to be working out well. The idea of using an EGTC instead of the EEIG has been excluded because EGTCs were not considered to be appropriate as a managing authority: It was expected that EGTCs would have problems with the hire of staff and Value-Added Tax (VAT) and to show lower efficiency than the EEIG (Lamblin, 2012).

Siweris, Deputy Programme Director of the Joint Technical Secretariat of INTERREG IV C, stated that it was not probable that EGTCs would be established in the interregional cooperation after the end of funding. The aim of INTERREG IV C projects was the exchange of experiences. After the end of funding no further exchanges were needed (Siweris, 2012).

EGTCs are eligible as project partners but cannot be the only beneficiary. Instead three more partners have to participate (Siweris, 2012).

For **URBACT** an EGTC as managing authority is not planned to be used as its structure is considered to be too complicated.

At present there are no projects that include an EGTC as partner. Nor is it envisaged to include EGTCs as partners for the next call. They are said not to fit to the thematic focus (Bucella, 2012).

In the **INTERACT** programme the use of an EGTC has been discussed marginally. It is regarded as very unlikely that INTERACT is going to use an EGTC as managing authority in the next fund-

¹²See more in chapter A.1, p.175.

ing period. The reason is that the establishment of an EGTC starting now would not be completed until the start of the new programming period (Blais, 2012a).

The **ESPON** programme is thinking about establishing an EGTC (Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, 2011, p.6) as part of its institutional setting after 2013. According to current information, however, there have been no concrete plans yet. Mehlbye, director of the ESPON Coordination Unit, clarified that an EGTC could be only established if the amended EGTC regulation showed more flexibility in ways of applying the EGTC in the programme implementation. He expects that the decision will be made when the draft Operational Programme, planned to be submitted in autumn 2013, is more advanced (Mehlbye, 2012).

► Most programme areas do not see the need to change their existing structures and often expect difficulties instead of advantages in the use of an EGTC. The fears seem to prevail as no experience with an EGTC exists. Possibly the experience made by the EUKN EGTC, which will be soon established in the transnational cooperation, might serve as a best practice example as it will consist of 11 member states and will comprise a very large territorial non-contiguous area (see chapter 3.4.2, p.53). The advantages of managing authorities, independent of national levels and operating under EU law (Ocskay, 2012b), do not seem to convince most programmes. However, two programmes are at least considering the use of an EGTC as a possibility. The future will show if some network-EGTCs will be used for the management of territorial programmes as well. Projects funded under the ETC programmes are not eager to prolong their cooperation with an EGTC when the time of funding ends. Although all INTERREG programmes and the URBACT programme define EGTCs as eligible partners, there has been only one example in which an EGTC participates in an EU funded project. This shows that network-EGTCs are very seldom supported by and used in the EU funded transnational and interregional cooperation.

However, it cannot be said that the participation in EU funded transnational and interregional cooperation projects would not influence the establishment of EGTCs: From the total number of the existing and planned network-EGTCs, three out of eight are or have been funded in the INTERREG initiative. Therefore the influence of the financial support of the EU cannot be neglected. Considering that the EGTC regulation defined that EGTC should be mainly used for the "implementation of territorial cooperation programmes or projects co-financed by the Community" (European Parliament and Council, 2006b, art.7, para.3) it must be pointed out that this is definitely not the case in the interregional and transnational cooperation.

In the following subsection the opinions of the stakeholders interviewed about possible reasons for the low amount of existing EGTCS in the transnational and interregional cooperation are presented.

3.4.5 Stakeholders' Reasons for the Status Quo

Blais and Olbrycht pointed out that it was too early to draw conclusions about the number of EGTCS and possible trends. Six years after the introduction of the EGTC regulation the present status still has to be considered as the start of the EGTC development (Olbrycht, 2012), (Blais, 2012b). Still the stakeholders named several reasons for the low degree of application in the transnational and interregional cooperation.

Missing knowledge

Blais stated that the low number of network-EGTCS might be connected with the fact that the transnational cooperation is less mature than the cross-border cooperation because it has developed much later. Most existing cooperation forms have been developed for the cross-border cooperation. Euroregions, for instance, were exclusively used in this area. This could explain that EGTCS also have their focus on territorial contiguous cooperations (Blais, 2012b).

A further reason for a small amount of network-EGTCS was that the instrument EGTC has not been well known so far. The few that know this instrument would often connect it only with cross-border cooperations (Reichel, 2012), (Blais, 2012b).

They might also be afraid of establishing the new instrument due to a low level of experience and difficulties expected (Reichel, 2012).¹³

Late introduction of the EGTC regulation

According to Peters a further reason for so few established network-EGTCS might lie in the late introduction of the EGTC regulation with respect to the making of the Operational Programmes of the different cooperation areas. Because of this delay only one programme area has chosen to establish an EGTC as managing authority. Otherwise Peters thinks that there might have been more programme areas, also in the transnational and interregional cooperation, managed by an EGTC (Peters, 2012).

High efforts in the use of EGTCS and missing need to establish EGTCS

Most stakeholders interviewed believed that the small amount of network-EGTCS can be explained by the high complexity and the high efforts to establish and run the instrument. According to Alcolea-Martínez an EGTC implies a high bureaucracy and needs a long time of duration to be 'cost efficient' (Alcolea-Martínez, 2012). This might not be worth the efforts in the non-contiguous

¹³See more in chapter 3.3, p.46.

cooperation. Especially cooperations that only aim at the exchange of experiences or permanent networking should use bilateral agreements instead. These are considered to be an easier structure (Gabbe, 2012), (Peyrony, 2012), (Alcolea-Martínez, 2012), (Blais, 2012b), (Maier, 2008, p.54).

For transnational and interregional cooperations it might not be important to manage a joint budget, to apply to European funds, to have common personnel and to conduct procurements which require the cooperation to be a legal person (Alcolea-Martínez, 2012), (Blais, 2012b). So the establishment of an EGTC would not be needed.

The next section presents the opinions of the stakeholders interviewed concerning possible areas of application of EGTCs in the transnational and interregional cooperation.

3.5 Stakeholders' Opinions about the Applicability of EGTCs in the Non-Contiguous Cooperation

EGTCs are legally applicable in the transnational and interregional cooperation (Alcolea-Martínez, 2012), (Olbrycht, 2012). However, Alcolea pointed out that it depends on the characteristics of the specific cooperation, the expectations of the members and the EGTC's future tasks whether it makes sense to establish an EGTC (Alcolea-Martínez, 2012).

Generally stakeholders think that an EGTC should only be used when necessary because of its complex structure and many requirements that have to be fulfilled in the establishment and practice. A cooperation should not have the only aim to establish an EGTC but rather to make use of it when created (Reichel, 2012), (Alcolea-Martínez, 2012).

In this section the discussion about the application of EGTCs in the three different fields project cooperation, programme management and macro-regions is presented.

Project Cooperation

Gabbe thinks that only in the case of project-oriented co-operations, e.g. transport infrastructure and energy networks, it would make sense to establish an EGTC. This would not apply for temporally limited INTERREG projects because the EGTC establishment could take a too long span of time compared to the project lifetime (Gabbe, 2012). Peters acknowledged this but pointed out that an EGTC might also be a good solution for INTERREG projects that intend to continue the cooperation after the end of funding on a long-term perspective (Peters, 2012). Most transnational and interregional cooperation projects, however, do not want to continue to cooperate after the end of funding (Alcolea-Martínez, 2012).

Also non-EU funded interregional projects could choose an EGTC to change their loose cooperation into a stable, long-term cooperation. However, Peters wonders if loose cooperations really want or need a long-term structure, offered by an EGTC (Peters, 2012).

Ocskay thinks that the topics of a cooperation must be worth establishing an EGTC. The topics transport, clusters or knowledge would justify the establishment of an EGTC rather than cultural topics. For the exchange of culture, cooperations with an informal character might be sufficient (Ocskay, 2012b).

According to Alcolea-Martínez the two existing network-EGTCs, ARCHIMED and Amphictyony, did not need to establish an EGTC and could have used other kinds of organisation instead – like several other cooperations did. However, the cooperations chose the EGTC because it was considered to be crucial to get a European status (Alcolea-Martínez, 2012). Peyrony confirms that non-contiguous cooperations which establish an EGTC might benefit from the added political value and the European character. Still he pointed out that cross-border cooperations would rather be in need of establishing EGTCs (Peyrony, 2012).

Managing Authority of a Transnational or Interregional Programme

From the beginning, the AEBR expected the application rate of EGTCs as managing authority of the transnational and interregional programmes to be very low. Gabbe thinks that the already existing structures will rather be used and amended because the requirements of EGTCs are too complicated for such cooperation programmes (Gabbe, 2006, p.9).

Macro-regions

Reichel called the application of EGTCs in the non-contiguous cooperation a good idea. Especially now, as it will be possible with the new EGTC regulation to use EGTCs in macro-regions, he considers it as reasonable that EGTCs are not restricted to the cross-border cooperation (Reichel, 2012).

The idea of using EGTCs for the management of macro-regions or to implement macro-regional strategies was said to be supported by the European Commission and other European institutions (Ocskay, 2012a). However, all interviewees supposed that there would be problems in practice.

Finances and legal basis

Blais thinks that it might be hard for macro-regions to finance an EGTC. They would get only a small amount of money through technical assistance which might hinder the sufficient support of the EGTC (Blais, 2012b). Peters considers it a problem that EGTCs are not equipped with funds. As macro-regions would not have a legal basis it might not be sensible to establish an EGTC (Peters, 2012).

Missing need of EGTCS in macro-regions

Peters considers the establishment of an EGTC as especially implausible in the case of the Baltic Sea Region. This macro-region already has many structures and institutions (Peters, 2012).

In Olbrycht's opinion macro-regions do not need any institutions because they would not implement common projects. Instead they would only be used to coordinate the different programmes of the EU. The usage of an EGTC solely for organising actions and meetings would be disproportional (Olbrycht, 2012). Peyrony shares this opinion (Peyrony, 2012).

High number of heterogeneous members and hard decision making

Macro-regions consist of many members that can come from different administrative levels and be very heterogeneous. Many macro-regions involve also non-EU members. This could lead to problems (Alcolea-Martínez, 2012), (Gabbe, 2012), (Peters, 2012). A high number of members would make it necessary to use majority decisions. This might prevent several countries from participating because of the fear to be overruled (Gabbe, 2012). The decision about the location of the registered office and the organs might be very time-consuming (Blais, 2012b). According to Peters it might be hard to convince all members of a macro-region to establish an EGTC because some member states generally do not favour EGTCS (Peters, 2012).

Possible tasks of EGTCS in macro-regions

Blais and Alcolea Martínez proposed to involve only some members of a macro-region in the EGTC which would make it easier (Alcolea-Martínez, 2012). The EGTC could then act as an executive body which works on behalf of all member states of the macro-region based on a contract (Blais, 2012b), (Alcolea-Martínez, 2012). Alcolea Martínez further proposed to use the EGTCS as the technical secretariat of such a macro-region that could administrate the spending of EU funds and could give technical assistance (Alcolea-Martínez, 2012). Blais proposed that the EGTCS could fulfil public relation activities for the macro-region (Blais, 2012b). Furthermore, EGTCS could also be used for monitoring (Alcolea-Martínez, 2012).

EGTCS can only be used to strengthen European Cohesion. Macro-regions, however, often comprised additional issues that went beyond Cohesion Policy. Therefore Peters considers it questionable if an EGTC could be used to fulfil these further tasks (Peters, 2012).

In the following section the findings of this chapter will be summarized.

3.6 Conclusion of the Status Quo and Expectations of Network-EGTCs

Territorial non-contiguous cooperation

Territorial non-contiguous cooperations – cooperations that might use a network-EGTC – show special characteristics compared to cross-border cooperations: They are less oriented on space and aim at the exchange of information and a joint representation with a higher public appearance. These cooperations have specific problems in the establishment and practice (definition of common competences, communication, administration and financing) because of the spatial distances and the resulting differences among the members. Nevertheless, the cooperations are based on similarities. The financial support is said to be an important reason to cooperate. It is recommended that the members conclude a contract. Further important basics to ensure a successful cooperation are common competences of the members, high motivation, the capacity of time and the use of a common language.

Expected characteristics of network-EGTCs

The EGTC regulation does not legally differentiate between network-EGTCs and EGTCs in the cross-border cooperation. However, the stakeholders expected differences in practice because of the above mentioned special characteristics of non-contiguous cooperations. The tasks of network-EGTCs might be limited depending on the member states involved and geographic conditions. Additionally, it was said to be harder to define the cooperation area and to get the permission to participate in an EGTC. Transnational and interregional cooperations were estimated to consist of a high number of partners. This was said to complicate the joint decision making and the joint representation of all members' interests and to slow down the cooperation processes. Furthermore, the members of the cooperation change frequently. Network-EGTCs were expected not to be as coherent and intense as other EGTCs. However, the members would show similarities in culture and tradition and base their cooperation on common interests like in the cross-border cooperation.

Status quo of planned and existing network-EGTCs

The existing and the planned network-EGTCs are based on previous cooperations which are intended to be improved and made permanent. In contrast to the normal characteristics of non-contiguous cooperations most network-EGTCs show a spatial focus and want to develop a common cooperation area. The contribution to economic and social cohesion is envisaged.

The network-EGTCs will consist of a different number of members. In most cases the number of members is expected to increase over the years. This might make it harder to make decisions.

The heterogeneity of members will be restricted in some EGTCS, in others it will be open.

English will be chosen as working language besides other national languages to ensure communication among the members. However it was experienced that the knowledge of the common language English is rarely a given.

The cooperations wanted to establish an EGTCS because of its general potentials: the attainment of legal personality, a higher publicity and the possibility to access EU funds. The planned and existing network-EGTCS shall be used for the exchange and provision of information and the joint representation which is said to be typical of the non-contiguous cooperation. However, some network-EGTCS want to start common planning and other individual tasks that go beyond the tasks of territorial non-contiguous cooperations.

In most cases the establishment of network-EGTCS took or will take a long time, as it has been expected for non-contiguous cooperations.

Reasons for the status quo of network-EGTCS

Despite its misleading name, the instrument EGTCS has been intended to be open to transnational and interregional cooperations from the start. The instrument should be multifunctional and better connected to the European Territorial Cooperation. Yet, so far only few cooperations have decided to establish network-EGTCS. The motivation of establishing an EGTCS after the end of a EU-funded project is rather low. Still three of eight network-EGTCS have been INTERREG projects. So far only one EGTCS has become partner of a transnational project. As no EU-funded transnational and interregional cooperation programme has been managed by an EGTCS, the original aim of EGTCS has not been fulfilled.

Although it is legally possible, the use of EGTCS in the transnational and interregional cooperation is far from being as self-evident as it is already in the cross-border cooperation. There are many fears and difficulties which are expected to go along with the application of EGTCS in the non-contiguous cooperation. It was estimated that the advantages of EGTCS would not be useful for all transnational and interregional cooperations. The efforts to establish and maintain an EGTCS might not be profitable. EGTCS were a too complex structure for loose cooperations. In the management of the European Transnational and Interregional Cooperation programmes EGTCS would not be needed because of existing structures that work out well. This has been acknowledged by the different programmes. Only two programmes consider to establish an EGTCS, however, without concrete plans.

The missing knowledge about the possibility of network-EGTCS, missing experiences, the late introduction of the EGTCS regulation, the missing need and high efforts to establish EGTCS were considered to be reasons for the low amount of network-EGTCS.

Applicability of EGTCs in the non-contiguous cooperation

The stakeholders interviewed stated that EGTCs should only be used in the transnational and interregional cooperation when it was necessary. This was explained by the complex nature of EGTCs which implies several requirements. Network-EGTCs should only be used in long-term cooperations, that aim at implementing joint projects, and in cooperations with relevant topics. The use of EGTCs as managing authority of territorial cooperation programmes is not considered to be reasonable because the structure of EGTCs is too complex and the existing structures functioned well. The application of EGTCs for the management of macro-regions is discussed controversially. Problems in its use might arise.

It was said that the applicability of EGTCs depended on the individual case (its characteristics, tasks and expectations).

The general potentials of EGTCs are said to be applicable to network-EGTCs as well. A political added value was considered to be a reason to establish a network-EGTC.

In the following chapter the two network-EGTCs 'E.G.T.C. Amphictyony' and the 'CETC-EGTC' are analysed in depth. Afterwards the two EGTCs are compared to draw conclusions about possible general potentials, characteristics and problems of network-EGTCs.

4 Empirical Analysis: Network-EGTCs 'E.G.T.C. Amphictyony' & 'CETC-EGTC'

4.1 Case Study 1: 'E.G.T.C. Amphictyony'

The first case study to be conducted explores the first established network-EGTC: The E.G.T.C. Amphictyony. This case was chosen because it is the most advanced EGTC as it was already founded in 2008. This case study is based on the legal documents of the EGTC and also on an on-site visit of the EGTC's registered office in Athens. This included an interview with the Director of the grouping. Additionally, a representative of the Hellenic Ministry of the Interior, responsible for EGTCs, was interviewed about the Greek national provisions for EGTCs.¹

Figure 13 – Logo Amphictyony



Source: (Kamara, 2012).

In the first subsection, the spatial characteristics of this EGTC are presented.

4.1.1 Spatial Characteristics

The EGTC is located in the Mediterranean Area. Its members come from Greece, Cyprus, Italy and France. The Greek members form the main part of the cooperation. Some of the participating Greek municipalities are located on islands. Additionally, several municipalities located on the island Cyprus are participating (see figure 14, p.78).

The French and the Italian members are located on the main land in the south of the respective countries. The distances among the members are very far. Garons, the most western member is approximately 1.700 km linear distance away from Paralimni the most eastern community on Cyprus (Daft Logic, 2012). The territory of the EGTC has been determined by the geographical scope of all members (Xenos-Gabrielis, 2012).

In the following subsection the EGTC's aims and tasks are illuminated.

¹Details about the interviews can be found in the appendix (see chapter A.2, p.182)

Figure 14 – Map of the Members of the E.G.T.C. Amphictyony

Source: Own illustration, Bonn, August 2012 based on (E.G.T.C. Amphictyony, 2012).

4.1.2 Aims and Tasks

Reasons

With the establishment of the EGTC regulation the legal forms of cooperation of the different countries were standardized. This was very important for the choice of the EGTC. The EGTC gave the cooperation a legal existence. This was considered to be important because it enabled the cooperation to apply for European funding which had not been possible before. It also allowed the common administration of money and the financial support by members coming from other countries than the seat. Because of the legal personality the cooperation was also expected to gain a higher political and economic power. Furthermore, it enabled the common representation of its members to the European institutions and was expected to improve the promotion of the cooperation's common objectives and public appearance. It could make the European integration more visible (Xenos-Gabrielis, 2012).

Additionally, the EGTC should ensure a more permanent and democratic cooperation. This was expected to go hand in hand with a bigger planning reliability in finances and staff. It should lead to an intensification and stabilization of the cooperation and facilitate the communication among its members. This was supposed to turn out in speeded-up joint decision-making processes and a better implementation of common aims and actions (Xenos-Gabrielis, 2012).

A possible competition with other cooperations has not been a reason for establishing the EGTC (Xenos-Gabrielis, 2012).

Aims of the EGTC

The E.G.T.C. Amphictyony is a multi-purpose grouping. Its aims are mainly political but also related to territorial development. The main aim is to create another way of doing politics: The EGTC envisages a less bureaucratic EU which is less ruled by strict economic needs. Banks, for instance, should have a smaller impact. In this context the citizen with all his needs should be more in the centre of interest than technical aspects (Xenos-Gabrielis, 2012). Together with the other EGTCs this idea shall be promoted and communicated to the central European level and be implemented in the whole of Europe (Xenos-Gabrielis, 2012).

At the same time the EGTC aims at the exchange of information and experiences among its members and other international institutions. EU funded programmes should be implemented (E.G.T.C. Amphictyony, 2008, art.4 para.2).

The aims are said to be similar to those of the previous cooperation (Xenos-Gabrielis, 2012).

Tasks of the EGTC

The tasks of the EGTC are the organization of conferences and meetings. Furthermore, the EGTC organizes seminars for the participating municipalities which implement the EGTC's decisions to make sure that the policies and visions can pass through towards the citizen (Xenos-Gabrielis, 2012).

Additionally, the EGTC aims at implementing an EU funded initiative: The preparation and support of the new initiative 'Mediterranean Youth Forum', which is currently applying to get EU funds, is considered as an important task. The initiative aims at establishing an organization for young people that can exchange their thoughts about specific problems faced by the Mediterranean region like peace, jobs, human transients, cultural and environmental matters. Their ideas shall be promoted to the central authorities of the EU. This initiative shall be used as a public awareness factor for the local societies, as a think tank and for lobbying the needs of the Mediterranean region to the EU level. The initiative will be started by the founding members of the EGTC but it is envisioned to involve the broader Mediterranean region, not only European countries but also other countries from North Africa, for instance. With this initiative the EGTC aims at contributing to social cohesion.

At the same time the EGTC is also open for non-EU-funded projects (Xenos-Gabrielis, 2012).

The tasks of the EGTC are said to be the same as the cooperation had before the EGTC was established. It is not planned to change the tasks in the new funding period but the EGTC will try to benefit from new opportunities offered by the new regulations (Xenos-Gabrielis, 2012).

- The reasons to establish an EGTC were multiple. The basic aim was to improve the previous cooperation and enable it to get competences it had not had before. The EGTC mostly

concentrates on political cooperation, the promotion of interests, lobbying at European level and less on territorial development (Xenos-Gabrielis, 2012).

In the following subsection the organisational structure of the E.G.T.C. Amphictyony is analysed.

4.1.3 Organizational Structure

Historic Basis

The EGTC was based on a union of fraternised municipalities of the Mediterranean region established in 1997 (E.G.T.C. Amphictyony, 2008, preface). This cooperation had common historic traditions of the Mediterranean region as its basis. It did not have a legal existence (Xenos-Gabrielis, 2012).

The cooperation was started by an initiative of 13 mayors from Greece, Italy, Cyprus and France. They felt the need to pursue the politics of the local administrations from the Mediterranean region in a more systematic way to be able to forward ideas, proposals etc. to the central European authorities and organizations (Xenos-Gabrielis, 2012).

Over the years the members of the cooperation increased and the cooperation had more members than the EGTC has today: also non-EU members from Palestine, Turkey, Israel and Albania participated. As there were barriers for their accession to the EGTC they could not become members of the grouping. Still the advantages of the EGTC predominated the disadvantage, the loss of members (Xenos-Gabrielis, 2012).

Location and legal status

Greece has been chosen as the country for the registered office of the EGTC because the idea of the EGTC started among Greek mayors. There were no long discussions about the location of the EGTC. It was decided from the beginning that Athens, which is not a member of the grouping, will be the location for the registered office. No other city had applied for it (Xenos-Gabrielis, 2012).

According to Greek law the EGTC has the legal status of a 'company of non-profit making character' (Hellenic Republic, 2012, art.22 para.2c). Therefore it is a private entity which is independent of the Greek central government (Karvounis, 2012).

The EGTC does not have a limited liability so it is liable for all its debts and the actions of its bodies. If the EGTC cannot meet its financial obligations, the members of the EGTC will be liable (E.G.T.C. Amphictyony, 2008, art.20).

The Greek Ministry of Finance monitors and audits the EGTC's management of public funds when the Greek Ministry of the Interior or any other stakeholder requests it (Karvounis, 2012).

Composition of members

Characteristics of its members

The EGTC currently consists of 46 members, three more are expected to join this year (Koutsaki, 2012b). The EGTC consists only of local authorities and two unions of local authorities. Each community has about 600.000 - 700.000 inhabitants (Xenos-Gabrielis, 2012).

In 2012 one new member was admitted (Koutsaki, 2012b). All other participants had been members of the EGTC from the start (Xenos-Gabrielis, 2012).

Until now there have been no private entities registered as associated members and there have been no requests of private entities to join the EGTC (Xenos-Gabrielis, 2012).

Multi-level governance

In the case of the E.G.T.C. Amphictyony the form of EGTC was chosen because it was expected to be a bridge between citizens and the EU. Apart from local authorities it is also possible for regional authorities to join the EGTC. National states, however, are not intended to become members of the E.G.T.C. Amphictyony although the EGTC regulation would allow it. In practice only local authorities take part in the EGTC and non-governmental actors are not included (Xenos-Gabrielis, 2012).

Non-EU members

The EGTC regulation allows entities from non-EU member states to become members of an EGTC when at least two member states participate. This has not been possible in this EGTC so far. Even though the non-EU member entities were willing to continue their cooperation they were excluded from the grouping and only allowed to participate as observers. The contracts among the non-EU states and the EU did not allow the participation in an EGTC. Still it is wished that entities from non-EU member states can be included in the EGTC some day (Xenos-Gabrielis, 2012).

Reasons for the composition of members

Most members of the E.G.T.C. Amphictyony have already been members of the previous cooperation (Xenos-Gabrielis, 2012).

The members of the EGTC share a similar culture. Additionally, the EGTC members share similar problems. Therefore the idea of the 'Mediterranean Youth Forum' has come up in which the common problems shall be discussed and solutions are to be found in areas like environment, education and development.

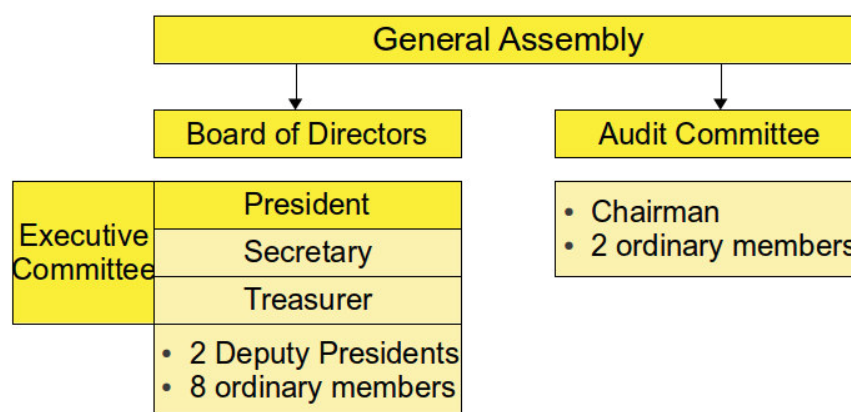
A similar political view between the members has only been shared so far as the EU is concerned. The European view is said to be independent from personal changes on the political level. Other political views can change though.

When establishing the cooperation respectively the EGTC it was not important that the members share similar languages. The EGTC members speak French, Italian respectively Greek but there were no problems in understanding. The EGTC's working language has not been restricted to one common language but allows all three languages and English in addition to these. English has been introduced as the fourth working language as it is practically understood by everybody. Whenever the EGTC holds conferences it provides translators.

Organs of the EGTC

The EGTC consists of five organs: The General Assembly, the Board of Directors, the President of the Board of Directors, the Executive Committee and the Audit Committee (see figure 15, p.82) (Xenos-Gabrielis, 2012).

Figure 15 – Organs of the E.G.T.C. Amphictyony



Source: Own illustration, Bonn, June 2012, based on (E.G.T.C. Amphictyony, 2008)

The General Assembly meets annually, unless requested more often. It consists of the members' representatives. The number of representatives of each entity depends on its number of inhabitants. The representatives consist mainly of mayors. The Assembly decides on all issues transferred to it, especially on the annual budget, new members and observers. Furthermore, it approves the financial and administrative reports of the Board of Directors and decides on the general policy of the EGTC. 13 of its members are elected as members of the Board of Directors for two years (E.G.T.C. Amphictyony, 2008, art.9f.).

The Board of Directors meets four times a year. It consists of 13 persons out of which the President and his two Deputy Presidents, the Secretary and the Treasurer are elected. The Board of Directors can decide to set up working committees or employ third parties for assistance (E.G.T.C. Amphictyony, 2008, art.11). The Director of the EGTC is also member of the Board of Directors (Kamara, 2012).

The President of the Board represents the EGTC and is responsible for the signing of all documents and orders for payment (E.G.T.C. Amphictyony, 2008, art.12).

The Executive Committee, which consists of the President, the Secretary and the Treasurer, is responsible for the management of the EGTC's practice and fulfils tasks transferred to it by the Board of Directors. It has to inform the Board of Directors about all actions taken. The Treasurer is especially responsible for the management of the the EGTC's funds. The Secretary keeps the minutes of meetings and supports the preparation of the agenda (E.G.T.C. Amphictyony, 2008, art.15f.). The Executive Committee meets once a month (Kamara, 2012).

The Audit Committee consists of three members and is elected for two years. It audits the management of finances of the EGTC at the end of each year (Xenos-Gabrielis, 2012).

Communication in the EGTC

Apart from the conferences the members communicate either by phone, email or fax depending on the respective issues. Mostly emails are used but in urgent cases it is communicated via phone (Xenos-Gabrielis, 2012).

Finances

The EGTC is mainly financed by membership fees. Their height depends on the members' number of inhabitants (0,12 € per inhabitant per year). Other possible financial resources can be grants given by self-government agencies, the EU, national or international organizations, the ERDF, donations or properties from private entities or agencies and resources from the EGTC's properties (E.G.T.C. Amphictyony, 2008, art.19 and 22).

Duration

The duration of the EGTC is limited to 25 years because it was said to be designated by the Greek national law (E.G.T.C. Amphictyony, 2008, art.4 para.3). This was not acknowledged by the Greek Ministry of the Interior (Karvounis, 2012). However, the duration can be extended by the decision of the General Assembly (E.G.T.C. Amphictyony, 2008, art.4 para.3).

Staff of the EGTC

The EGTC's permanent staff consists only of two actors situated at the registered office of the EGTC in Athens: the Director of the EGTC and his secretary (Xenos-Gabrielis, 2012).

The Director is responsible for the services of the EGTC, he fulfils the tasks the Board of Directors transfers to him and makes proposals for actions and measures. Furthermore, he observes the compliance of the Board of Directors' resolutions and coordinates the actions of the EGTC (E.G.T.C. Amphictyony, 2008, art.13).²

The two employees of the EGTC mainly deal with organization matters and supervision. Both are Greek because of practical reasons. In the past the cooperation was sometimes supported by

²However, the Director is not counted as an EGTC organ.

Italians. The nationality of the EGTC's employees is not restricted (Xenos-Gabrielis, 2012). The employment of the staff is based on private law and the conditions that apply to non-profit civil companies under Greek law (E.G.T.C. Amphictyony, 2008, art.18).

To avoid problems with international staff the EGTC works mainly with external collaborators apart from the permanent staff. Whenever extra people are needed they are provided by its members (Xenos-Gabrielis, 2012).

Concerning staff no problems have been experienced in this EGTC so far (Xenos-Gabrielis, 2012).

The permanent staff of the EGTC is limited to two persons to keep the costs of the EGTC low. If they had a higher budget they would hire more people. The people working in the bodies of the EGTC only partly work for the EGTC. They mainly work in the municipalities they represent in the EGTC (Xenos-Gabrielis, 2012).

► The network-EGTC was established on a 11-year lasting cooperation. Its seat is located in Athens, Greece. This underlines the neutrality of the registered office of the EGTC because Athens is not a member of the EGTC. According to Greek law the EGTC is a private entity with full liability. The EGTC consists of many members from solely local authorities. New members could only come from the local or regional level. So the potential of EGTCs to facilitate multi-level governance is not fully used. The non-EU members of the previous cooperation could not be involved in the EGTC due to their national regulations. Most members have already participated in the previous cooperation. The members share similarities. Most of these have also been the basis for the cooperation. Differences in the language are not considered to be a barrier for the cooperation. The EGTC is organized in five organs. The communication among the members consists of an annual meeting and irregular contacts in the rest of the year so that there is no frequent communication. The EGTC is mainly financed by membership fees. Its duration is limited. It has only two permanent employees that are responsible for the EGTC's administration.

In the following subsection the course of action of the EGTC's establishment is analysed.

4.1.4 Establishment Process

Before the establishment process itself is described the preconditions for the establishment are presented.

Preconditions

National provisions

A problematic precondition of the EGTC's establishment process was that not all countries had

implemented their national provisions on the EGTC regulation so far. Pressure needed to be put on the respective member states and parliaments so that they accepted this regulation formally (Xenos-Gabrielis, 2012).³

A positive and important precondition was that the national provisions of the participating countries were more or less similar. No national authority asked to modify the statute of the EGTC. Furthermore, the national provisions of the participating countries did not restrict the tasks of EGTCS (Xenos-Gabrielis, 2012).

Attitudes towards the EGTC

Every member of the initial cooperation was in favour of the EGTC establishment – there were no opponents. Although the non-EU cooperation partners could not become members of the EGTC these did not oppose the idea. They were accepted as observers of the EGTC. As observers they do not have a say in the EGTC but are notified about important actions (Xenos-Gabrielis, 2012). The Greek government especially requested the participating entities to inform the public body about the establishment of the EGTC. Initially there were some efforts in doing so but especially now because of the economic crisis it has become harder to motivate the citizens (Xenos-Gabrielis, 2012).

Support of the establishment

The EGTC missed support in its foundation phase (Xenos-Gabrielis, 2012):

No national institutions formally promoted the establishment of the EGTC. The support of the member states involved varied. The Italian support was unsteady and even today the municipalities experience problems because of this. The Cypriot national level needed a long time to define its attitude towards the EGTCS but was in favour like France and Greece were (Xenos-Gabrielis, 2012). The Greek government supports the establishment of EGTCS in providing its legal expertise and experiences about international cooperations among local and regional authorities to interested stakeholders (Karvounis, 2012).

The EGTC has been supported by its members in paying their fees to the EGTC in its founding process to safeguard the only stable income of the EGTC (Xenos-Gabrielis, 2012).

However, the establishment was not supported by any EU institution because the EU regulation does not provide for this. The missing financial support is considered as a drawback for the development of more EGTCS: It would be necessary to introduce technical assistance and trainings from EU level for authorities planning to establish an EGTC. Especially in the first years of existence the EGTC would have appreciated such a support (Xenos-Gabrielis, 2012).

³The national provisions of Greece, Cyprus and France had been implemented approximately one year before the Italian national provisions were implemented in June 2009 (Committee of the Regions, accessed 2012[a]).

Exchange with other EGTCS

The cooperation did not have a role model when establishing the EGTC. This is due to the fact that the E.G.T.C. Amphictyony has been one of the first EGTCS. The first EGTCS were established more or less simultaneously and did not exchange their experiences.

After the EGTC had been founded it had some contact with the EGTCS ARCHIMED and Euroregion Pyrénées - Méditerranée – those EGTCS that are also located in the Mediterranean region and are spatially close to the E.G.T.C. Amphictyony (Xenos-Gabrielis, 2012).

EGTC regulation

The EGTC regulation is considered not to be thoroughly clear in its formulation. Although the regulation laid down just a few requirements that need to be fulfilled to establish an EGTC, some of them were considered to be too complicated and therefore should be simplified: It should be repealed that the foundation of an EGTC has to pass through the different national levels and parliaments (Xenos-Gabrielis, 2012).

Furthermore, it was demanded that the political function of EGTCS is mentioned in the regulation. The role of EGTCS as bridge between the EU and its citizens should be officially acknowledged: There were no other forms of organization so close to the citizens like the EGTCS. This is considered to be especially important in the economic crisis (Xenos-Gabrielis, 2012).

Additionally, EGTCS should be given an advisory role during the preparation phase of the European programmes because EGTCS are said to know the needs and the technical possibilities of the people and organizations that are going to apply for the programmes. In the past EGTCS have often not been eligible in the programmes because the rules for application were made by persons not aware of EGTCS (Xenos-Gabrielis, 2012).

Spatial distances

The spatial distances among the EGTC members were considered as a strengthening and unifying factor in the process of development and not as a problem: Due to these distances the political work needed to be intensified. Still it is demanded that the EU should consider the cases of EGTCS in non-contiguous cooperation better and develop special measures for them (Xenos-Gabrielis, 2012).

- Some preconditions made the establishment process difficult: non-implemented national provisions of the EGTC regulation, missing support, missing experiences with the instrument EGTC and a complicated EGTC regulation. However, there were no opponents of the establishment and the spatial distances were seen as a strengthening factor.

Course of action**Idea and decision**

The present Director of the EGTC had the idea to establish an EGTC. He caught attention about EGTCs on the internet (homepages of the European Parliament respectively of the Ministry of Internal Affairs of Greece). Alternative forms of cooperation to the instrument EGTC were not considered (Xenos-Gabrielis, 2012).

The proposal to establish an EGTC was accepted very fast by all cooperation's members (Xenos-Gabrielis, 2012). The decision was taken by the formal members of the EGTC in January 2008. The establishment process took approximately 11 months (Xenos-Gabrielis, 2012).

Legal documents

The cooperation used the model statute for EGTCs provided by INTERACT and adopted it to the cooperation's aims. Furthermore, the convention was created. Then notifications were sent to all cooperation members and between two or three months all replied positively and ratified the documents (Xenos-Gabrielis, 2012).

Competences and tasks

Within three months the common competences of the members were clarified and it was decided about the tasks of the EGTC. This has not been a difficulty because the tasks of the previous cooperation were taken over (Xenos-Gabrielis, 2012).

The limitation of the EGTC's tasks to the support of economic and social cohesion is regarded to be restrictive. However, a contribution to economic and social cohesion can be broadly interpreted. The EGTC, for instance, laid down proposals for the future of Europe. As such a vision is considered to be needed to support cohesion this action can still be regarded to be in accordance with the regulation (Xenos-Gabrielis, 2012).

EGTCs do not have the right to fulfil tasks that concern public law powers or "duties whose object is to safeguard the general interests of the State or of other public authorities" (European Parliament and Council, 2006b, art.7 para.4). When delegating tasks to the E.G.T.C. Amphictyony this right has not been missed (Xenos-Gabrielis, 2012).

Application at the national responsible authorities

All national authorities decided about the participation of its national entities in the EGTC within the three months given by the EGTC regulation. Even the Greek authorities decided without delay although a committee which consists of members from three Greek ministries (Internal, External and Financial Affairs) is responsible for the applications (Xenos-Gabrielis, 2012).

So far none of the willing entities has been refused to join the EGTC. The non-EU members have not applied to become members (Xenos-Gabrielis, 2012).

Publication

Within the last three months of the establishment process the statute has been published on the homepage of the EGTC. Simultaneously it was submitted to the Greek courts which ratified the EGTC so that it became legal. Then it was published in the Official Journal of the European Union and officially established (Xenos-Gabrielis, 2012).

Amendments

Until June 2012 there have been no amendments of the statute of the E.G.T.C. Amphictyony. A majority of $\frac{3}{4}$ of the present members is needed for the approval. If essential amendments are made the member states have to approve the changes, too (E.G.T.C. Amphictyony, 2008, art.21). Problems in changing the statute were not expected (Xenos-Gabrielis, 2012).

- The EGTC establishment process went smoothly and fast.

The next subsection presents to what extent the expectations of the EGTC have been fulfilled in practice.

4.1.5 Practical Execution – Fulfilment of the Potentials

This subsection illuminates the differences between the expected potentials of the EGTC and their fulfilment in practice.

Flexibility

The flexibility of the instrument was considered to be weakened to a small extent because EGTCS are restricted to the support of economic and social cohesion. However, compared to the previous cooperation it became possible to apply to EU funds, which is considered to be an important advantage (Xenos-Gabrielis, 2012).

Contribution to European Cohesion and territorial cooperation

It is uncertain if the EGTC can contribute to cohesion in practice. The powers of EGTCS in general are considered to be very limited. It is doubted that the EGTC has been contributing to the balanced development of the EU territory so far. Therefore it is demanded to offer EGTCS more opportunities and an easy access to funding to be able to organize more programmes. For the future it is wished to contribute to the balanced development of the EU (Xenos-Gabrielis, 2012).

In this EGTC it is considered to be hard to simplify territorial cooperation. As its members are separated by sea and the spatial proximity is missing it is said not to be possible to have projects with common buildings, for instance. Therefore this EGTC focusses on political cooperation. This, however, excludes the financial support of the Mediterranean INTERREG programme which comprises the cooperation area of the EGTC. The programme would mainly concentrate on infrastructure projects like cultural heritage conservation (Xenos-Gabrielis, 2012).

Because of these restrictions it is demanded that the EU should have considered better these special cases and should have made specific clauses for network-EGTCs (Xenos-Gabrielis, 2012).

Standardization of legal forms

The EGTC has led to a standardization of the legal forms for territorial cooperation of the participating countries because the national provisions of the different members about EGTCs are considered to be similar. This is appreciated much (Xenos-Gabrielis, 2012).

Stabilization and intensification of the cooperation

The EGTC stabilized and made the cooperation more permanent (Xenos-Gabrielis, 2012). However, the EGTC's duration is limited to 25 years and the members of the EGTC's organs change every two years. This might restrict the continuity of the cooperation. Still the members of the cooperation stay the same.

Although the EGTC has been expected to lead to a more democratic cooperation some problems were faced in the organisational and administrative practice. To prevent further problems the statute was changed in June (Xenos-Gabrielis, 2012). The equality among the members is questioned because the decisions of the EGTC are taken on majority basis. However, the neutrality of the EGTC among its members is said to be maintained in practice (Xenos-Gabrielis, 2012).

The EGTC gained a higher political and economic power than the cooperation had before. If this led to a bigger planning reliability concerning finances and staff is questionable because the EGTC was often affected by day-to-day politics and unexpected events (Xenos-Gabrielis, 2012).

At least to a certain distinct the EGTC led to an intensification of the cooperation. The EGTC has facilitated the communication among the members and speeded-up the joint decision-making. Therefore the communication is evaluated to be generally satisfactory in the EGTC. However, there is a lack of communication among the Greek islands which are located in the southern Mediterranean Sea which is considered as a major problem of the cooperation. A reason for this problem might be the spatial distances among the members. However, the communication problem does not exist with the more distant French and Italian members (Xenos-Gabrielis, 2012). Another communication problem of the EGTC is the Euroscepticism in Greece that has gone along with the economic crisis. Many Greek citizens are therefore said not to be any longer in favour of topics in conjunction with the European Union. This might have impacts on the grade of participation of the EGTC's members (Xenos-Gabrielis, 2012).

The potential that the EGTC relieves the EGTC's members in their administrative work has not been used in practice. The members and the EGTC do have distinctive tasks that do not affect each other (Xenos-Gabrielis, 2012).

Better implementation

If the EGTC supports the implementation of joint actions has to be seen in the future. The implementation of the common initiative is planned to be done soon (Xenos-Gabrielis, 2012).

Improvement of the representation and public appearance

In practice the EGTC promotes the cooperation's common objectives at European level as it was expected. However, the EGTC did not gain much more public appearance. It has only become a little more visible at European, national and local level. Still it is felt that the EGTC made European integration, achieved by its members, at least to some extent more visible (Xenos-Gabrielis, 2012).

Financial advantages

It was experienced that the EGTC has more money than the cooperation had before. Yet, the difficulties some EGTCs experienced in applying for European programme funds are criticized. The expenditure of the cooperation did not increase because the cooperation consciously tried to keep the costs low (Xenos-Gabrielis, 2012).

Even before the EGTC was established they had already jointly decided on a common budget. Still the EGTC made it legal.

So far the EGTC has not acquired or disposed properties although it could have done so (Xenos-Gabrielis, 2012).

- Many potentials and advantages expected are said to have come true in practice. However, not all have been fulfilled thoroughly: The contribution of the EGTC to economic and social cohesion as well as territorial cooperation has been estimated to be rather limited. The public appearance could subtly be improved. The communication among the members has experienced some problems. Still it is considered to be satisfactory. Problems that hampered the fulfilment of the EGTC's potentials were the restriction of the cooperation to 25 years, the influence of day to day politics, the Euroscepticism in Greece and the spatial distances among the EGTC's members. It was criticized that the EU did not introduce specific clauses for non-contiguous cooperations.

In the following subsection the satisfaction of the E.G.T.C. Amphictyony with the concept of network-EGTCs and the EGTC in practice is presented.

4.1.6 Evaluation of the Concept and Satisfaction with the Practice of Network-EGTCs

Special characteristics of the EGTC

The Director of the EGTC considers that there are no substantial differences between network-EGTCs and EGTCs in the cross-border cooperation (Xenos-Gabrielis, 2012).

However, the EGTC experienced some problems because of the spatial distances among its members.

First, the tasks the EGTC can fulfil were limited. It would not be possible to use the EGTC to maintain a common hospital (Xenos-Gabrielis, 2012). Therefore the EGTC shows a higher political focus than most other EGTCs (Xenos-Gabrielis, 2012).

Second, it was harder for all members to meet. Yet, whenever a meeting was asked for, it took place. Still the costs and time needed for travelling to the meetings were higher. Furthermore, it was said to be more difficult for third members and members of other EGTCs to attend the meetings (Xenos-Gabrielis, 2012). On the meeting of the General Assembly in June 2012, however, it was possible for the Italian members to participate in the conference via web streaming (Committee of the Regions, 2012a). This is an alternative way for network-EGTCs to communicate over long distances.

Existing smaller problems in communication are probably not due to the spatial distances among the EGTC's members (Xenos-Gabrielis, 2012).

Added value of EGTCs in the transnational and interregional cooperation

The experienced added value of the network-EGTC is that the local authorities have become aware that the European Union will be their common future (Xenos-Gabrielis, 2012).

Satisfaction and improvements

All in all the Director of the EGTC is satisfied with the potentials of the EGTC and the outcomes in practice. Looking at the practice of the EGTC he points out that he would not have chosen another structure (Xenos-Gabrielis, 2012).

However, he feels the need to accelerate the further development: Europe needed to decentralize some of its activities and direct these towards EGTCs. At the same time the EGTCs had to prove to be capable and competent to carry out these tasks (Xenos-Gabrielis, 2012).

He acknowledges that EGTCs can be applied in the non-contiguous cooperation very well and accentuates the role of EGTCs as a bridge between the citizens and the European Union which had to be accelerated and fortified (Xenos-Gabrielis, 2012).

- The tasks of network-EGTCs are said to be limited compared to other EGTCs. Meetings

are said to be more complicated. Other differences were not experienced. The cooperation is satisfied with the use of the EGTC and would not have chosen another cooperation structure instead. However, the cooperation should be further intensified.

Having presented the case of the network-EGTC Amphictyony, the planned EGTC of the Central European Transport Corridor is analysed in the following section.

4.2 Case Study 2: Planned 'CETC-EGTC'

The planned 'CETC-EGTC' was chosen as the second case study because the cooperation of the Central European Transport Initiative plans to establish the EGTC in autumn 2012. Its plans are more concrete than most of the other future EGTCs, as it has already developed a draft statute and convention. With this case study the current situation of cooperations that want to establish an EGTC can be explored. Furthermore, this case was chosen because it is different to the two existing network-EGTCs in the Mediterranean Sea. It can therefore broaden the picture of network-EGTCs in showing the variety of their characteristics and in their applicability.

Figure 16 – Logo CETC



Source: (CETC Initiative, accessed 2012).

The case study is based on a phone interview and an email correspondence with a staff member of the Technical Secretariat of the existing cooperation. She is directly involved in the EGTC's establishment process. Additionally, an interview with the prospective Swedish member of the EGTC was conducted.⁴

In the first subsection, the spatial characteristics of this EGTC are illuminated.

4.2.1 Spatial Characteristics

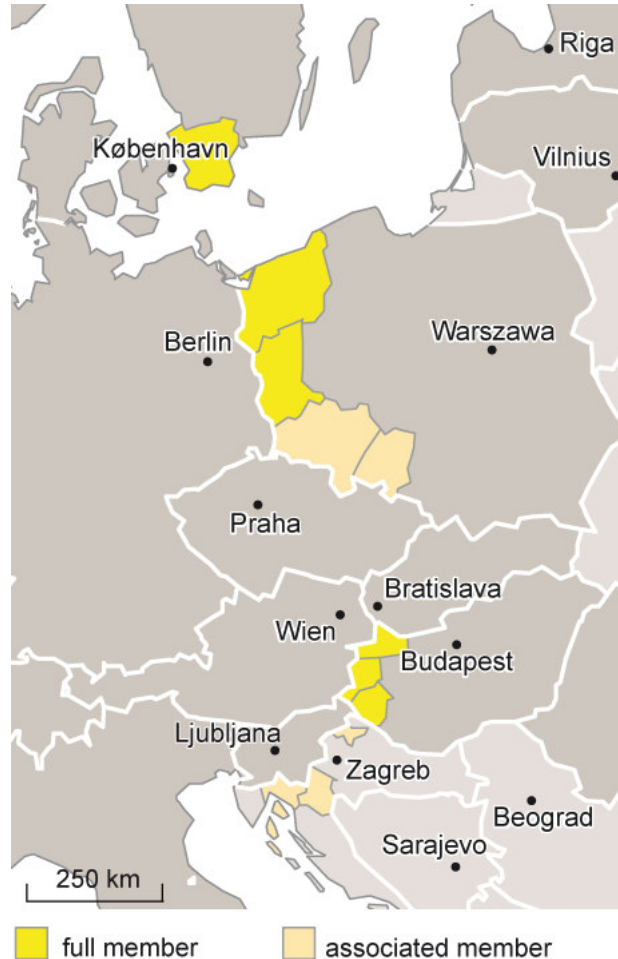
The CETC-EGTC will consist of the Swedish region Skåne, in the south of Sweden, the Polish Westpomeranian and Lubuskie voivodeship and the Hungarian counties Győr-Ménfőcsanak, Vas and Zala. Three Croatian regions are expected to join the EGTC as soon as it will be possible. Together with two Polish regions they will become associated members of the EGTC in the beginning. The original members from the Czech Republic and Slovakia decided not to join the EGTC. This contributes to the spatial non-contiguity among the members (Ciesielska, 2012a). The linear distance between Skåne, the most northerly region, and Zala county, most southerly, is about 650 km (Daft Logic, 2012) (see figure 17, p.93).

The territory of the EGTC will comprise the territory of the Central European Transport Corri-

⁴Details about the interviews can be found in the appendix (see chapter A.2, p.182).

dor (CETC), but is limited to the administrative area of the participating regions (Ciesielska, 2012c).

Figure 17 – Map of the Members of the CETC-EGTC



Source: Own illustration, Bonn, August 2012 based on (Ciesielska, 2012a).

As all members do not come from the same transnational cooperation area this has been hampering a common EU funded cooperation project (Ciesielska, 2012c).

In the following subsection the aims and tasks of the CETC-EGTC are presented.

4.2.2 Aims and Tasks

Reasons

The previous organisation was not regarded to be fast and flexible enough to cope with new challenges and to react to changing needs. Especially the national levels were not very much involved and the regional levels were not aware of the importance of the cooperation. Therefore some problems were experienced in the management and implementation of territorial cooperation among the members (Ciesielska, 2012c).

The merely partial involvement of national states and frequent political changes posed problems and slowed down the cooperation process. After some time of cooperation and common implemented actions, the members of the cooperation realized the international importance of their initiative. Still a more powerful solution was felt to be needed (Ciesielska, 2012c): An EGTC was expected to intensify the cooperation at the planning, strategic and project level and to make the joint work more effective and successful (Ciesielska, 2012d).

The application of an EGTC was chosen to ensure a deeper identification and involvement of the members (Ciesielska, 2012c).

Furthermore, a permanent and independent operation of the organization with a higher political and economic power was to be achieved. The potential that the legal forms of cooperation will be standardised is to be used in the case of the CETC initiative. The EGTC is expected to be approved by every member state as an independent legal entity and its free operation is to be guaranteed by the legal system of the EU (Ciesielska, 2012d).

Additionally, the EGTC is expected to offer a bigger planning reliability concerning finances and staff because it shall secure a permanent cooperation independent of political changes. This is also supposed to be ensured by electing the Director for four years.⁵ (Ciesielska, 2012c)

The EGTC was chosen to legalize a common budget of the members and its own staff (Ciesielska, 2012d).

The EGTC will be established to allow broader cooperation topics than before. It is envisaged to include cultural and tourist topics (Ciesielska, 2012c).

As the instrument EGTC was created to implement EU funded projects and programmes in the European Territorial Cooperation the access to funds was supposed to be easier. The accessed funds shall not be used for the administration but for projects and further activities (Ciesielska, 2012d). However, financial problems were not the reason to establish an EGTC (Ciesielska, 2012c). Instead the creation of clearly defined responsibilities and a better implementation of common decisions at the regional levels is expected to be secured by an EGTC. Also the opportunity to simplify the joint decision-making was considered to be an important advantage of EGTCs (Ciesielska, 2012c).

It is doubted that the EGTC might make the processes of cooperation more democratic as the larger members might try to overrule the smaller EGTC members. Still all decisions of the EGTC will be taken unanimously as it has already been done in the previous cooperation. So the members will be treated equally. It is expected that the decisions taken in an EGTC will be rather complied than those taken in a loose cooperation (Ciesielska, 2012c).

⁵See more in chapter 4.2.3, p.96.

The relief of the cooperation's members from their administrative work has not been a reason to choose an EGTC. The former has already been done by the Technical Secretariat of the cooperation (Ciesielska, 2012c).

The common organization in the form of an EGTC shall lay down the basis for a long term spatial development programme. It shall provide the initiative with a European wide publicity. This might allow a more successful promotion of the local and regional interests at EU level (Ciesielska, 2012c).

It is expected that the EGTC will make the integration of the members of the EGTC more visible. However, this does not have to have consequences for the European integration in general as there are also many regions which are not involved in an EGTC (Ciesielska, 2012c).

The EGTC is expected to contribute to economic and social cohesion within the EU because the cooperation will consist of different regions from different countries. They will cooperate on common aims. Most of the countries involved were relatively new member states and Croatia is said to access the EU next year. With the help of the EGTC it is expected that the members can get in contact not only with other administrative levels but also with private entities and universities. Additionally, the EGTC is supposed to offer more possibilities to work and an enlarged sphere of life to the people of its cooperation area (Ciesielska, 2012c).

It is hoped that the EGTC will contribute to the balanced development of the EU territory. Rather weak regions shall be developed with the help of stronger regions. A good transport infrastructure for the whole corridor is to be ensured (Ciesielska, 2012c).

The high flexibility of EGTCs is especially appreciated: Only few requirements had to be fulfilled to establish an EGTC and it was possible to amend the EGTC when needed (Ciesielska, 2012d). As the CETC is not the only initiative that aims at creating a Baltic-Adriatic corridor the competition is said to be high. Therefore the CETC cooperation felt the need to compete with the others and decided to establish an EGTC (Ciesielska, 2012c).

Aims of the EGTC

The planned CETC-EGTC has many aims and many tasks and is therefore a multi-purpose grouping (Ciesielska, 2012c).

The concrete aims of the cooperation are the improvement of transport infrastructure, economic competitiveness, employment, environment, living conditions and tourism to facilitate territorial cooperation among its members and to reinforce economic and social cohesion in the EU (Ciesielska, 2012d).

The aims of the EGTC are said to be similar to those of the previous cooperation (Ciesielska, 2012c).

Tasks of the EGTC

First, the EGTC will have planning tasks mainly related to the transport and tourism in the corridor. Second, it will supply its members with information, experiences and statistical data. Third, the EGTC has to administrate and organise the cooperation. Fourth, it has to represent it to the public which includes PR- and lobbying-activities. Fifth, it shall stimulate the co-operation among all essential players of the transport chain (e.g. on the basis of sector clusters, regional business centres, centres of innovation) and lead to an accession of more members (especially research associations) (Ciesielska, 2012d).

The planned CETC-EGTC is open for both: the implementation of EU-funded and non-EU funded projects (Ciesielska, 2012d).

The tasks are said to be the same as those the cooperation has had before. Most tasks will be fulfilled by the administrative level but can also be delegated to private companies (Ciesielska, 2012c).

- The decision to establish an EGTC has been taken because of several reasons: Generally the organisation of the existing cooperation was to be improved. Especially the legal personality with more competences and a stronger and binding participation of the members in the implementation of common actions were important reasons to establish an EGTC. Furthermore, an EGTC was expected to be more flexible than the previous cooperation. This EGTC is said to be mainly concentrating on territorial cooperation. Lobbying, the external presentation and the promotion of interests were also important. Less important would be the political cooperation (Ciesielska, 2012c).

In the following subsection information about the expected organizational structure of the planned CETC-EGTC is given.

4.2.3 Organisational Structure

Historic Basis

The EGTC will carry forward a cooperation which was already planned in 2001. Then Swedish, Polish, Czech and Slovak regions expressed their willingness to establish and promote the Central European Transport Corridor (CETC). In April 2004 the CETC initiative was founded on the basis of an international agreement (see chapter A.1, p.175). In 2007 the first Hungarian and Croatian regions joined the declaration (Ciesielska, 2012d).

The axis of the corridor is the international route E65, which starts in Malmö in Sweden and ends in Chaniá in Crete. The cooperation's Technical Secreteriat is located in Szczecin, Poland (Ciesielska, 2012d).

The initiative's aim is to develop a multi-modal infrastructure system with economic links, allowing sustainable growth. The transport corridor shall safeguard contiguous transport open to new technologies (Ciesielska, 2012b). The improvement of the competitiveness of its regions, the strengthening of economically underdeveloped areas and the development of tourism were further aims of the initiative (Ciesielska, 2012d).

In 2012 the initiative consists of 17 regions that are associated with the corridor's route (Ciesielska, 2012d).

With the exception of the Swedish region, the cooperating regions have even had older common traditions, based on the common history under the Iron Curtain. Most of the participating countries are new EU member states that accessed the EU in 2004 (Ciesielska, 2012c).

In May 2010 it was decided to establish an EGTC at a Steering Committee meeting in Varaždin (Croatia) (Ciesielska, 2012d).

Location and legal status

The registered office of the EGTC will be located in Szczecin, Poland, as before. The decision for Poland has been made after evaluating five evenly weighted criteria: the legal background, the influencing power of the country, the geographical position, experiences with EGTCs and financial reasons. It was decided very fast that the registered office should stay in Szczecin. To balance the position of the administrative level in the northern part of the cooperation area it was decided to locate another office in Hungary, in its southern part (Ciesielska, 2012c).

According to Polish law, the EGTC will get a private status with a limited liability (Ciesielska, 2012c). The Polish Ministry of International Affairs is the authority responsible for the monitoring of the EGTC's management of public funds and for the designation of the independent external auditors (Ciesielska, 2012c).

Composition of members

Characteristics of its members

The EGTC will consist of six founding regions and five regions with an associated observer status. The formal partners will come from Sweden, Poland and Hungary (Ciesielska, 2012d), (Ciesielska, 2012a).

Later, probably next year, after the EGTC has won some experience in practice, it is expected that the number of members will increase. Apart from the participation of the associated Polish and Croatian regions, especially national levels, universities and private companies shall be involved (Ciesielska, 2012c), (Ciesielska, 2012a).

The Czech and Slovak regions which participated in the transport initiative were said not to be supported by their national levels because the transport initiative would not be regarded as a

priority (Ciesielska, 2012c). Therefore they could not join the EGTC (Ciesielska, 2012a).

Multi-level governance

The EGTC shall simplify the inclusion of new members. Especially universities and private entities shall join the EGTC, which was not possible in the previous cooperation. Also the involvement of the national levels is envisaged. This might give the cooperation a higher authority and ensure a steady financing (Ciesielska, 2012d).

Using the principle of multi-level governance is considered to be important for the EGTC. It might offer more opportunities. The involvement of local authorities, however, is not planned. Local authorities are considered to be too small entities that would not match to the tasks of the EGTC (Ciesielska, 2012c).

Non-EU members

In the beginning the Croatian entities were undecided to join the EGTC. However, for financial reasons it was considered to be especially necessary to join. A further reason was that Croatia is going to join the EU in 2013. So three out of six Croatian partners of the already existing cooperation decided to join the EGTC as observers and become full members as soon as possible. The Croatian entities are said to get a high support of their national level. Because of the amendment of the EGTC regulation it might be possible for them to join the EGTC as a full member at an earlier time than the EU-accession of Croatia (Ciesielska, 2012c).

Reasons for the composition of members

The members got to know each other already in the previous cooperation (Ciesielska, 2012c) and share similar characteristics. Most prospective members of the EGTC are logistic centres and are connected over inland water ways. They have similar economies, a similar culture (Ciesielska, 2012c) and share similar problems. These are mostly related to an unsatisfactory basic infrastructure. The prospective members show similar political views concerning transport and have common aims. Yet, the members have different potentials. This is considered to be an advantage because they can complement each other easily (Ciesielska, 2012c).

The Swedish region Skåne, however, does not show similarities to the other members of the cooperation. According to Lantz, vice president of the parliament of this region, similarities have not been important in this case. Instead the growth of the regions through the transport corridor is in the focus of the cooperation. As he considers Central Europe as a growing market it is important for Sweden, respectively Skåne, to have a good contact to it (Lantz, 2012).

Generally, however, similarities among the members are considered to be important. This does not apply to languages. To ensure the communication among the members English will be used as intermediary working language besides the national languages of the members involved (Ciesiel-

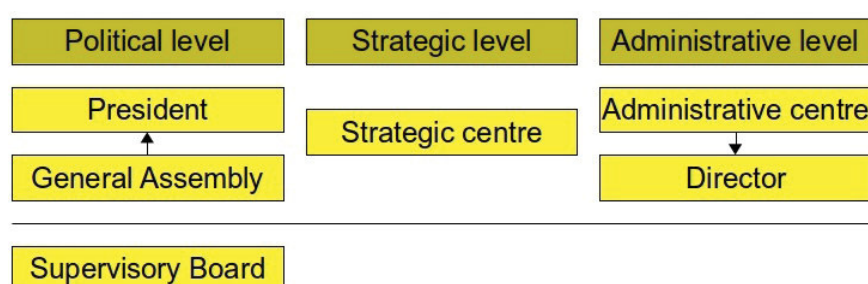
ska, 2012c). The EGTC will provide a concrete regulation for the use of languages: In all proceedings where the Polish approving authorities are involved the Polish language has to be chosen. In other public and administrative procedures within the territories of the different members states the respective national languages are to be used. In case of conflicts because of the contents of different languages versions the English document will be the decisive one. When the statute and convention are concerned the Polish version will be decisive (Ciesielska, 2012d).

The main differences among the prospective partners concern the administration. The EGTC will be established to avoid that problems occur related to these differences (Ciesielska, 2012c).

Organs of the EGTC

The CETC-EGTC is planned to be organized by three different levels: the political level, the strategic level and the administrative level (see figure 18, p.99) (Ciesielska, 2012d).

Figure 18 – Organs of the Planned CETC-EGTC



Source: Own illustration, Bonn, June 2012, based on (Ciesielska, 2012d).

The political level will be represented by the organs President, General Assembly and Supervisory Board. This level will serve as the decision making body (Ciesielska, 2012c).

The President will decide on the actions of the EGTC. He is elected out of the members of the General Assembly for one year. The presidency will rotate among the members of the EGTC (Ciesielska, 2012c).

The General Assembly will consist of the representatives of the EGTC members. Members with more inhabitants will have more representatives. The national ministries responsible for each country shall be involved in the Assembly's meetings that will take place twice a year. On these meetings the members can take unanimous decisions (Ciesielska, 2012c).

The Supervisory Board will supervise the actions of the EGTC and has to confirm that all actions are properly fulfilled (Ciesielska, 2012c).

The strategic level will consist of the Strategic Centre. It will be situated in Hungary. Its task will be the development of a cooperation strategy and the preparation of applications for EU funding. It is planned that two persons will be employed in the Strategic Centre (Ciesielska, 2012c).

The administrative level will consist of the Administrative Centre and the Director (Ciesielska,

2012c) and will probably only consist of one more person apart from the Director.

The Administrative Centre and the Director will decide about day-to-day activities and fulfil the tasks the CETC Technical Secretariat has been fulfilling so far. The director will be elected by the EGTC's members for four years to secure a continuity of work (Ciesielska, 2012c).

Communication in the EGTC

The meetings of the General Assembly will be most important for the communication among all the members because here decisions can be taken (Ciesielska, 2012c).

During the remaining time of the year there will be only some email contact, or video conferences when needed. In contrast to the General Assembly the contact among the other organs of the EGTC is expected to be much more intense (Ciesielska, 2012c).

Apart from the political meetings of the General Assembly there will be working meetings to discuss technical issues with stakeholders that implement the aims of the cooperation in practice. This will be done to get feedback on the aims' practicability and status quo (Ciesielska, 2012c).

Finances

The EGTC will be mainly financed by its membership fees. In addition to that it is expected to benefit from EU funds, grants from public sources and donations, inheritances and its own income from its operations (Ciesielska, 2012d).

In 2014 it is expected that the EGTC will have more money than before. It is planned to have access to EU funding from then on (Ciesielska, 2012d). This is also needed because the EGTC is expected to have higher expenditures. This is due to the plan to create new offices in Hungary and Brussels.⁶ The higher expenditure is hoped to be compensated by a more effective cooperation (Ciesielska, 2012d).

The possibility to establish a common budget for the cooperation has been very important for the decision for an EGTC. So far it cannot be estimated if the EGTC will contribute to an effective distribution of financial resources (Ciesielska, 2012c). It has not been planned that the EGTC will acquire or dispose properties (Ciesielska, 2012d).

Duration of the EGTC

The cooperation will have an indefinite duration (Ciesielska, 2012c).

Staff

The EGTC will be open for the employment of different nationalities and has not restricted it so far. The CETC-EGTC will probably employ four employees (Ciesielska, 2012c).

- The EGTC will not be established at the beginning of a new cooperation but will be based

⁶The EGTC shall employ a representative in Brussels (Ciesielska, 2012d).

on a cooperation which has existed for eight years. The registered office will be located in Poland and so the EGTC will become a private entity with limited liability. The members will consist of six regions in the beginning but it is expected that more members will join the EGTC later. The EGTC will be open to members from national and regional levels, private entities and others but not to local levels. It is envisaged to make use of the principle of multi-level governance. The involvement of entities from the non-EU country Croatia is hoped to be possible soon. In the beginning they will become associated members. The founding members know each other from the previous cooperation and share similarities which is important for the cooperation. Not all members from the previous cooperation will join the EGTC. The CETC-EGTC will consist of six organs and its duration will be indefinite. The EGTC will not employ much staff. Twice a year a meeting of all members is planned. In the residual time of the year there will be no regular contact among the members. The EGTC will be mainly financed by its membership fees.

In the following subsection the course of action of the CETC-EGTC's establishment is presented.

4.2.4 Establishment Process

Before the establishment process of the CETC-EGTC itself will be analysed, the preconditions for the EGTC's establishment are illuminated.

Preconditions for the foundation

National provisions

All EU countries involved in this cooperation have implemented their national provisions on EGTCs. In the amended version of the EGTC regulation it is planned to make the involvement of non-EU member states easier. The planned EGTC is awaiting for the new regulation and its simplifications so that it can involve the Croatian entities. In the beginning, however, Croatia will get an associated member status (Ciesielska, 2012d).

It is not known if any of the participating member states restricted the tasks of EGTCs that do not support EU funded programmes or projects. However, there have been no problems related to that so far. It could not be evaluated if the national provisions of the cooperating members were similar (Ciesielska, 2012c).

Attitudes towards the EGTC

There were no opponents of the establishment of the EGTC, even the former cooperation members from Croatia that cannot become full members of the EGTC are in favour of the EGTC. Also the former Slovak and Czech members have not disagreed. Yet, not all decision-makers involved might be aware of the full potential an EGTC provides (Ciesielska, 2012c). The public has not

been involved in the considerations of establishing an EGTC (Ciesielska, 2012c).

Support of the establishment

The Ministry of Transport, Construction and Maritime Economy in Poland officially supports the EGTC's establishment (Ciesielska, 2012c).

Some private companies that would like to join the EGTC and the University of Szczecin are said to support the foundation as well (Ciesielska, 2012c).

The Hungarian partners are the main promoters of the establishment. At the latest also the Swedish partner was said to be strongly interested in the establishment of the EGTC.

The EU level did not promote or support the establishment of this EGTC (Ciesielska, 2012c).

The member regions are said to support the establishment of the EGTC. The former Czech and Slovak partners, however, were said to be afraid of the new organisation. Therefore they will not join the EGTC.⁷ This puts the efficient work of the cooperation at risk because of a smaller number of members. Yet, it is hoped that these regions will understand the usefulness of the EGTC after it has been established. They will hopefully decide to become members of the EGTC someday (Ciesielska, 2012c), (Ciesielska, 2012a).

Although the EGTC has not missed any support it demanded to introduce technical assistance and trainings at the national levels. This could help authorities that plan to establish an EGTC (Ciesielska, 2012c).

Exchange with other EGTCs

The other existing network-EGTCs have not been used as role models and there have not been much communication and exchanges of experience so far. The EGTC platform was joined and a workshop of an INTERREG project was attended where the cases of other EGTCs were presented (Ciesielska, 2012c).

EGTC Regulation

The EGTC regulation is said to show several deficits: The establishment process of EGTCs was too complicated and should be simplified. Furthermore, the involvement of entities of non-EU countries as a full partner of an EGTC should have been not easy enough and so should be facilitated. Additional clarifications of the regulation would be needed concerning the audit of EGTCs (Ciesielska, 2012d).

Spatial distances

The spatial distances among the members were said not to have caused any problems in the

⁷In the beginning they considered to become at least associated members, however, they decided against it (Ciesielska, 2012c).

foundation process of the EGTC so far (Ciesielska, 2012c).

► Some preconditions of the EGTC's foundation are positive, some negative. Although all national provisions were implemented, it is not known if they are similar. The establishment of the EGTC has not had any opponents, however, the public has not been involved so far. The cooperation has not missed support in the establishment process. Still it demands to introduce assistance. The cooperation has not had any role models and has not exchanged many experiences with other EGTCs. It has turned out that the spatial distances among its members have not caused problems in the establishment process. The EGTC regulation was considered to be too complicated. A very problematic precondition of the EGTC establishment is the decision of several cooperation members not to join the EGTC.

Course of action

Idea and decision

The Hungarian partners of the cooperation, supported by the Hungarian Ministry of Public Administration and Justice, had the idea to establish an EGTC. They had been informed quite well about EGTCs because the country had already been involved in several EGTCs (Ciesielska, 2012c).

As alternative to an EGTC it was considered in the past to create a European project within the Central Europe Programme. However, this turned out to be impossible because Croatia, as a non-EU country and Sweden, not being part of this transnational cooperation area, were not eligible to take part in such a project (Ciesielska, 2012c).

The idea to establish an EGTC has been considered as very important by the members of the cooperation and so has been discussed intensively. The members of the previous cooperation decided quickly to establish an EGTC (Ciesielska, 2012c).

The Central European Service for Cross-Border Initiatives (CESCI) was charged with the preparation works of the EGTC and elaborated an analysis of the legal, organizational and financial conditions of the establishment procedure (Ciesielska, 2012d).

Legal documents

Since then, however, the foundation process has developed very slowly. The writing of the statute and the convention has been connected with many legal difficulties (Ciesielska, 2012c). At the time of the interview⁸ the EGTC had been in the process of approving the legal documents (Ciesielska, 2012b).

Competences and tasks

The definition of the common competences of the prospective members of the EGTC has taken

⁸March 2012.

approximately one year. This has been a very long process compared to the three months it took the members to decide about the tasks of the EGTC (Ciesielska, 2012c).

To simplify and foster territorial cooperation it is envisaged to develop a cooperation programme of its own for the cooperation area (Ciesielska, 2012c).

In the establishment of the EGTC no restrictions have been felt although the EGTC's tasks were limited to the support of economic and social cohesion. Still it is considered that this limitation of the EGTCs tasks should be banned (Ciesielska, 2012c). Furthermore, it would have been welcomed to be able to transfer public law tasks or "duties whose subject is to safeguard the general interests of the State or of other public authorities" (European Parliament and Council, 2006b, art.7 para.4) to the EGTC (Ciesielska, 2012c), which is also forbidden by the EGTC regulation.

Application at the national responsible authorities

The procedure of foundation has taken two years so far. At the time of writing⁹ the EGTC has been in the state of obtaining the approvals of the responsible ministries of the different countries involved. All responsible national authorities have been informed but are still waiting for the relevant documents before they can decide about the accessions (Ciesielska, 2012c).

The expectations about the adherence of the three months in which the national authorities have to decide about the accession of the prospective members differ from country to country. It is hoped that all responsible authorities will meet the deadline though. The Hungarian ministry is expected to decide fast because it has already much experience with EGTCs. All other partner countries have not participated in any EGTC so far. Therefore it might be hard for the authorities to stay in time. This might prolong the process of foundation (Ciesielska, 2012c). So far no decisions about prospective EGTC members have officially been made. Yet, it is expected that the EGTC will be established in four months (Ciesielska, 2012c).

Publication

As the registered office of the EGTC will be located in Poland the statute will be first published in the Official Journal of Poland ('Monitor Polski B') and then in the Official Journal of the European Union (Ciesielska, 2012d).

Amendments

Proposed amendments to the convention will have to be submitted in written to the registered seat of the grouping. The authorized organ to submit applications for changes in the register will send the amended text containing the proposed changes to the other members of the grouping within 15 days. The members shall express their opinions on the proposal in written within 60

⁹June 2012.

days and take every effort to ensure that an agreement will be reached. Unanimously approved amendments have then to be published in Poland and on the EU-level (Ciesielska, 2012d).

- The process of the establishment of the EGTC started very efficiently. Then some difficulties were experienced with the formulation of the legal instruments and the clarification of the members' common competences. At the time of writing¹⁰ the prospective members have to apply to their national authorities to be allowed to participate in the EGTC. If the national authorities can meet the deadline of three months for their decision cannot be said. After this the EGTC only needs to be published to obtain its legal personality. It is expected that the EGTC will be established in autumn 2012.

The practice of the planned CETC-EGTC cannot be presented because the EGTC has not been existing so far. However, in comparing this case with the E.G.T.C. Amphictyony in the next section an estimation about the future of this EGTC is made (see chapter 4.3.5, p.115).

In the following subsection the concept of network-EGTCs is evaluated by the CETC-EGTC.

4.2.5 Evaluation of the Concept of Network-EGTCs

Special characteristics of the EGTC

The special characteristic of this planned EGTC is that the EGTC's members will not all be connected over national borders. The members need to cooperate to achieve the common aims (Ciesielska, 2012c).

The cooperation might not have all partners which it would need to be super efficient. For instance, neighbouring partners from Germany should also be involved (Ciesielska, 2012c).

Estimated consequences of the spatial distances

As the cooperation area is so large and spans from the Baltic to the Adriatic Sea the EGTC will also cover areas that are not members of the EGTC. As it does not comprise all regions of the four countries involved it is hoped that this can be compensated through the cooperation with the respective national levels and private companies in the non-cooperating areas (Ciesielska, 2012c). However, it is not expected that the spatial distances between the members will turn out in a problematic way and so far no problems have been noticed (Ciesielska, 2012c).

Added value of EGTCs in the transnational and interregional cooperation

The added value of EGTCs in the non-contiguous cooperation is said to be similar to this of a cross-border EGTC: The use of EGTCs would make it possible to establish a common institution

¹⁰June 2012.

with a common budget. The national levels could become partners of the cooperation and private companies could also be associated. Furthermore, it would be possible to apply for EU funding (Ciesielska, 2012c).

Additionally, the EU is said to recognize EGTCS as means to fulfil EU strategies. As the establishment of EGTCS was proposed by the EU, the EU is said to be in favour of the establishment of EGTCS (Ciesielska, 2012c).

Furthermore, EGTCS are said to support the connection and exchange among the political, working and public level (Ciesielska, 2012c).

- Special characteristics of the EGTCS are said to be the distances among its members. Furthermore, the cooperation in a network-EGTCS might lack members so that the cooperation might not be highly efficient. Yet, it is not expected that the cooperation will experience problems related to the spatial distances among its members. The added value of network-EGTCS would be the same as that of EGTCS in general.

Having presented an existing and a planned network-EGTCS in depth, these two cases are to be compared in the following section. General hypotheses about network-EGTCS are established.

4.3 Comparison of the Case Studies

First, the spatial characteristics, tasks and aims as well as the organizational structure of the case studies are compared to find out if they show common features. Second, the establishment process of both EGTCS is compared to explore if the two cases show similar initial positions, courses of actions and problems. Then the experiences in the practical execution of the E.G.T.C. Amphictyony are used to estimate how the planned CETC-EGTCS will develop in future and if its expectations can be met.

4.3.1 Spatial Characteristics

Table 11 – Comparison of the Case Studies' Spatial Characteristics

Spatial characteristics of the E.G.T.C. Amphictyony and the planned CETC-EGTCS		
	E.G.T.C. Amphictyony	CETC-EGTCS
Countries involved	GR, F, IT, CY	PL, SE, HU, (HR)
Spatial reference	Mediterranean area	Transport Corridor along E65
Members' dispersion	Across the sea	Across main land

Source: Own illustration, Bonn, August 2012.

Although the participants of the planned CETC-EGTC are not members of the same transnational cooperation area, in contrast to the E.G.T.C. Amphictyony, they will also concentrate their cooperation on a common area. Both cooperations do have a spatial reference although the cooperations' members show spatial distances among each other. They aim at developing a larger area: The Mediterranean region respectively the area of the Central European Transport Corridor along the international route E65.

The members of the E.G.T.C. Amphictyony are separated from each other by the sea whereas in the case of the CETC-EGTC all members are located on main land.

Both EGTCS determined their scope of cooperation by the geographical scope of their members and did not experience problems in doing so.

The next subsection compares the aims and tasks of both network-EGTCS.

4.3.2 Aims and Tasks

Table 12 – Comparison of the Case Studies' Aims and Tasks

Aims and tasks of the E.G.T.C. Amphictyony and the planned CETC-EGTC		
	E.G.T.C. Amphictyony	CETC-EGTC
Reasons for the establishment	Improvement of the existing cooperation	Improvement of the existing cooperation + competition with other cooperations
Main focus	Politics	Territorial development
Tasks	Mainly administration and organisation, implementation of an initiative	Administrative, organisational and concrete planning tasks

Source: Own illustration, Bonn, August 2012.

Reasons

In both cases there were multiple reasons for establishing an EGTC. They wanted to establish an EGTC to improve the existing cooperation and to overcome problems due to different national legislations. The possibility to become a legal person and the competences that were connected to that were considered to be attractive. It was expected that these competences would lead to the intensification of the communication among their members, a better implementation of actions and a higher public appearance of the cooperation.

The former cooperation of the E.G.T.C. Amphictyony experienced especially legal problems connected with the common budget and the common representation that were to be solved with the EGTC establishment.

In the C.E.T.C. initiative the members' motivation was low and the joint implementation of common

actions had been problematic in the past. The old structures had been regarded as too inflexible. The EGTC is expected to be more flexible and allow new members, additional topics and other changes when needed. Only the CETC-initiative chose the EGTC to compete with other cooperations.

Aims

The EGTCs have different approaches to contribute to the removal of problems and the positive development of their cooperation area. E.G.T.C. Amphictyony focusses on political issues and less on territorial development. It is considered to be impossible to work on common infrastructure projects. The CETC-EGTC, however, aims at developing a transport corridor and will focus on territorial development – the political dimension is not the most important one.

The two EGTCs want to contribute to economic and social cohesion as well as foster and simplify territorial cooperation. Yet, the E.G.T.C. Amphictyony thinks that its contribution to European Cohesion and territorial cooperation might be limited, possibly because of huge spatial distances among the members.

Tasks

Both EGTCs are multi-purpose groupings and consider lobbying and the presentation of the co-operations' common interests as important tasks of their EGTC.

The tasks of the E.G.T.C. Amphictyony seem to be rather little compared to the detailed tasks the CETC-EGTC shall get. The tasks of E.G.T.C. Amphictyony are the organization of conferences and meetings as well as the exchange of experiences in seminars. Additionally, it shall implement an EU-funded initiative. The tasks of the CETC-EGTC additionally comprise concrete analysing and planning tasks, the development of a common tourist area and the stimulation of further partners.

In both cases the aims and tasks did not or will not fundamentally change after the establishment of the EGTCs.

Both EGTCs are open to implement EU-funded and non-EU funded projects.

In contrast to the E.G.T.C. Amphictyony the members of the CETC-EGTC would have welcomed a transfer of tasks "conferred by public law or of duties whose subject is to safeguard the general interests of the State or public authorities" (European Parliament and Council, 2006b, art.7 para.4) to the EGTC. Both groupings criticized that the tasks of EGTCs were limited to the support of economic and social cohesion.

4.3.3 Organisational Structure

Table 13 – Comparison of the Case Studies' Organisational Structure

Organisational structure of the E.G.T.C. Amphictyony and the planned CETC-EGTC		
	E.G.T.C. Amphictyony	CETC-EGTC
Historic basis	Twinning of cities	Transport initiative
Registered office	Greece	Poland
Legal nature	Private	Private
Liability	Unlimited	Limited
Number of members	46	6
Character of members	Local (+regional) authorities	Regional authorities (+x)
Non-EU members	–	Associated
Number of organs	5	6
Frequent meetings	Once a year	Twice a year
Other communication	Low	Low
Financing	Membership fees	Membership fees
Working languages	Greek, French, Italian, English	Polish, Swedish, Hungarian, English, (Croatian)
Duration	Limited	Indefinite
Staff	2 permanent employees, open to different nationalities	4 permanent employees, open to different nationalities

Source: Own illustration, Bonn, August 2012.

Historic basis

Both EGTCs were established on the basis of already existing cooperations which have been cooperating approximately 10 years. The E.G.T.C. Amphictyony was established on the basis of a twinning of cities, the CETC-EGTC on a common initiative. They were not funded in the European Territorial Cooperation Programmes.

Location and legal status

In both cases the decision about the location of the EGTC's registered office was taken very fast. Inexperienced countries were chosen. In the E.G.T.C. Amphictyony Greece was chosen because it had been a Greek idea to establish an EGTC. In the case of the CETC-EGTC, it was decided that the location will be the same as that of the Technical Secretariat of the previous cooperation. It was evaluated as the best location according to different criteria.

Both EGTCs have a private and not a public nature according to Greek and Polish law. The CETC-EGTC will have a limited liability which is not the case in the E.G.T.C. Amphictyony.

The method of decision-making differs in the two EGTCS. This might go along with the different number of members. In the E.G.T.C. Amphictyony, which consists of 46 members, decisions are taken on a majority basis so that members can be overruled. In the planned CETC-EGTC, which will consist of six members only, solely unanimous decisions will be taken. This method had already been chosen in its the preceding cooperation.

Composition of members

Characteristics of members

The E.G.T.C. Amphictyony is a very large grouping. The CETC-EGTC is expected to be established only of a few members in the beginning. In the following years, however, it is envisaged that the amount of members of the CETC-EGTC will increase.

In the case of the CETC-EGTC the founding members will only consist of regions. However, it is envisaged for the soon future to involve research associations, private companies and national levels. The E.G.T.C. Amphictyony, in contrast, only consists of local governments. Solely regional authorities might be further partners. It excludes national states and does not expect to involve private entities either.

Multi-level governance

The principle of multi-level governance whose implementation in practice was said to be simplified by the use of EGTCS has been not taken advantage of in both cases. The CETC-EGTC, however, envisages to do so in the future and is open to heterogeneous members.

Non-EU members

Both EGTCS could not involve all members of the previous cooperation – the non-EU members have not been able to join the EGTCS so far. In the case of the CETC-EGTC even some entities from the EU will not join the EGTC. These entities were reluctant to join the EGTC – probably because of missing experiences and lack of national support. In the Mediterranean grouping all EU-members from the former cooperation were willing to join the EGTC although they had not been experienced with this instrument.

Reasons for the composition of members

Both network-EGTCS experienced problems in accessing financial support of the EU. They could not be supported in the transnational cooperation programmes because of different reasons.

The members of both network- EGTCS share similarities and consider them to be important. Yet, they do not share similar languages. A similar language has been not considered to be important for the cooperation in both cases. To allow a communication among the different members both EGTCS introduced English besides the other working languages of the countries involved.

Organs

The E.G.T.C. Amphictyony consists of five organs, in the CETC-EGTC it is envisaged to establish six organs. The sixth organ will be the Director, which also exists in the E.G.T.C. Amphictyony, but is not counted as an organ. The Director's task is to administer and organize the day-to-day work of the EGTCS.

The residual organs and their tasks are comparable: They both have a General Assembly which consists of all representatives of the members and decides about all general issues. The President represents the EGTC and signs all documents. Both EGTCS have an organ which monitors the work of the EGTC: the Supervisory Board respectively the Audit Committee. The Directors are supported in both cases by an organ: the Administrative Centre respectively the Executive Committee. The last organ is the Strategic Centre respectively the Board of Directors. The Strategic Centre in case of the CETC-EGTC will employ permanent staff and complement the Administrative Centre with the development of future strategies of the EGTC and will apply for funding. The Board of Directors (E.G.T.C. Amphictyony) meets only four times a year and makes decisions about employment or working committees.

Communication

The General Assembly meets only once (E.G.T.C. Amphictyony) respectively twice (CETC-EGTC) a year. In the remaining time of the year the communication among the EGTC members is rather low. There might be some email or phone contacts but not in a regular manner and only in urgent cases. The persons representing the residual organs, work for the entity which they represent in the General Assembly and meet only a few times a year. Most members of the organs are elected by the General Assembly.

Finances

Because not much staff is employed, the E.G.T.C. Amphictyony's expenditure has not risen since the establishment of the EGTC. In the case of the CETC-EGTC a higher expenditure is expected because additional offices will be erected.

The CETC-EGTC as well as the E.G.T.C. Amphictyony are mainly financed by membership fees. The amount of money every EGTC member has to pay depends on its number of inhabitants. Besides the membership fees both EGTCS hope to get a better access to EU-funding.

Duration of the EGTCS

The duration of the E.G.T.C. Amphictyony is limited to 25 years, the CETC-EGTC's duration of cooperation is indefinite.

Staff

Both EGTCS are open for staff from different countries. However, the existing EGTC employs only Greek staff so far. Both EGTCS will only employ a small amount of permanent staff to keep the costs low. Additional help is provided by external collaborators when needed.

- The comparison of the characteristics of both network-EGTCS shows that the case studies do not share all characteristics. In the cases of different occurrences it is concluded that these issues are not characteristic to demarcate network-EGTCS. However, there are several cases in which the EGTCS show same characteristics.

In the following subsection the different preconditions and steps of the establishment process of both case studies are compared.

4.3.4 Establishment Process

Preconditions

The countries of both case studies in which the registered office was/ will be located have not had any experiences with EGTCS before. The E.G.T.C. Amphictyony is still the only EGTC in which Greek members participate.¹¹ When the E.G.T.C. Amphictyony was founded the other members were also inexperienced because the EGTC was one of the first to be established. In the case of the CETC-EGTC the country Hungary is already experienced with EGTCS. Still the other countries participating in the cooperation (entities from Poland, Sweden and Croatia) have not been members of any EGTC so far.

National provisions

In the case of the E.G.T.C. Amphictyony the national provisions had not yet been implemented by all participating countries yet. However, the provisions are considered to be more or less similar. In the case of the CETC-EGTC it could not be clearly said if the different national provisions, that already existed when it was started to establish the EGTC, were similar. Both indicated not to have had any problems in the establishment process because of possible differing national provisions.

Attitudes towards the EGTC

Both EGTCS stated that there were no opponents of the EGTC establishment. The E.G.T.C. Amphictyony tried to involve the public, but was not that successful because of an Euroscepticism that had emerged. The planned CETC-EGTC has not tried to involve the public yet.

¹¹ However, it was said that a new EGTC with Greek participation is planned (Karvounis, 2012).

Support of the establishment

Both EGTCS did not get support of the EU-level in their foundation process.

No national institutions did formally promote the establishment of the E.G.T.C. Amphictyony. The CETC-EGTC, in contrast, has been supported by one national ministry. Still in both cases the national support of the EGTCS has varied in the countries involved. Both EGTCS were not supported by the EU.

The EGTCS were mainly supported by their own future members in paying their fees. Although the members of the previous CETC-initiative supported the establishment, some were also afraid of the consequences of the EGTC creation.

Although the CETC-EGTC has experienced more problems in the foundation process than the E.G.T.C. Amphictyony did, the planned EGTC has not missed any support so far. The E.G.T.C. Amphictyony did so, however.

Both EGTCS consider it as a good idea to introduce technical assistance and trainings for cooperations that consider to establish an EGTCS as it has been demanded in scientific literature.

Exchange with other EGTCS

Both EGTCS did not have a role model and have not exchanged much information with existing EGTCS so far. If the CETC-EGTC had done so this might have helped the CETC-EGTC in its establishment process. The E.G.T.C. Amphictyony did not have the chance to exchange experiences because it was established as one of the first EGTCS.

EGTC regulation

Although there are just few requirements to be fulfilled to establish an EGTC both groupings consider some of these requirements to be too complicated and advocate the simplification of the EGTC establishment.

Spatial distances

The spatial distances among both EGTCS' members have not caused any problems in the foundation process of the EGTCS. Instead they have been considered as a strengthening factor in the E.G.T.C. Amphictyony.

Course of action**Idea and decision**

The idea to establish an EGTC had different backgrounds. The current Director of the E.G.T.C. Amphictyony caught attention about the instrument EGTC on the internet and informed himself about it.

In the case of the CETC-EGTC some members of the cooperation that were already well informed about EGTCS – because of good experiences in their country – proposed the establishment of

the EGTC. This was not possible for the E.G.T.C. Amphictyony because there had not been any experiences at that time so far.

The E.G.T.C. Amphictyony did not consider any alternatives to an EGTC. The CETC-initiative, however, had considered to start a transnational INTERREG project some time before. As this had not been possible they chose to establish an EGTC.

In both cases the possibility to establish an EGTC has been considered to be an important topic and was discussed very intensively. The decision to do so was taken very fast.

Legal documents

In contrast to the CETC-EGTC the E.G.T.C. Amphictyony did not experience any problems in the formulation of the statute and convention. The Mediterranean grouping used the model statute of the EU and amended it to its needs. This probably has simplified the formulation of the EGTCs documents. It might have been easier for the E.G.T.C. Amphictyony because the national provisions of the involved countries were similar. Therefore they did not need to modify the statute and convention several times. In the case of the CETC-EGTC it was not known if the national provisions of the different countries involved were similar. If they were different this might explain the problems in writing the legal documents.

The members of the E.G.T.C. Amphictyony accepted the statute and convention within three months. In the CETC initiative some members were reluctant instead. Finally, these have decided against becoming members of the EGTC. The residual members are in the process of approving the legal documents.

Competences and tasks

The definition of the members' common competences took only three months in the case of the E.G.T.C. Amphictyony but one year in the CETC-EGTC.

The decision about the EGTCs tasks was made in both cases within three months. It was easier than the clarification of the common competences because the aims and tasks had almost not changed compared to the previous cooperation.

Application at the national responsible authorities

In the E.G.T.C. Amphictyony the responsible national authorities that decide on the participation of the EGTC's members stayed within the given deadline of three months and accepted all willing members. In the planned CETC-EGTC it is hoped that all national authorities will meet the deadline, too. However, it is considered to be difficult, at least in some countries.

Publication and duration of the establishment process

The time needed until the EGTC could be established differs. The E.G.T.C. Amphictyony needed only 11 months. The CETC-EGTC experienced more problems in the establishment process so

that it will take more than 27 months until it is established in autumn 2012.

This difference is remarkable because the conditions of foundation were regarded to be similar. The CETC-EGTC should have had it even easier because of having some experienced members from Hungary and two possible role model-network-EGTCs.

The statute of the E.G.T.C. Amphictyony was published on the grouping's homepage and submitted to the Greek Courts. Little later it was published in the Official Journal of the European Union. The CETC's EGTC will be ratified through the publication in the Official Journal of Poland and then also be published in the Official Journal of the EU.

Amendments

The CETC-EGTC envisages a written consultation process among the members in which the amendments can be decided on in unanimity. In the E.G.T.C. the members can only decide on amendments on General Assembly meetings. Three quarters of the members are needed so that the amendments can be decided.

- In the establishment process the experiences of the two EGTCs differ in some steps very much. Although both cases had a similar starting point the planned CETC-EGTC has experienced many more problems. Therefore it will need more than double the time for the EGTC establishment process. This might be due to different courses of actions and preconditions.

The common characteristics and common features in the establishment process contribute to draw a picture of network-EGTCs and to demarcate it to EGTCs in the cross-border cooperation. This is to be done in the next chapter (see chapter 5, p.129).

The next subsection uses the comparison of the concept and practice of the E.G.T.C. Amphictyony to estimate the further development of the planned CETC-EGTC and its practice.

4.3.5 Practical Execution – Estimated Development and Fulfilment of the Potentials of the Planned CETC-EGTC

In the practice of the E.G.T.C. Amphictyony many potentials of EGTCs are said to be fulfilled. However, some were not fulfilled and some additional problems have been experienced. The experiences of the existing EGTC shall be used to estimate how the planned CETC-EGTC will develop in future.

Last steps of the establishment process

The next step of the planned CETC-EGTC in its establishment process is the approval of the different members of the EGTC by their respective national authorities that are responsible for

EGTCs. The Hungarian national authority is already experienced with EGTCs. Poland and Sweden have not participated in any EGTCs so far.

In the case of the E.G.T.C. Amphictyony the national authorities have not had any experiences. In spite of this all national authorities decided in the given three months.

In the CETC it is expected that the Hungarian authority will meet the deadline because of its experiences. It is also considered to be probable that the Swedish authority will decide within the given deadline: It concerns only one region. Only one national ministry (Bolagsverket) decides about the accession (Kingdom of Sweden, 2009, art.12). Furthermore, it was said that the Swedish member became very interested in the grouping at the latest. However, it is doubted that the Polish authority can manage to decide within three months. In the Polish case four national ministries have to agree on the Polish members of the EGTC (Chybalski, 2011). Furthermore, it has been difficult to formulate the legal documents of the EGTC and a long time compared to the E.G.T.C. Amphictyony was needed to formulate them. Therefore it is expected that the Polish authorities, which were mainly involved in the creation of the legal basis of the EGTC, will not manage to decide about the Polish applicants in time. This will prolong the establishment process of the EGTC.

However, it is expected that all interested members will be admitted to the participation in the EGTC, as it happened in the case of the E.G.T.C. Amphictyony.

After the admission of all members it is expected that the publication in the Official Journal of Poland and the EU will happen without problems as it was the case in the E.G.T.C. Amphictyony.

Involvement of more members

A special aim of the CETC-initiative was to motivate more members to join the cooperation because of the EGTC establishment. Especially national states, research institutes and private companies were not allowed to join the previous cooperation.

However, so far, this aim was not reached and the opposite happened. The establishment process led to a loss of members of the previous cooperation. Not only the non-EU members from Croatia cannot become full members of the EGTC. Also the former initiative-members from Slovakia and the Czech Republic do not want to join the EGTC. Additionally, two Polish regions will only become associated members. This is a high damage for the cooperation because it jeopardizes the fulfilment of the cooperation's aims in the transport corridor.

The cooperation hopes that the members mentioned above will join the EGTC soon. However, it was said that the reasons for the reluctance of the former members were the missing national support of the initiative and fears of the members about the EGTC. It is questionable if the national support will suddenly rise. Especially as the Slovak and Czech entities decided not to become an

associated member, their soon participation is strongly questioned. The Polish members, however, might join the EGTC if the instrument proves to be successful.

The Croatian entities are willing to join the EGTC when it becomes possible. However, the non-EU members of the twinning of cities, the previous cooperation of the E.G.T.C. Amphictyony, have not been able to access the EGTC so far although they were said to be interested in doing so. This shows that it is not easy to involve non-EU members in an EGTC. As the EGTC regulation is expected to be changed soon and simplify the participation of these entities it might become easier. Still it depends on the law of the non-EU member states if they are allowed to join the EGTC. However, as Croatia is expected to become a member state of the EU next year it is regarded as most likely that the Croatian entities can join the EGTC soon.

Besides the participation of members of the previous cooperation, the CETC-EGTC expects to involve additional new members like research associations, private entities and national levels. In the E.G.T.C. Amphictyony already one new member has been accepted and no difficulties have been experienced. So it might be also easy for the CETC. However, this member was a local authority, like the previous members of the EGTC. Therefore it might have been easier.

At least two national institutions support the establishment of the CETC-EGTC and it might happen that they become members of the EGTC in the future. The Croatian national level is also said to support its entities and might also become a member when Croatia is allowed to participate in the EGTC. If the other national levels become members of the EGTC one day is questionable. As it was said that the cooperation is already in negotiations with private entities that are interested to support the EGTC their participation is expected to be realistic in future. Also the participation of the University of Szczecin might come true because it already supports the EGTC. The participation of further members depends on the public appearance and the results of the cooperation. If the private entities and some national states became members of the CETC-EGTC, the potential of multi-level governance, with the exception of the local level, would take place in practice. The E.G.T.C. Amphictyony, in contrast, is not open for other than local and regional levels. Therefore it does not use the potential of multi-level governance. Still, the application of multi-level governance in the CETC-EGTC is expected to be probable. The involvement of national levels and private entities was considered to be especially important to compensate for the spatial gaps among the members. This is considered to be a good idea. It would be especially essential in the case of the Czech Republic and Slovakia, because their entities decided not to take part in the EGTC. However, the national levels of these two countries are not said to support the initiative so that it is not expected to work out to involve them.

Staff

It is expected that the EGTC will have its own staff. As the EGTC did not restrict the rules concerning the nationality of staff, it is considered that it will be possible to employ staff from all countries of the EU.

In the case of the E.G.T.C. Amphictyony they do only employ Greek staff because of practical reasons. Therefore it is also expected that the staff in the CETC-EGTC will come from the respective countries in which the offices are located so that no problems will be experienced.

Fulfilment of the CETC-EGTC's aims and tasks

The tasks the EGTC is planned to fulfil are very broad and seem to be very time consuming compared to those of the E.G.T.C. Amphictyony. This poses the question if the EGTC will manage to fulfil all tasks at the same time. As the staff will be limited it is expected that additional help from external collaborators will be needed.

The EGTC was founded to be more competitive with other transport corridors. The EGTC foundation is only expected to support the competitiveness if the public appearance of the EGTC is improved.

Consequences because of the spatial distances

The EGTC will allow all languages spoken by its members as working languages like the E.G.T.C. Amphictyony did, but it will additionally provide a concrete regulation of the exceptions. The members' languages are not similar but this has not been considered as a problem. To prevent problems, English will be introduced as additional working language like it was done in the E.G.T.C. Amphictyony. However, in cases when the Polish approving authorities are involved or the statute and convention are concerned the Polish language is to be used because the seat of the EGTC is registered in Poland. The coexistence of many different working languages and especially the seemingly preferential treatment of the Polish language is seen critically. The members that do not speak Polish are disadvantaged. Yet, extenuating circumstances are that in this EGTC the use of languages is regulated precisely. In the case of the E.G.T.C. Amphictyony no problems have been experienced because translators were used when needed. Translators will probably also be provided by the CETC-EGTC, so that there will be no problems of communication. The different language versions of the legal documents, however, might lead to problems of understanding.

It was said that the cooperation might be more effective if all regions that are situated along the transport corridor participated. This is considered to be true, but even if they manage to involve more national levels instead, an all comprising development might be possible, too.

By the initiative it was not expected that the cooperation will get problems related to the spatial distances among the members in practice. However, the disadvantage of a longer travel time and

higher travel costs to attend meetings which has been experienced in the E.G.T.C. Amphictyony is considered to come true in the practice of the CETC-EGTC, too.

It is not expected that the tasks of the CETC-EGTC will be limited by the spatial distances although this was said to have been the case in the E.G.T.C. Amphictyony. The CETC-EGTC aims at developing a common infrastructure and therefore will mainly work in the field of territorial cooperation, whereas the E.G.T.C. Amphictyony focusses on political cooperation.

- The establishment of the EGTC might take little longer than expected and especially the loss of members is important to compensate. Otherwise it will be hard for the EGTC to fulfil the cooperation's aims and tasks. The spatial distances among the cooperation's members, however, are not considered as a strong limitation of the practice of the EGTC.

Fulfilment of the potentials

Flexibility

It is expected that the CETC-EGTC will be more flexible than before. Although it is not possible that the EGTC fulfils tasks conferred by public law and although the tasks are restricted to the contribution to economic and social cohesion the cooperation is expected to have broader possibilities than before: It will be possible that more different members will join the cooperation and it will be also possible to cooperate in cultural topics as it is envisaged. Furthermore, the legal possibilities of EGTCs which have also been experienced by the E.G.T.C. Amphictyony will be possible to benefit from.

Contribution to European Cohesion

Both EGTCs were expected by their cooperation to contribute to economic and social cohesion and the balanced development of the EU. However, in the case of the E.G.T.C. Amphictyony it was experienced that this aim was hard to fulfil in practice. It could only be reached after a longer time. So far the EGTCs do not consider to have contributed to it much.

In the case of the CETC-EGTC, however, the contribution is expected to come true in practice but it might take some time until the contribution can be perceived. First, it will foster the cooperation among different EU countries and a non-EU country. Second, the EGTC supports cohesion among old and new member states of the EU. Third, it is planned that the members exchange their knowledge and pool their forces to establish a well linked transport corridor, not only related to transport but also to the competitiveness of the regions and the improvement of social values. However, the cooperation could involve the member states Czech Republic, Slovakia, Germany, Austria and Slovenia to further improve the efficiency of cohesion and the balanced development in involving areas that border the transport corridor. The participation of German and Austrian partners would be especially relevant to fully overcome the former border of the Iron Curtain.

Standardization of legal forms

In the E.G.T.C. Amphictyony it was experienced that the legal forms of the cooperating countries were standardized because the national provisions were regarded to be more or less similar. Also in the case of the CETC-EGTC the legal forms of the different participating countries have been standardized because all countries involved (except of Croatia) have implemented their national provisions. However, as it could not be clearly said whether the national regulations were similar or not, it is not clear if the EGTC regulation has led to a full standardization. Especially the difficulties the cooperation experienced in the formulation of the EGTC's legal documents might indicate differing national provisions. These can complicate the cooperation and the establishment process.

Yet, after the approval of the member states involved, the EGTC will be able to act independently as a legal person.

Stabilization and intensification of the cooperation

Like the previous cooperation of the E.G.T.C. Amphictyony, the CETC initiative plans to establish an EGTC to improve the previous cooperation. It is to be stabilized and made permanent.

The decision for the EGTC, however, has rather weakened the cooperation of the CETC-EGTC so far because not all members of the cooperation want or can become (full) members of the EGTC. The EGTC excludes some members and interrupts the cooperation instead of making it more permanent. By the cooperation it is expected that the reluctant members will join the EGTC in the coming year. If this came true the EGTC would stabilize the cooperation. Otherwise the fulfilment of this aim is strongly questioned.

In comparison to the E.G.T.C. Amphictyony the CETC-EGTC will not be restricted in its duration and might therefore even last longer than the already existing EGTC.

It was doubted by the cooperation if an EGTC made the cooperation more democratic. However, because only unanimous decisions will be taken in this EGTC it is secured that small members cannot be overruled. This is not the case in the E.G.T.C. Amphictyony and might be an advantage of the CETC-EGTC. Although this principle of taking decisions has already been used in the previous cooperation it might improve the degree of democracy: Because of the EGTC's legal character it is expected that the decisions taken are rather complied in the EGTC than in the previous rather loose cooperation. The E.G.T.C. Amphictyony, however, has experienced problems with the democracy in the EGTC in practice.

The latter was said to be neutral to its members. In the case of the CETC-EGTC the location of the registered office will stay the same and is located in the capital city of a participating Polish region. Still the tasks of the EGTC will be fulfilled separately from the region's administration and

the EGTC will employ its own staff. Therefore the members are expected to be treated equally. Furthermore, it is planned to establish a second office in Hungary so that the offices' location will be balanced in the transport corridor. Thus the neutrality is considered to be improved compared to the previous cooperation.

It is expected that the CETC-EGTC will get a higher political and economic power than the previous cooperation because of its legal personality. This has been also the case in the E.G.T.C. Amphictyony. In the CETC-EGTC this can only be fulfilled when the associated members of the previous cooperation join the EGTC as full members.

It might also happen that the CETC-EGTC will comprise a higher planning reliability because of more permanent structures that are not influenced by political changes. In its previous cooperation frequent political changes slowed down the cooperation process. In the E.G.T.C. Amphictyony, however, it was experienced that the practice is still affected by day-to-day politics. The planning reliability of the CETC-EGTC is likely to increase at least to a certain degree.

Both cooperations envisaged that the establishment of the EGTC will intensify the cooperation and motivate the participants to become more active. In the past the CETC-initiative had problems related to that. In the case of the E.G.T.C. Amphictyony the cooperation has been intensified only to a certain degree. So far, as not all members of the previous cooperation want to or can become members of the CETC-EGTC it is not expected that the cooperation – in relation to the development of the whole transport corridor – can be intensified much. It is very important for the overall development of the transport corridor that all former members as well as new entities will become members of the EGTC as it is hoped. Otherwise it will be only possible to intensify the cooperation's procedures among the prospective full members. The entities that decided to join the EGTC are probably the more active and motivated members so an exclusion of the less motivated members could lead to faster procedures. Still it is questionable if this improves the fulfilment of the cooperation's aims.

The establishment of the EGTC should also ensure a more intensive communication among its members. In the case of the E.G.T.C. Amphictyony it was stated that the cooperation had been facilitated by the EGTC. However, in both cases the frequency of cooperation seems to be rather low because all members meet only once respectively twice a year in the General Assembly. In the residual time there is no frequent contact. Still the other organs have more frequent meetings which can bring forward the whole EGTC. It is not expected that the spatial distances among the members will hamper the communication because this has not been the case in the E.G.T.C. Amphictyony either.

A faster and easier joint decision-making was to be achieved by the EGTC. If this can be fulfilled

in the CETC-EGTC is questionable. Like it was done in the previous cooperation the decisions will be taken unanimously. This might be easier now, because less entities than before will be members of the EGTC. However, with a growing number of members, which is envisaged, it will be harder to take unanimous decisions. Decisions are only taken at the meetings of the General Assembly twice a year or in written when it is decided about amendments of legal documents. To take an unanimous decision in the latter procedure is considered to last very long because it is done in written and not discussed in a meeting.

Yet, because of the legal agreement to participate in the EGTC it is expected that the taken decisions are more binding. In the E.G.T.C. Amphictyony the decision-making process was said to be speeded-up. However, in the latter case, the decisions are taken on a majority basis.

Better implementation

Because of more binding decisions the members of the EGTC are expected to implement the decisions in practice more reliably. But this concerns only the full members of the cooperation. The associated members and observers will not have a say in the decisions of the EGTC and are not bound to the implementation of these. This excludes the latter members from the cooperation and might lead to other problems in the CETC-EGTC: The joint actions could only be implemented in the regions of the full members and hamper a contiguous development of the transport corridor. In the E.G.T.C. Amphictyony there have been no implementations of joint actions so far but it is expected to be done soon.

Improvement of the representation and public appearance

A Euroscepticism – to the extent as it has been reported from Greece – does not seem to exist in the participating countries of the planned CETC-EGTC. This might prevent that the CETC-EGTC will experience a lack of support from the public and the political levels and a reluctant participation of its full members. However, the CETC-EGTC has not tried to involve the public yet. This might have negative impacts on the public appearance of the EGTC which, however, should be improved. The cooperation thinks that it needs to put many efforts in public relation measures to reach a better public appearance. When the EGTC is established the cooperation expects that the cooperation will have a higher position than before (Ciesielska, 2012c). This depends on the efforts that are made to improve the EGTC's public appearance.

As a result of the union of the cooperation's members in an EGTC the lobbying and promoting of the members' ideas at European or national level is supposed to be easier. However, in the case of the E.G.T.C. Amphictyony a much higher public appearance has not been achieved. Therefore it is also doubted that the CETC-EGTC will gain much more public appearance, especially because it has not involved the public so far.

Only if the cooperation improves its public appearance it can make the European integration which has been achieved by its members more visible.

Financial advantages

The potential that the CETC-EGTC will be legally allowed to administrate a common budget is expected to come true as there have been no problems in the practice of the E.G.T.C. Amphictyony. It was expected that the CETC-EGTC will have an easier access to EU-funding than the previous cooperation. The cooperation especially envisaged to establish an own territorial cooperation programme for its area.

The E.G.T.C. Amphictyony has not accessed European funding yet but is applying for it. It was criticized not to be easy to access funds because many programmes would not consider EGTCS as partners or whole projects. Although the European institutions were said to be in favour of the EGTC establishment it seems not to be easy to access funds. Legally, however, it has become possible.

It might take some time until the CETC-EGTC will be accepted to be funded. The idea to establish its own programme is regarded as too optimistic.

- Some potentials are expected to be fulfilled in the CETC-EGTC, some only to a certain extent. However, to make the fulfilment of the potentials come true it is very important that the so far reluctant former members join the EGTC and that the measures to involve the public will be improved. Otherwise the stabilization and intensification cannot be fulfilled satisfactorily. It is not expected to be easy to make joint unanimous decisions with many members and to get access to EU-funding. Despite differences between the expectations and the result in practice the E.G.T.C. is satisfied with the instrument and would not have chosen another structure. This might also come true for the CETC-EGTC if the number of members increases.

A comparison of network-EGTCs and EGTCS in the cross-border cooperation is conducted in the next chapter (see chapter 5, p.129). Before a summary of what has been found out in the empirical part of the thesis is given.

4.4 Conclusion of the Empirical Analysis – Characteristics of Network-EGTCs

This section presents characteristics of network-EGTCs that were derived after the conduction of the two case studies and their comparison.

Before it has to be stated that the findings based only on two case studies might be limited because of the low number of cases. Future network-EGTCs might develop differently. To minimize

the risk of deviation two preferably different cases were chosen. Additionally the information about the other existing and planned network-EGTCs has been taken into account for the definition of network-EGTCs. In the future, however, newly emerged network-EGTCs should be explored to extend the knowledge about network-EGTCs.

Spatial Characteristics, Aims and Tasks and Organisational Structure of Network-EGTCs

Network-EGTCs consist of members that are not located spatially contiguous to each other. They often evolve when the members of a cooperation are separated by sea. However, network-EGTCs can also be applied on the main land.

Their area of cooperation is demarcated by the geographical scope of their members. When demarcating the scope of the cooperation network-EGTCs do not automatically experience difficulties.

Despite the non-contiguous cooperation the members of network-EGTCs mostly share a common spatial reference and aim at developing a common larger area.

Network-EGTCs are usually based on existing cooperations. Being mainly established to improve the latter, network-EGTCs are especially attractive because they convert the cooperation into a legal person. This contains several competences like – among others – managing a common budget and representing all members at the same time. The missing access to EU-funding can be another reason for the establishment of a network-EGTC.

Network-EGTCs are multi-purpose groupings. Their tasks can vary: They can focus on political cooperation but can also carry out territorial development. Still in some cases the contribution to the latter might be limited. Yet, infrastructure projects can be implemented. They cannot be categorically excluded. If the EGTC regulation had not restricted the scope of tasks EGTCs can fulfil, the network-EGTCs would have fulfilled more. The aims and tasks of network-EGTCs are usually taken over from the previous cooperation.

Network-EGTCs can have a private or public legal nature. It is possible that network-EGTCs have a limited liability. They can also be limited in time. The legal status and the other legal features of network-EGTCs can differ because they depend on the national regulations of the country of the EGTC's seat. Additionally, the principle of decision-making varies – some network-EGTCs take unanimous decisions, others solely decisions based on majority.

The number and character of members can differ. However, network-EGTCs tend to incorporate more members over the years. They do not have a limited number of participants. The possibility to use multi-level governance in network-EGTCs is given in practice. Still it is not always considered to be reasonable to involve all different kinds of members. The involvement of non-EU members in network-EGTCs has been problematic so far.

Although they are not located close to each other the members of a network-EGTC do share common features. These features are often the basis for cooperation. The languages that are spoken by network-EGTC's members are usually not similar. Therefore English is introduced as additional working language to ensure a communication among the members. However, English is not spoken by all members which still might lead to problems. In meetings, however, translators are used. The communication among its members takes place only a few times a year. There is no frequent communication in the residual time.

Depending on the aims and the desired scope of a network-EGTC, a network-EGTC can be less effective than normal EGTCs because not all relevant members are involved.

Network-EGTCs have more organs than necessary according to the EGTC regulation. Until now, they have been organised by about six organs (Director, President, General Assembly, a supervising organ, an administrative organ and a strategic organ). Network-EGTCs employ a low amount of staff which can at least in theory have different nationalities. So far they have not experienced problems related to staff.

They are mainly financed by membership fees. With their legal personality, however, they also desire to get access to EU-funding. The management of the common budget in network-EGTCs works out without problems. The expenditure of the cooperation might increase when the cooperation is managed by an EGTC. This needs not always be the case.

Establishment process of Network-EGTCs

The establishment process of a network-EGTC depends much on the preconditions and the courses of action of each individual case. Therefore there are only few characteristics which are typical of the establishment process of network-EGTCs.

The decision about the location of the registered office is not considered to be problematic in network-EGTCs. They have been established in countries that do not have any experience with EGTCs so far.

Network-EGTCs do not tend to follow role models and to exchange experiences with other EGTCs. This is probably due to the present rareness of network-EGTCs.

They are established because no other alternatives were considered to be available. The decision to establish an EGTC is taken very fast.

As network-EGTCs are based on existing cooperations whose tasks are adopted, the decision about the EGTC's tasks can be taken very fast.

The establishment process of network-EGTCs does not involve the public very much and therefore it possibly does not face much opposition. However it is not supported strongly either. It would have welcomed further support.

The duration of the establishment process of network-EGTCs can differ. They do not generally need a long time to be established.

The establishment of a network-EGTC can exclude former members of a cooperation because of reluctances and fears. The participation of prospective members in an EGTC is also influenced by national regulations and the grade of national support. If there is a risk for a loss of members, it has to be considered well if the establishment of an EGTC is of added value for the cooperation. Related to the spatial distances no problems have been experienced in the establishment process.

Practical Execution of Network-EGTCs – Fulfilment of the Potentials

In their practice network-EGTCs fulfil some of their potentials and expectations. Some limitations have been detected.

The flexibility of a cooperation is enlarged through the establishment of a network-EGTC.

The thematic focus of each EGTC is decisive for the degree of contribution to the intensification of territorial cooperation as well as for the economic and social cohesion of network-EGTCs. The contribution to territorial cooperation might be limited to a certain distinct in some cases.

With the establishment of an EGTC the different national regulations for territorial cooperation are standardized: The EGTC acts as a legal person. Still the EGTC depends on the national provisions of the location of the EGTC's registered office, which can differ to a certain extent.

Network-EGTCs can stabilize a cooperation and ensure its long-term basis. Yet, this can only be achieved when all members of the previous cooperation want to join the EGTC. Network-EGTCs are also considered to be neutral to its members in practice.

A higher economic and political power of a cooperation through the establishment of a network-EGTC can be achieved in practice when the cooperation does not lose several members of the previous cooperation. A network-EGTC can give a cooperation a higher planning reliability. An influence by day-to-day politics, however, cannot be excluded.

The establishment of an EGTC in the non-contiguous cooperation does not automatically go hand in hand with an intensification of the cooperation. Here problems of network-EGTCs were experienced. The frequency of communication among the members seems to be rather low, however, there are some regular meetings that have to be attended by all members. The efforts to meet the other members are considered to be higher in network-EGTCs. If a network-EGTC can contribute to a simpler and faster joint-decision making depends on the provisions for decision-making and the characteristics of the EGTC: A high number of members, for instance, can make it almost impossible to make unanimous decisions. Because of binding decisions it is considered to be easier in an EGTC to ensure a common implementation of joint actions. However, so far no joint

actions have been implemented by any network-EGTC.

Another potential of EGTCS which is not automatically completely fulfilled in practice is the higher public appearance of a network-EGTC compared to a normal cooperation. This has only been perceivable to a certain degree. It depends on the measures which are taken by the EGTC.

The easier access to EU-funding is a potential that is not automatically fulfilled by a network-EGTC either. Legally, however, it becomes possible.

In the following chapter the characteristics of network-EGTCs are demarcated to those of cross-border EGTCS.

5 Demarcation of Network-EGTCs – Differences to Cross-Border-EGTCs

In the previous chapter the characteristics of network-EGTCs were to be found out. In this section these compiled characteristics are to be compared to the characteristics of EGTCs in the cross-border cooperation to be able to demarcate network-EGTCs better. Not only the characteristics of EGTCs but also the establishment process and the fulfilment of the potentials are to be compared. It is to be found out if there are restrictions for the applicability of network-EGTCs. Additionally, it shall be checked if the characteristics of non-contiguous cooperations, defined in scientific literature, and the estimations of the stakeholders interviewed apply to network-EGTCs.

First the spatial characteristics of network-EGTCs and EGTCs in the cross-border cooperation are compared.

5.1 Spatial Characteristics

According to scientific literature the members of non-contiguous cooperations are located either within a very large cooperation area or not in a common cooperation area. The cooperations miss a (close) spatial reference.

In network-EGTCs the members are not located close to each other. Most cooperations take place in a large cooperation area. Only in the planned Longlife Institute-EGTC and the EUKN-EGTC the members would not need to come from the same cooperation area because the topic of cooperation is not closely connected to a certain area. All other network-EGTCs, however, show a spatial reference.

EGTCs in the cross-border cooperation, in contrast, are located in spatially adjacent, overlapping areas in which the members border each other. Still there are two EGTCs with a quite large cooperation area: Grande Région and the Euroregion Pyrénées-Méditerranée. However, the cooperating members of these EGTCs also border each other.

The experts expected network-EGTCs to be less dense than cross-border cooperations and considered that the cooperation area of network-EGTCs might be hard to define.

It is true that the network-EGTC's cooperation is less dense because of the spatial distances

among the members. However, the network-EGTCS did not have problems in defining their cooperation area: They demarcated their cooperation area through the geographical scope of their members. Instead cross-border EGTCS with multiple purposes were said to have problems in defining their scope of cooperation. This shows that it is not a problem of network-EGTCS to define their cooperation area but rather a problem of EGTCS's in general.¹

Network-EGTCS can be used in different spatial situations. Besides their use on the main land, they can for instance also involve islands which is not easy for EGTCS in the cross-border cooperation.² Cypriot entities, for instance, which are very active in network-EGTCS, do not have the chance to cooperate in a cross-border EGTCS because they are too far away from other European countries. Therefore network-EGTCS offer the possibility for rather isolated entities of the European Union to participate in an EGTCS.

- Most network-EGTCS have a spatial reference although the members are not located close to each other. Still the cooperation areas are less dense than in cross-border cooperations. An advantage of network-EGTCS is that they can group isolated entities of the EU.

The next part of the comparison is dedicated to the aims and tasks of EGTCS.

5.2 Aims and Tasks

Reasons for the establishment

Network-EGTCS as well as EGTCS in the cross-border cooperation – all based on previous cooperations – were established because of similar reasons that were multiple.

Aims and tasks

Territorial non-contiguous cooperations were said to have different focusses of cooperation. They would not cooperate on topics related to space but aimed rather at exchanging information, maintaining a common representation, lobbying and improving international relations. They would usually have only a single purpose.

The stakeholders interviewed expected that the tasks of network-EGTCS might be restricted compared to those of cross-border EGTCS: They would mainly aim at exchanging experiences and ideas and not carry out common projects. The use of EGTCS for the management of infrastructures has been discussed controversially. It was said to depend on the concrete spatial characteristics of each cooperation. According to the stakeholders several fields of application like energy,

¹After the amendment of the EGTCS regulation, however, these problems will no longer exist for EGTCS in the interregional cooperation or those applied as managing authority of an ETC programme. These will not have to define the territorial scope of their cooperation any more (European Commission, 2011b, art.1 para.9).

²The only cross-border EGTCS which involves islands is the Euroregion Pyrénées-Méditerranée.

infrastructure and environment would be possible.

In practice network-EGTCS turned out to show territorial as well as political focusses. However, the contribution to territorial cooperation might in some cases be lower than in cross-border EGTCS. Network-EGTCS are not solely limited to the exchange of experiences and the common representation in contrast to usual non-contiguous cooperations. Several cross-border EGTCS seem rather to focus on political cooperation than on territorial development. So the presence of a political focus is not an exclusive characteristic of network-EGTCS.

Contradicting the estimation of the experts, the analysed network-EGTCS aim at the implementation of joint projects.

Cross-border EGTCS were said to either have one single purpose or several ones. The multi-purpose groupings seem to prevail. The aims and tasks of network-EGTCS are multiple and not restricted to a single purpose. The number of purposes can therefore not be a subject to demarcate network-EGTCS from cross-border EGTCS.

In contrast to EGTCS in the cross-border cooperation so far no network-EGTC has aimed at managing a European Territorial Cooperation Programme. But this might happen in the coming funding period. However, like in the cross-border cooperation the will to do so is rather low.

So far no network-EGTC has the sole task to implement an EU-funded project. In the cross-border cooperation only one EGTC has been fulfilling this task.

Three planned network-EGTCS, have been funded as an INTERREG project and want to establish the EGTC at the end of the project. From two of these projects it is known that they want to apply for an additional year of funding to finance the establishment process of the EGTC. However, it can be said that most network-EGTCS do not implement EU funded projects or programmes. Still with the establishment of the network-EGTC the cooperations hope to get an easier access to EU funding.

Although several EGTCS in the cross-border cooperation had problems because some participating member states restricted the EGTC's tasks, network-EGTCS have had none. In contrast to cross-border EGTCS the latter have not had problems because the EGTC's tasks are limited to the contribution to economic and social cohesion.

- Network-EGTCS are established because of reasons that were similar to those cross-border EGTCS have. They tend to be established with a common spatial reference, like cross-border EGTCS do, although the cooperation area is larger. The aims and tasks of network-EGTCS and EGTCS in the cross-border cooperation do not show big differences. Network-EGTCS are open to many tasks and do not solely aim at political advantages as 'usual' non-contiguous cooperations do. It depends on the spatial characteristics of each

network-EGTC which tasks it can fulfil.

The next section compares the organisational structure of network-EGTCs to EGTCs in the cross-border cooperation.

5.3 Organisational Structure

Historical basis

In scientific literature it was stated that non-contiguous cooperations were often less advanced because they did not exist as long as cross-border cooperations did. All network-EGTCs, however, have been based on existing cooperations. This is also the case with cross-border EGTCs.

Location and legal status

The registered offices of network-EGTCs tend to be located in countries that are not very experienced with EGTCs. Cross-border EGTCs in contrast locate their offices mainly in certain member states that have already much experience.

Taking into account all planned and existing network-EGTCs, most are going to have a public law status. This tendency can also be observed in cross-border EGTCs. However, it depends on the national law of the location of the EGTC's registered office and cannot be decided freely by the members of the EGTC.

Composition of members

Characteristics of members

EGTCs in general show various compositions of members. The majority of cross-border EGTCs consists only of members from two different countries. Network-EGTCs, however, tend to involve many different countries. The planned EUKN-EGTC expects to involve 11 member states.

The stakeholders estimated that most network-EGTCs would consist of a rather high amount of members. Compared to EGTCs in the cross-border cooperation, which consist of different numbers of members, network-EGTC do not show particularly high numbers of members. The amount of members in each network-EGTC varies.

One stakeholder expected that the members of network-EGTCs would change more frequently than in cross-border EGTCs. This cannot be acknowledged as it has not happened that members of a network-EGTCs have quit the EGTC so far.

Network-EGTCs are open to further members. Also several cross-border EGTCs stated to expect further members that had not been able to join the EGTC at an earlier stage.

The composition of members differs among network-EGTCs as well as in those of the contiguous cooperation. However, the EUKN network-EGTC will be the first EGTC that involves solely member states.

Multi-level governance

Like in the cross-border cooperation not all network-EGTCS tend to fully exploit the possibility of multi-level governance. Still several planned network-EGTCS are willing to do so in the future.

Non-EU members

So far only one cross-border EGTC has involved a non-EU state. All other EGTCs have experienced problems in doing so. This has also been the case in the network-EGTC Amphictyony. Still some planned network-EGTCS wish to involve non-EU members. It remains to be seen if the amended regulation will improve the involvement of non-EU entities.

Reasons for the composition of members

Non-contiguous cooperations were said to be often based on similarities and common interests of their members. This is also the case in network-EGTCS as it has already been supposed by the stakeholders interviewed. Only the languages of the members are not too similar. Therefore English has been introduced as working language.

Non-contiguous cooperations were said to have problems in getting to know possible partners, to develop trust and to find common interests. As all network-EGTCS have been based on a previous cooperation these difficulties have not been experienced.

It was said that the shared interests of territorial non-contiguous cooperations were – in contrast to cross-border EGTCs – usually not based on a common territory. However, the practice shows that most shared interests of network-EGTCS' concern a common territory. However, the interests shared can also be based on common characteristics or problems of the members. So far only two planned network-EGTCS have been expected not to be necessarily based on a common territory. In the planned Longlife Institute-EGTC, for instance, the cooperation will focus on energy efficient building.

Organs

Network-EGTCS as well as EGTCs in the cross-border cooperation have more organs than prescribed. These differ from grouping to grouping.

Communication

In network-EGTCS as well as cross-border EGTCs the meeting of the General Assembly, in which all members are represented, takes place not more than twice a year. The other organs, however, are said to meet more frequently.

Non-contiguous cooperations were said to have problems in their communication: The spatial distances among the members would hamper regular meetings, also linguistic and cultural differences could complicate the communication among the members in contrast to cross-border cooperations. Furthermore, the stakeholders interviewed considered the communication in network-

EGTCs to be more cost-intensive.

In the practice of network-EGTCs it was also considered that the time needed to travel to the meetings and the expenses would be higher. However, at the last meeting of the General Assembly of the E.G.T.C. Amphictyony it was possible for some members to participate through the internet. There have been no language problems because translators were employed.

Concerning the cross-border cooperation problems in communication have been experienced: In groupings with high amounts of members it was said to be difficult for all members to participate in the meetings of the General Assembly. Their solution was to introduce e-administration. The comparison shows that not only network-EGTCs have rare meetings.

In the scientific literature it was said that members of non-contiguous cooperations would often be less motivated. This has been experienced in the E.G.T.C. Amphictyony: Some members would not be much involved.

Finances

Non-contiguous cooperations were said to often experience financial problems. The network-EGTCs have not experienced financial problems. Still they would have appreciated a financial support in the establishment phase like many EGTCs in the cross-border cooperation did. Network-EGTCs as well as most cross-border EGTCs are mainly financed by membership fees. Mostly, both types of EGTCs envisage to be additionally supported by EU funds.

Duration

All already existing network-EGTCs limited the operating time of their EGTC, but only a few cross-border cooperations did so. The planned network-EGTCs, however, do not want to limit the operating time.

Staff

Cross-border EGTCs reported to have many problems with their staff. Network-EGTCs have not experienced any problems related to that so far. They were said to be open to international staff. However, in practice the staff mainly comes from the country of the office's location.

Generally EGTCs tend to employ only few staff to keep the expenditure low but resort to external collaborators when needed.

- There are not many differences between the organisational structure of network-EGTCs and EGTCs in the cross-border cooperation. Also network-EGTCs show a high diversity in their organisational structure. Not all characteristics of non-contiguous cooperations, named in scientific literature, apply to network-EGTCs: Network-EGTCs are based on former cooperations and mostly focus on territory. Furthermore, they have not been experiencing more

financial problems than EGTCS in the cross-border cooperation. In contrast to cross-border EGTCS, network-EGTCS are inclined to establish their registered office in inexperienced countries. Additionally, they involve more countries and have the possibility to involve partners only from the national level (transnational cooperation). Furthermore, they envisage to involve more heterogeneous members. Because of the involvement of several member states it is harder for network-EGTCS to find a common language. An important precondition for a successful non-contiguous cooperation is that the involved members have the linguistic skills that are needed. In network-EGTCS English is usually used as additional language to avoid problems.³ Network-EGTCS need to make more efforts to meet. However, no problems in meeting have been experienced so far and the use of web-based communication facilitates the contact. Network-EGTCS tend to have no problems with staff.

The next section analyses if network-EGTCS set themselves apart from cross-border EGTCS in the establishment process.

5.4 Establishment Process

Preconditions

National provisions

In the first years after the introduction of the EGTCS regulation cross-border EGTCS experienced many problems in the establishment process because not all national provisions had been applied yet. This has also been the case in the network-EGTCS Amphictyony. For some time, however, most national provisions have been applied so that there should not be more problems related to that.

The network-EGTCS stated not to have had problems related to differences of national provisions in the establishment process. The EGTCS in the cross-border cooperation, however, criticized the coexistence of different national provisions.⁴

Attitude towards EGTCS

Cross-border EGTCS often experienced problems because of missing trust and opposing attitudes towards the establishment of an EGTCS. The establishment of network-EGTCS, however, has not had any opponents. This might be due to the fact that the public has not been much involved in the establishment process. If the public has been involved in the establishment process of cross-border EGTCS cannot be said. Still the establishment of an EGTCS in the cross-border cooperation is expected to be more perceivable for the public because of the spatial density of

³During the research of this diploma thesis, however, it was realized that these language skills rarely exist.

⁴See more about the harmonisation of national provisions in chapter 5.5, p.138.

these cooperations.

Support of the establishment

In cross-border EGTCS political support in the establishment has been missing. The EGTCS experienced a need to be informed and supported during the establishment process. Network-EGTCS have not been supported much in their establishment process either. The stakeholders considered this to be a special problem of network-EGTCS. Mostly the latter were only supported by their own members. However, only the first network-EGTC missed support. This might have been due to the novelty of the instrument and missing experiences which have improved up to now. Nevertheless also the planned CETC-network-EGTC would have welcomed a higher (financial) support and trainings as it has been demanded by the EGTCS in the cross-border cooperation.

Exchange with other EGTCS

EGTCS in the cross-border cooperation missed an exchange with other EGTCS. Therefore the EGTC Platform has been established. The network-EGTCS have not exchanged much information with other EGTCS so far. When they exchanged information they rather chose spatially close EGTCS instead of other network-EGTCS. The establishment of network-EGTCS was not influenced by role models.

EGTC regulation

The EGTC regulation has been criticized by both, network-EGTCS and those EGTCS of the cross-border cooperation. It was criticized that the regulation was not thoroughly clear and hard to implement because of very complicated preconditions.

Spatial distances

The network-EGTCS did not consider to have had any special problems in their establishment process related to the spatial distances among the members.

Course of action

Idea and decision

Non-contiguous cooperations are said to often emerge accidentally on the initiative of different politicians. In contrast, as already stated before, all network-EGTCS are based on a previous cooperation and have not been founded at the start of a cooperation. Different proceedings led to the idea to establish a network- EGTC. This has also been the case in cross-border EGTCS.

Legal documents

Cross-border EGTCS experienced problems in writing the convention and the statute. One network-EGTC experienced problems in writing the legal documents, whereas the other did not. Problems

in this area are rather dependent on the preconditions of the process than on spatial characteristics.

Competences and tasks

Non-contiguous cooperations were said to have problems in defining common competences and reasons for a cooperation. Problems in defining common competences have been experienced only in one of the two network-EGTC case studies. Also EGTCs in the cross-border cooperation were said to have problems. Therefore this problem is not typical of network-EGTCs.

In the decision about the aims and tasks of network-EGTCs no problems have been experienced because these were mainly adopted from the previous cooperation.

Application at the national responsible authorities

The stakeholders interviewed estimated that it was more difficult for the members of network-EGTCs to get the national permissions to join the EGTC. Yet, the national levels can only prohibit the membership if an EGTC conflicts with the national interest of the states. So far no entity that applied to take part in a network-EGTC has been rejected.

In cross-border EGTCs the national responsible authorities did often not meet the deadline of three months. In the existing network-EGTC Amphictyony, however, the deadline was met although all ministries responsible were not very experienced and although more member states were involved. Therefore it cannot be said that the time needed for approval was longer in network-EGTCs. The time needed for approval is not considered to be influenced by the spatial distances among the members but rather by the countries involved and their special procedures. It is expected that with the years and a bigger experience of the responsible authorities the decisions will be taken faster.

Duration of the establishment process

The very first network-EGTC was established very fast – almost without any problems. The planned CETC-network-EGTC, however, has experienced several problems and the establishment process will take more than twice the time the first network-EGTC needed. The establishment process of the other planned network-EGTCs also tends to take much time. The long establishment process of those planned network-EGTCs based on INTERREG projects cannot be fully counted: The decision to establish an EGTC was already taken before the application for the project. The establishment process, however, will be started much later as one of the last actions of the cooperation project. The duration of the establishment of network-EGTCs has not been caused by the spatial distances among their members – also cross-border EGTCs have often experienced problems in the establishment process.

► The establishment processes of network-EGTCS and the one of cross-border EGTCS do not differ much. Although the stakeholders interviewed have expected the network-EGTCS to have more problems to decide about common tasks and competences, this has not been the case in practice. It has also not been more difficult to get the national permissions to participate in the EGTCS either. Furthermore, network-EGTCS have not been supported less than other EGTCS. Also the process of establishment is not considered to take longer than in cross-border cooperations. A difference might be that the establishment of network-EGTCS is less opposed. Yet, this might be due to a lower involvement of the public. The comparison shows, that differences in the establishment process are not dependent on the spatial characteristics of the cooperation but rather on the preconditions of the establishment.

In the following section it shall be analysed if the general potentials of EGTCS can be implemented in the practice of network-EGTCS to the same extent as it is done in territorial contiguous EGTCS.

5.5 Practical Execution: Fulfilment of the Potentials

Flexibility

EGTCS were said to have a very flexible structure. This has been confirmed in the practice of network-EGTCS as well as of cross-border EGTCS. The variety of characteristics of EGTCS shows that the flexibility of the instrument has been made use of.

Contribution to European Cohesion and territorial cooperation

Cross-border EGTCS were considered to contribute to European Cohesion through the stabilization of the cooperation, ensuring a long-term cooperation of its members. The network-EGTCS also desired to do so. However, it might not be easy to perceive.

The contribution to territorial cooperation, understood as territorial development, depends on the aims of each network-EGTC. Network-EGTCS that focus on political cooperation might contribute to a less perceivable extent to territorial development.

Standardization of legal forms

It is discussed controversially if the legal forms for territorial cooperations have been standardized through the EGTCS regulation. Because of the open formulation of the EGTCS regulation each member state could make its own provisions of the non-regulated issues. Therewith it was experienced that some national provisions differed much from each other. The differences in regulations of neighbouring countries were said to result in a reluctance to establish EGTCS.

Several problems related to different national provisions have been experienced in the practice of cross-border EGTCS, but not in the practice of network-EGTCS. Even bordering countries have

often implemented contradicting national provisions. This shows that the distance among the partners of network-EGTCs does not increase the risk of differing national provisions. It might be rather considered as an advantage that network-EGTCs can choose members with similar national provisions.

Stabilization and intensification of the cooperation

After establishing cross-border EGTCs the cooperations have experienced more permanency. Especially the members would stay the same, independent of political changes. The members of non-contiguous cooperations were said to be often only interested in temporal cooperation. Still some EGTCs, amongst others also the two existing network-EGTCs, have a limited duration which contradicts a permanent cooperation. Despite the limited duration, the existing network-EGTCs expect to ensure a long-term cooperation and the planned network-EGTCs do not envisage to restrict their duration.

A problem which has been experienced by the network-EGTCs was that they were not able to involve all of their previous members. This difficulty has also been experienced in some cross-border EGTCs. If it does not become possible to involve the earlier members, the stabilization of the cooperation through the EGTC is at risk.

Because the decisions of an EGTC are binding, the cooperation is expected to become more democratic. This has also been experienced in the practice of cross-border EGTCs.

However, the equality of the members depends on the type of decisions that are taken. The network-EGTC Amphictyony decides by majority votes so that members can be overruled. In the case of the CETC-EGTC only unanimous decisions will be taken, so that the members are treated equally. However, with a higher number of members it is considered to be more difficult to take unanimous decisions which could demotivate members. Apart from decision-making structures it was questioned if the members of EGTCs were treated equally. It was expected that the entities situated in the country of the registered office might be favoured. In the cases of the network-EGTCs, the EGTC is considered to maintain neutrality.

In the network-EGTC Amphictyony it has been experienced that the cooperation got a higher economic and political power as well as a higher planning reliability although it was slightly influenced by day-to-day politics.

The stakeholders interviewed expected network-EGTCs to have a less intense and less coherent cooperation than cross-border cooperations. Although it was envisaged to intensify the cooperation the E.G.T.C. Amphictyony could only do so to a certain extent. Because not all previous members want to become members of the planned CETC-EGTC, it is questionable if the cooperation as such can be intensified.

The introduction of regular meetings of the organs is said to improve the communication of the cooperations.

Better implementation

In cross-border EGTCS it was experienced to be difficult to implement EU-funded projects. EGTCS were often not considered to be eligible and could therefore not get access to EU funds.

Network-EGTCS have not implemented EU funded projects so far. Apart from that, network-EGTCS are expected to better implement joint decisions because these are binding. This, however, only applies to the full members of network-EGTCS and their area of influence.

Improvement of the representation and public appearance

It has been criticized that EGTCS would not contribute to the identity building of the cooperation area. Yet, at the same time it has been experienced that the common representation has been strengthened by the establishment of the EGTC. Especially when non-contiguous cooperations got a higher number of members, they were said to have problems representing all interests of them. Yet, in the case of the network-EGTC Amphictyony, the EGTC was said to successfully promote the cooperation's common objectives. However, the public appearance has not been strengthened much.

Financial advantages

Although the use of EGTCS made it possible for cooperations to have a common budget and to apply to European funding, difficulties have been experienced in practice. Cross-border EGTCS had problems in financing their cooperation. They experienced an increase in the administrative expenditure of their cooperation.

The network-EGTCS, however, have not experienced financial problems so far. Yet, the E.G.T.C. Amphictyony has not got access to EU-funding so far. Still it has managed to keep the administrative expenditure low.

- EGTCS, in general, seem not to meet all potentials. For instance, it depends on the countries involved and not on the spatial distances among the members if EGTCS experience difficulties with different national provisions. The limitation of the duration of an EGTC conflicts with the stabilization of a cooperation. This stabilization can only be reached when most members of the previous cooperation are involved, otherwise the cooperation will be weakened. If all members are treated equally and so only unanimous decisions are taken it will get harder to take decisions. Some differences could be found out: The contribution to European Cohesion might be less perceivable in network-EGTCS and the influence of network-EGTCS on territorial development depends on their tasks. Network-cooperations do not

experience an intensification of the cooperation through the EGTC establishment. The co-operations might be less intense than those of cross-border EGTCs. Network-EGTCs cannot benefit from a higher public appearance. However, in contrast to cross-border EGTCs they have not experienced problems in financing so far.

5.6 Conclusion of the Differences Between Network-EGTCs and EGTCs in the Cross-Border Cooperation

The comparison between network-EGTCs and EGTCs established in the cross-border cooperation shows that there are not as many differences as expected.

It was found out that network-EGTCs do not fully show the characteristics and problems of non-contiguous cooperations. This might imply that the establishment of an EGTC has a positive impact on non-contiguous cooperations. Also the expectations of the stakeholders interviewed were often refuted.

Most network-EGTCs have a spatial reference despite of distances among their members. Therefore they resemble transnational cooperations more than interregional cooperations.

In these cases the aims and tasks of network-EGTCs are not restricted. However, it depends on the spatial characteristics of each case which aims and tasks are chosen.

The organisational structure is similar to EGTCs in the cross-border cooperation. However, some unique features could be pointed out: Network-EGTCs seem to establish their registered offices in inexperienced countries. Additionally, they involve significantly more member states than 'usual' EGTCs. The planned network-EGTC EUKN – soon to be established – will only consist of national levels. This is not imaginable in cross-border cooperations. Most network-EGTCs envisage to have a more heterogeneous membership than cross-border EGTCs. Compared to EGTCs in the contiguous cooperation they have not experienced problems with staff so far. The only disadvantages of non-contiguous partnerships were that the members had to make higher efforts to meet and that there were language barriers.

The establishment process turned out to be very similar to that of cross-border EGTCs. The only difference was that the establishment of network-EGTCs tends to have less opponents. This might result from the fact that the public is only involved to a lower degree. Apart from small differences it can be seen that the establishment process is not negatively influenced by spatial distances among the members.

The contribution of network-EGTCs to European Cohesion, however, might be perceivable to a lower extent. Furthermore, a strong intensification of the cooperation and a higher grade of public appearance could not be achieved with the establishment of a network-EGTC. Besides

network-EGTCs have not experienced financial problems in contrast to EGTCs in cross-border cooperations.

In the following chapter the information collected so far is combined to draw final conclusions about the applicability of EGTCs in the transnational and interregional cooperation. Additionally, recommendations for the applications for network-EGTCs are given. At the end of this section an outlook about the future of network-EGTCs is drawn.

6 EGTCs in the Interregional and Transnational Cooperation – Conclusive Remarks

The last chapter evaluates the applicability of EGTCs in the territorial non-contiguous cooperation. Furthermore, it gives recommendations for territorial non-contiguous cooperations that think about establishing an EGTC and draws an outlook in the future of network-EGTCs.

6.1 Applicability of EGTCs in the Transnational and Interregional Cooperation

The first section refers to the findings made about network-EGTCs and discusses the applicability of the instrument EGTC in the territorial non-contiguous cooperation. This is done on the background of the opinions about the applicability of EGTCs in scientific literature and the stakeholders interviewed.

The application of EGTCs in the transnational and interregional cooperation is legally anchored: The EGTC regulation states that: "*the objective of an EGTC shall be to facilitate and promote cross-border, transnational and/or interregional cooperation [...] between its members[...]*" (European Parliament and Council, 2006b, art.1 para.2).

It is not differentiated between the three dimensions in the regulation. Therefore EGTCs are legally applicable in the transnational and interregional cooperation without any restriction.

Preconditions for the establishment

As EGTCs are a highly complex structure which involves a high extent of bureaucracy high efforts are needed to fulfil all requirements. Therefore certain preconditions have been formulated in scientific literature and by the stakeholders interviewed which should be fulfilled to use EGTCs in general.

EGTCs should only be applied when it is needed and brings advantages and when the use is cost-efficient.

The benefit from EGTCs depends on certain cooperation's characteristics:

EGTCs should be only applied...

- * ... in long term cooperations or of those that want to develop a permanent structure,

- * ... in intensive cooperations or of those that want to intensify their cooperation,
- * ... in cooperations that aim at implementing concrete projects and
- * ... in cooperations that want to benefit from the legal structure of EGTCs.

It has been discussed controversially if EGTCs should be only applied in cooperations that have existed for a longer time or if it was also reasonable to establish EGTCs at the beginning of a cooperation.

The fulfilment of the above named characteristics is considered by the stakeholders interviewed and the author to be also important for EGTCs in the transnational and interregional cooperation: Loose territorial non-contiguous cooperations that do not want to intensify and make their cooperation permanent should not establish an EGTC. If cooperations do not aim at implementing common actions the establishment of an EGTC is not considered to be reasonable. Instead other cooperation forms should be used that are less binding and less ambitious. Especially if the legal identity is not considered to be needed there is no relevant reason to establish an EGTC. Because of the risks that go hand in hand with an early establishment of an EGTC at the beginning of a cooperation network-EGTCs should be rather based on existing cooperations.

Network-EGTCs in practice

In practice only two EGTCs have been established in the territorial non-contiguous cooperation so far: The stakeholders supposed that uncertainties about EGTCs in the transnational and interregional non-contiguous cooperation would have led to fears and expectations that had possibly often prevented cooperations from establishing an EGTC. This has been acknowledged by cooperations that had thought about establishing a network-EGTC but which then decided not to do so.

However, when exploring the existing and planned network-EGTCs – EGTCs used in the non-contiguous cooperation – it was found out that several negative features, expected in connection with the establishment of an EGTC, had not been fulfilled in practice: Most of the existing and planned network-EGTCs show a spatial reference. Furthermore, their tasks are not limited to political cooperation but can also focus on the territorial development of a bigger planning area. Additionally, network-EGTCs showed the wish to be composed of more heterogeneous members and have not experienced problems with staff so far.

Only few negative differences to EGTCs in the cross-border cooperation were detected:

- * differing, not similar languages,
- * higher efforts to meet and a
- * low degree of public involvement.

As all network-EGTCs have been based on earlier cooperations, however, the problems of different languages and higher efforts to meet are not new and have been already experienced before.

Therefore these problems cannot be evaluated as reasons to advise transnational or interregional cooperations against establishing an EGTC. On the contrary, the establishment of stable structures and frequent meetings by an EGTC might lead to a better communication among the members. It has been found out that network-EGTCs have more positive features than ordinary non-contiguous cooperations which underlines this statement.

In the establishment process network-EGTCs have not experienced problems related to the spatial distances among their members. Additionally, they had less opponents.

In the implementation of the potentials in practice, only a few deviations have been experienced: The establishment of a network-EGTC might not lead to a more intensive cooperation or a better public appearance and its contribution to European Cohesion might be less perceivable. However, network-EGTCs have so far not experienced any financial problems in contrast to cross-border EGTCs.

Although not all expectations have been fully met in the practice of the E.G.T.C. Amphictyony, the cooperation has been satisfied with the outcomes and would not have rather chosen another structure. This satisfaction is the best evidence that the use of an EGTC in the territorial non-contiguous cooperation has been worth the efforts because it was experienced to be profitable.

The stakeholders interviewed supposed that the rare implementation of EGTCs in the transnational and interregional cooperation might be due to a missing knowledge about the option to apply EGTCs in the transnational cooperation. So if the knowledge about network-EGTCs and their positive outcomes was spread, it is probable that more network-EGTCs will be established.

Areas of application

EGTCs in the transnational and interregional cooperation can be either applied in non-EU funded cooperations or in EU supported cooperations (cooperation projects, cooperation programmes or macro-regions). Three of the existing and until now planned network-EGTCs will be established after the end of a EU-funded INTERREG project. The others, however, have been or will be applied in the non-EU funded cooperation.

The necessity of EGTCs in the transnational and interregional cooperation was questioned by the stakeholders interviewed:

Non-EU funded territorial non-contiguous cooperations were considered to be often based on voluntariness and would not implicate obligations. Therefore the necessity might not be perceived to establish an EGTC. This is especially true for loose cooperations that solely aim at the exchange of experiences and networking.

However, the stakeholders stated that it would be only reasonable to establish an EGTC for coop-

erations that wanted to give their loose cooperation a more stable and permanent basis. In such cases, however, they feared that not all members might be motivated to put more efforts in the cooperation and to enter into commitments so that the establishment of an EGTC might be easily refused. It depends on each cooperation if such a de-motivation exists. Yet, in the established and planned network-EGTCs, most members were motivated. Therefore it can not be categorically excluded that non-EU funded cooperations decide to establish an EGTC.

The establishment of an EGTC at the beginning of a territorial non-contiguous cooperation is rather implausible as the establishment process of non-contiguous cooperations is said to be difficult and connected with many uncertainties and missing trust among the members. As it is at that stage uncertain how the cooperation will develop the members are expected to oppose a cooperation that is connected with commitments and binding decisions. This is acknowledged by the fact that all network-EGTCs have been based on previous cooperations.

So far interregional and transnational EU funded cooperation projects do rather not tend to prolong their cooperation after the end of funding. Interregional cooperation projects were especially said not to need to further cooperate because they would have already had exchanged all information during the project time.

One of three examples of transnational cooperations that plan to establish an EGTC is the INTERREG IV B project Longlife. After the end of funding an incorporated society has been founded under German law to prolong the cooperation. Now it is planned to establish an EGTC to become an entity of public law to be able to found an academy. The project has been decided to continue after the end of funding because of the good experiences that were made within the project partnership.

Although only three INTERREG projects plan to establish an EGTC they form 38% of the existing and planned network-EGTCs. Therefore the participation in INTERREG projects contributes to a certain extent to the establishment of an EGTC.

EGTCs have not been used to manage a transnational or interregional ETC programme so far. Reasons named by the programme secretariats were good-working existing structures, legal uncertainties and missing experiences. This underlines the stakeholders' estimations. So far no network-EGTC has fulfilled this task. Therefore it is hard to evaluate the profitability of EGTCs in this case. The establishment of the planned network-EGTC of the EUKN, however, might serve as a role model for transnational cooperation programmes in the future as it will only consist of members states.

The use of EGTCs in macro-regions is envisaged by many European institutions. Still the stake-

holders interviewed, had many doubts about the usefulness of an EGTC. They expressed their reservations about the use in macro-regions because these would not aim at implementing concrete projects. Additionally, it is especially regarded to be implausible that all members of a macro-region agree on the establishment of an EGTC. Although the instrument EGTC is open to a different amount and nature of members the decision-making in macro-regions might be hard: Either unanimous decisions are taken and the decision process will be very long or majority decisions are taken which can overrule minorities.

These doubts are shared by the author because it cannot be certainly said if the use of EGTCs in macro-regions brings advantages and is needed. However, so far no plans about the establishment of an EGTC in the Baltic Sea Region or the Danube Region have been published. It remains to be seen how much the European institutions can push this idea forward.

► Summing up, the practice of network-EGTCs shows that the application criteria for EGTCs – named at the beginning of this section – are fulfilled by the existing and up to now planned network-EGTCs: All network-EGTCs aim at contributing to a long-term cooperation and an intensification. They are not solely established to exchange information but also aim at implementing concrete actions. The transformation of their cooperation into a legal person was considered to be important because of several reasons. Last but not least all network-EGTCs are or will be established on the basis of an earlier cooperation. The existing and planned network-EGTCs are good examples that show how EGTCs can be applied in the transnational and interregional cooperation. Furthermore, the spatial distances among the members have been influencing the cooperation only to a small extent but have not questioned the usefulness of EGTCs. The most important proof is that the existing network-EGTC Amphictyony is satisfied with its choice to establish an EGTC. Therefore EGTCs can be applied in the transnational and interregional cooperation very well. However, not all existing transnational and interregional cooperations should be transformed into an EGTC: The application should fulfil certain preconditions. These, however, also need to be fulfilled by cross-border cooperations.

In the next section recommendations for the application of network-EGTCs are given that concern the decision, the establishment process and the practical execution of EGTCs in the transnational and interregional cooperation.

6.2 Recommendations for Network-EGTCs

In this section recommendations for future network-EGTCs are laid down. They are based on the experiences made by the two case studies E.G.T.C. Amphictyony and CETC-EGTC.

The recommendations are attached to three different development stages of a network-EGTC. It turned out to be very important to clarify several conditions before the decision to establish an EGTC is taken. Thus first recommendations are given on how to find out if it is reasonable to establish an EGTC. The second step concerns the course of action in the establishment process and third recommendations are given for the practical execution of network-EGTCs.

6.2.1 Decision-Making Process

Before the decision to establish a network-EGTC is taken it is essential that some important preconditions are clarified to be sure if it is reasonable at all to establish an EGTC.

Information about the consequences of the EGTC establishment

After the idea to establish an EGTC has come up it is very important to collect information and experiences about the consequences of an EGTC establishment for the cooperation and each member. Therefore contact should be established to existing network-EGTCs to get a feeling what the practice might be like. This information is then to be shared with all members of the cooperation so that they have a profound basis to decide if they can meet the challenges of an EGTC and if they are in favour of the EGTC establishment or not.

Furthermore, the content of the EGTC regulation needs to be clarified to the members. If there are any uncertainties these shall be addressed to the responsible European institutions, for instance to the CoR.

In addition to that all national provisions of the countries involved should be translated and taken into consideration to ensure clarity and to avoid problems in the establishment process. The analysis of the national provisions is essential because these have a big impact on the practical execution of EGTCs. The information collected can later help to decide about the location of the registered office.

Definition of expectations, common competences and tasks

The cooperation members should jointly define their expectations of the EGTC. By comparing these expectations to the practice of other EGTCs it can be found out if these expectations are plausible to come true.

After that the competences of the members need to be compared to find common competences. This needs to be done because only these can be conferred to the EGTC so far.¹

With the knowledge of the common competences it can be discussed which tasks the EGTC shall fulfil. Only in having this information it can be profoundly decided by the cooperations' members

¹With the amended EGTC regulation it will be sufficient that only one of the EGTC's members has the respective competence (European Commission, 2011b, art.1 para.8).

if they want to become members of the EGTC.

Willing and motivated members

Network-EGTCs should be based on a previous cooperation, as discussed in the previous section. All or at least most members of this cooperation need to be in favour of the establishment and should be willing to join the EGTC. If not all cooperation partners want to join the EGTC the cooperation should not establish an EGTC when it cannot convince them. Otherwise the cooperation will be weakened instead of being strengthened by the EGTC establishment.

Additional members

Because EGTCs offer the possibility to apply the principle of multi-level governance it should be clarified at an early stage if the composition of members is considered to be sufficient or if national authorities or research institutions, for instance, should become additional members to make the cooperation more efficient. If additional members should be involved, these should be contacted as early as possible and informed about the plans of the cooperation. Then these can quickly decide if they want to support the cooperation.

Finances

The sources that will finance an EGTC need to be clarified as early as possible. In practice several EGTCs showed a higher expenditure than the cooperations had shown before. Therefore the cooperations should make sure that the financing will be secured in the future.

It is important that the EGTCs will not depend on EU-funds. The practice has shown that these cannot easily be accessed. If the financing cannot be secured the EGTC should not be established.

6.2.2 Establishment Process

Lobbying

Directly after the decision to establish an EGTC is taken, the responsible national authorities of each country involved should be informed about the intention to establish an EGTC. With the early briefing and ongoing status report of the establishment process the responsible authorities can get to know the EGTC better and possibly make faster decisions about the approval of the EGTC and the participation of its members. The national authorities could then also give recommendations to the cooperation and possibly support the establishment process.

Additionally, the EGTC establishment should be promoted so that the public gets some idea about the EGTC and its tasks. This can already give the cooperation a greater visibility.

Decision about the location of the registered office

The law of the country in which the EGTC will be registered will be applicable to the EGTC. Therefore the decision about the EGTC's registered office should be taken with caution. All national provisions of the countries involved have to be taken into consideration.

It might be an advantage to establish the EGTC in an already experienced country because the processes could be faster. Still the best location of an EGTC's registered office additionally depends on the respective national provisions and other positive and negative criteria.

To establish the EGTC's office in a city which is not involved in the cooperation can support the neutrality of the EGTC towards its members.

Preparation of the legal documents

Also in the establishment process it is an advantage for network-EGTCs to exchange information with the existing EGTCs and to get recommendations which they can use.

The model statute which is provided by INTERACT² or statutes of other EGTCs should be used as a guideline which speeds up the process.

The legal documents should be written in all languages of the countries involved and in English as a language that is shared by the members. This improves the accessibility of information about the EGTCs and simplifies the exchange among different EGTCs.

Furthermore, it is recommended not to keep the legal draft documents a secret but to discuss them with other EGTCs so network-EGTCs can get recommendations for improvements.

The procedure of decision-making should be chosen in relation to the number of members. EGTCs with few members should rather take unanimous decisions, bigger EGTCs, however, should decide on a majority basis. Otherwise it will be almost impossible for bigger EGTCs to take decisions.

The duration of EGTCs should not be limited to a certain time – this would not allow the long-term perspective of EGTCs. A limitation in time is regarded not to be needed: Even if an EGTC is not limited in duration it can still be dissolved under the conditions decided by its members.

In the operating provisions that are laid down in the statute of each EGTC, network-EGTCs should make special rules for the communication. They could, for instance, introduce web-based communications which facilitate the communication over longer distances. Still personal meetings at conferences should be maintained to keep personal contacts as well.

²The model statute can be accessed at the homepage of INTERACT:
http://portal.cor.europa.eu/egtc/SiteCollectionDocuments/Statutes_template.pdf.

6.2.3 Practical Execution

Communication

The recommendations for the practical execution of network-EGTCs concern the communication. As network-EGTCs have more difficult preconditions than cross-border EGTCs they have to put more efforts into communication than cross-border cooperations.

First, it is very important to employ staff with good English-speaking skills. English shall be used as intermediary language which is understood by all members. English is also important for the communication within Europe and the European institutions. Not all staff of the (planned) network-EGTCs has these skills so far.

Second, to facilitate a communication among the cooperations' members concrete contact persons, besides the mayors, should be introduced by each EGTC member. Otherwise the communication could be hindered. These contact persons should also have English-speaking skills.

Third, besides regular meetings, EGTCs should stay in frequent contact with their members and inform them about their actions to intensify the cooperation.

Fourth, also the national levels and the EU level as well as the public in general should be kept well informed to improve the EGTC's visibility.

- If transnational and interregional cooperations consider these recommendations for the different development stages well, it is expected that the use of an EGTC will bring the cooperation many benefits and an unproblematic practical execution.

In the following last section of the thesis an outlook about the future of EGTC in the transnational and interregional cooperation is drawn.

6.3 Future of EGTCs in the Transnational and Interregional Cooperation

This section evaluates the future of EGTCs in the transnational and interregional cooperation. It takes into consideration the changes of the Cohesion Policy in the next funding period 2014-2020 and the EGTC regulation, being part of it, in addition to the findings of this thesis and the estimations of the stakeholders interviewed.

6.3.1 Changes in EU Politics

For the coming funding period 2014-2020 the regulation of Cohesion Policy, the regulation of European Territorial Cooperation and the EGTC regulation will be changed. The whole Cohesion Policy package is expected to be decided until the middle of 2013 (Reichel, 2012).

New regulation for European Territorial Cooperation

The new regulation of European Territorial Cooperation will contain several links to EGTCs and include provisions that will allow EGTCs to become the sole beneficiary of a cooperation project and to make it easier to become the managing authority of European Territorial Cooperation Programmes (European Commission, 2012c, art.11 para.3 and art.21). Consequently EGTCs will not experience problems in these areas any more.

The role of macro-regions is strengthened in the new regulation: The transnational programmes shall define macro-regional strategies or strategies for sea-basins to define the priorities of their programmes (European Commission, 2012c, preface para.17).

In the new Cohesion Policy a regulation providing common provisions for the ERDF, ESF, Cohesion Funds, European Agricultural Fund for Rural Development (EAFRD) and the European Maritime and Fisheries Fund (EMFF) will be introduced. In the definitions of this regulation it is stated that EGTCs will be seen as a "public law body" (European Commission, 2012b, art.2 para.13) so that EGTCs can get further tasks in the whole framework of this regulation when public law bodies are addressed.³

Amended EGTC regulation

The amended EGTC regulation shall simplify and clarify the previous regulation. However, the general framework of EGTCs will not be changed and EGTCs will stay open for all three strands of territorial cooperation (Olbrycht, 2012).

The amended regulation shall solve the problems the EGTCs have experienced in practice: It shall make it easier to establish an EGTC. A tacit agreement will be introduced: If the responsible national authorities do not decide within six months about the application of its entities in the EGTC they are considered to be approved. Additionally, it will be clarified in which cases these authorities can deny a request (European Commission, 2012a, art.1 para.5). Furthermore, the amended regulation is expected to simplify the involvement of non-EU countries in EGTCs (Alcolea-Martínez, 2012), (Peters, 2012).⁴ The amended regulation will also open the possibility to involve public undertakings as members of an EGTC (European Commission, 2012a, art.1 para.3). Additionally, the tasks an EGTC can fulfil will not need to be part of the competences of all members any more. Instead it is enough that one member has the competences for the respective task. Besides, EGTCs will not "be primarily limited to the implementation of territorial cooperation programmes or projects" (European Parliament and Council, 2006b, art.7 para3) which are sup-

³An EGTC could, for instance, be applied to develop joint action plans for several projects or several operational programmes (European Commission, 2012b, art.93 para.1).

⁴In the new regulation it will be possible that only one member state and a non-EU country can establish an EGTC together if the member states do not deny it. No second member state will have to be involved (Reichel, 2012)

ported by the Structural Funds. Instead, according to the amended regulation, non-EU funded tasks can be equally fulfilled by an EGTC (European Commission, 2012a, art.1 para.8).

Furthermore, the prescribed contents of the statute and convention will be amended (European Commission, 2012a, art.1 para.9f.). As an example, Peters mentioned that the EGTC cooperation area will not needed to be marked any more when interregional cooperations are concerned or the EGTC is having the task of a managing authority (Peters, 2012), (European Commission, 2012a, art.1 para.9). Additionally, the course of action for the change of legal EGTC documents or the composition of EGTC members will be regulated (European Commission, 2012a, art.1 para.5). As there were problems experienced in relation to staff and liabilities, the amended regulation will lay down more concrete rules (European Parliament and Council, 2006b, art.1 para.9f. and 12).

Proposed changes for the transnational and interregional cooperation

The Mission Opérationnelle Transfrontalière (MOT) demanded to introduce more simplified procedures for the transnational and interregional cooperation. The reason was that the instrument EGTC was considered not to be adapted to the functioning of networks at all because of its complex structure. They proposed to allow to take decisions by written consultation and to introduce the possibility of associated members: Future members would be allowed to take part in the meetings of the General Assembly and other political organs of the EGTC without vote from their time of application of becoming a member till the time of admission. This proposal was made as it was said to take a very long time until future members were admitted in a network, especially when national levels were involved. Partners that cannot become members of an EGTC because of their legal nature or because of political obstacles could get the status of an associated member. However, these proposals have not been taken into account in the amendment of the EGTC regulation (Schneider-Français, 2012).

Further proceedings

Existing EGTCs and planned EGTCs whose establishment procedure has started more than six months before the publication of the amended regulation or those EGTCs which have finished the establishment procedure but have solely not been registered so far do not need to amend their EGTC to the new rules. All other new EGTCs will be approved under the amended EGTC regulation.

The next evaluation of the EGTC development and of the amended regulation will be laid down in 2018 by the European Commission.

Consequences for the future of network-EGTCs

The changes of the new ETC-regulation and the amended EGTC regulation might at least bring some small improvements for EGTCs and make it more attractive to establish an EGTC, also in

non-contiguous cooperations (Blais, 2012b), (Peters, 2012), (Alcolea-Martínez, 2012), (Gabbe, 2012). This is considered to be true because the regulation facilitates the application of EGTCs in general.

Blais said that the links to EGTCs which will be introduced in the new ETC-regulation will make the instrument more visible. This might also lead to the establishment of more network-EGTCs (Blais, 2012b). At least it could make more transnational cooperation⁵ projects consider to establish an EGTC after the end of the INTERREG funding. For cooperations that have not been funded by the EU so far – they have been in the majority among the existing and planned network-EGTCs up to now – these changes, however, will not lead to the establishment of more EGTCs. The reason is that these are not affected by changes of the above mentioned regulations.

Peters pointed out that despite the better link to the ETC, the management of a territorial cooperation programme by an EGTC will be still dependent on the member states that have to decide. He generally doubted that EGTCs will be used for the management of these programmes as he considers the existing structures to be rather solid (Peters, 2012). This estimation had also been made earlier by Gabbe and the AEBR (see chapter 3.4.5, p.70).

The late adoption of the EGTC regulation might especially have negative impacts on the use of EGTCs as managing authority. It has been hoped by many stakeholders that the revised EGTC regulation could be adopted earlier than the whole regulation package: Gabbe and Blais considered the fast adoption of the revised EGTC regulation as an important requirement for more EGTCs. They stated that only if the amended EGTC regulation was published soon, EGTCs could be incorporated in the new operational programmes because these programmes were already in the works (Gabbe, 2012), (Blais, 2012b). All European institutions that were participating in the interinstitutional conference about EGTCs in March (Blais, 2012b) supported the soonest possible adoption of the amended EGTC regulation. However, it was decided against it (Reichel, 2012). The consequence might be that EGTCs will still not be used as a managing authority in the transnational and interregional territorial cooperation programmes. Those programmes which considered to establish an EGTC, however, might still decide to do so. The amendments of the regulation are already known and it is not expected that the contents will change much until the adoption of the regulation. Apart from that the other cooperation programmes that have not considered to establish an EGTC are still expected not to do so with the coming funding period. They would probably not have done so even if the amended EGTC regulation had been published earlier. If the establishment of an EGTC had been categorically refused before, it is not expected the amended regulation would have brought essential changes which would be an incentive to

⁵Interregional cooperation projects funded by the EU were said not to need to prolong after their end of funding.

establish an EGTC.

Good practices of the EUKN-EGTC, however, might motivate those programmes instead. The EUKN-EGTC is expected to be established this autumn. It might need some time until the benefits of this establishment can be evaluated.

The MOT worries that the simplification of some articles of the new regulation might be of disadvantage for network-EGTCs (Schneider-Français, 2012).⁶ Furthermore, as their proposals to support EGTCs in the transnational and interregional cooperation were not adopted, non contiguous cooperations might still experience problems (Schneider-Français, 2012).

The practice of network-EGTCs, however, showed that network-EGTCs do not automatically experience more problems than EGTCs in the cross-border cooperation. The proposal to introduce associated members has already been realized in practice and the CETC-EGTC plans to do so. The proposal to introduce that the decisions of an EGTC can be taken by written consultation is seen critically. The decision-making is not considered to work faster, because the direct discussion among the members would be missing. It is seen as important that the EGTC's members meet each other regularly. It might be a good idea to introduce video conferences in addition to the meetings because here discussions are possible.

The proposal of Bresso, president of the CoR, to financially support EGTCs will not be introduced in the new regulation. This could have been an incentive to establish more EGTCs (Reichel, 2012). A financial support is seen critically by the author. If the establishment or the practice of an EGTC was financially supported it could happen that cooperations founded an EGTC just because of this support. However, only cooperations that can really benefit from an EGTC should establish one (see chapter 6.2, p.147).

Although the transnational programmes shall put more efforts in macro-regional strategies the use of EGTCs in this area has not been pointed out in the new regulations. This means that EGTCs might still not be used in macro-regions.

Peters thinks that there could be more EGTCs if EGTCs were also used to fulfil the investment objective⁷ of the new Cohesion Policy (Peters, 2012).

6.3.2 Other Factors of Influence

All stakeholders mentioned that – besides the amended regulation – an important prerequisite for a higher number of network-EGTCs was that the instrument EGTC and its applicability in the

⁶An example is the new article 8, paragraph 2(h), of the EGTC regulation which gives the EGTC the possibility to lay down the laws applicable for its actions. These can be those of the country where the actions are carried out. This might lead to many different national legislations in all different countries of the network-EGTCs which will contradict the idea of an EGTC (Schneider-Français, 2012).

⁷The investment objective will be introduced with the new Structural Funds regulations and combine the former objectives 1 and 2 (Peters, 2012).

non-contiguous cooperation would become known better. Additionally, more good practices could motivate more EGTC establishments (Blais, 2012b), (Ocskay, 2012a), (Alcolea-Martínez, 2012) (Reichel, 2012). Alcolea Martínez added that the political will to establish an EGTC would be very decisive (Alcolea-Martínez, 2012). A higher number of EGTCs could not be influenced solely by an amended regulation. This is also considered to be true by the author. Good practices and a higher public appearance of network-EGTCs can strongly shape the political will.

Additionally, the usefulness of the application of an EGTC has to be taken into account. Cross-border cooperations are expected to feel more often the need of a common legal structure than cooperations in which their members are spatially separated. As stated in the two previous sections, EGTCs should be only applied when they are needed and special preconditions apply. If these do not apply – which might be more often the case in non-contiguous cooperations – cooperations should not use an EGTC.

6.3.3 Expectations of the Future of EGTCs in the Transnational and Interregional Cooperation

The stakeholders think that there will be more EGTCs in the future. It could not be said with certainty if the number of network-EGTCs rose extraordinarily (Peyrony, 2012), (Gabbe, 2012), (Ocskay, 2012a), (Blais, 2012b), (Alcolea-Martínez, 2012), (Reichel, 2012), (Peters, 2012). Blais, however, is confident about the future of network-EGTCs: She thinks that it is normal for transnational and interregional cooperations to need more time to establish an EGTC as they were less experienced. In the long run she feels that more network-EGTCs will be established (Blais, 2012b).

It has to be seen how EGTCs and especially network-EGTCs will develop in the future. However, it is to be expected that the number of network-EGTCs will increase over the years because of two main reasons:

First, because the amended regulations will make it easier to establish and run EGTCs. Unfortunately no special simplifications for network-EGTCs will be laid down, except of the fact that the territorial scope of EGTCs in the interregional cooperation will not have to be defined any more.⁸ Still network-EGTCs are expected to benefit from the other changes, too.

Second, and most important, the experiences with network-EGTCs will grow which will have positive impacts on the public appearance of the instrument: The knowledge that EGTCs are also

⁸It is questionable how the term 'interregional cooperation' is defined. If it comprises all non-contiguous cooperations or not is not clear. However, the existing and until now planned network-EGTCs have not experienced problems in defining the scope of their cooperation.

applicable in the non-contiguous cooperation will thereby be spread. Good practices will encourage non-contiguous cooperations and reluctant entities to consider the establishment of EGTCs. This might especially happen in the transnational cooperation based on the role model EUKN EGTC.

All in all it is expected the number of network-EGTCs will grow but stay beneath the number of EGTC establishments in cross-border cooperations. This is due to the presumption that fewer non-contiguous cooperations will feel the need to establish a stable, legal structure which is provided by an EGTC.

Bibliography

Literature sources

ABAÚJ – ABAÚJBAN EGTC (2009). *ABAÚJ – ABAÚJBAN Korlátolt Felelősségű Európai Területi Együttműködési Közhasznú Csoportosulás*. Miskolc: ABAÚJ – ABAÚJBAN EGTC.

Adams, N., Cotella, G., and Nunes, R. (2011). “Spatial Planning in Europe – The interplay between knowledge and policy in an enlarged EU”. In: *Territorial Development, Cohesion and Spatial Planning – Knowledge and policy development in an enlarged EU*. Ed. by N. Adams, G. Cotella, and R. Nunes. First. Oxon: Routledge. Chap. 1, pp. 1–25.

Ahlke, B. (2008). *Vorwort*. Bonn: The Federal Office for Building and Regional Planning. Chap. Preface, preface.

Arnaud, J.-L. (2002). *Crossborder and Transnational Cooperation, the New Europe is Inventing Itself in its Margins*. Paris: Notre Europe.

Arrabona EGTC (2011). *ARRABONA KORLÁTOLT FELELŐSSÉGŰ EURÓPAI TERÜLETI EGYÜTTMŰKÖDÉSI CSOPORTOSULÁS A L A P S Z A B Á L Y A*. Győr: Arrabona EGTC.

Association of European Border Regions (2000). *Practical Guide to Cross-border Cooperation – Third Edition 2000*. Gronau.

— (2004). *Comments of the ASSOCIATION OF EUROPEAN BORDER REGIONS (AEBR) on the proposal of the European Commission for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL ESTABLISHING A EUROPEAN GROUPING OF CROSS-BORDER CO-OPERATION (EGCC)*. Tech. rep. Gronau.

Battis, U. and Kersten, J. (2008). *Europäische Politik des territorialen Zusammenhalts – Europäischer Rechtsrahmen und nationale Umsetzung – Rechtsgutachten im Rahmen der Allgemeinen Ressortforschung des Bundes*. Ed. by Federal Office for Building and Regional Planning (BBR). Bonn, pp. 11, 31–32.

BBSR (2007). *Finanzielle Förderung durch EU-Programme der transnationalen Zusammenarbeit INTERREG IV B*. Ed. by The Federal Institute for Research on Building Urban Affairs and Spatial Development of Germany (BBSR). Bonn.

- Belof, M. (2012). *CETC-Rout 65 – What does it mean?* Accessable at the homepage of the Swedish Region Skane. PowerPoint presentation. Gothenburg.
- BODROGKÖZI EGTC (2012). *EGYEZMÉNY BODROGKÖZI Korlátolt Felelősségű Európai Területi Együttműködési Csoportosulás*. Miskolc: BODROGKÖZI EGTC.
- Bräutigam, F. (2009). *Der "Grenzüberschreitende örtliche Zweckverband" nach dem Karlsruher Übereinkommen – Eine rechtsvergleichende Untersuchung*. Vol. 618. Nomos Universitätsschriften Recht. Dissertation. Baden-Baden: Nomos Verlagsgesellschaft Baden-Baden.
- Brenner, N. (2004). *New State Spaces – Urban Governance and the Rescaling of Statehood*. Oxford: Oxford University Press.
- CESCI (2010). *Proposal for the establishment of the CETC EGTC*. Budapest.
- Chybalski, F. (2011). *Polish experience on the European Groupings of Territorial Cooperation*. PowerPoint presentation published at the homepage of CESCO. Accessed on 30th June, 2012. Budapest.
- Coen, L. (2010). "The European Grouping of Territorial Cooperation (EGTC) as a Strategic Agreement for Cooperation Policies". In: *disP*, 183(4/2010), pp. 95–107.
- Committee of the Regions (2003). *Territorial Cohesion in Europe*. Luxembourg: Office for Official Publications of the European Communities.
- (2007). *A New CoR study on the new legal cooperation instrument European Grouping of Territorial Cooperation (EGTC) – Ten questions and answers*. Newsletter. Brussels.
- (2008). *OPINION of the Committee of the Regions on European Grouping of Territorial Cooperation: new impetus for territorial cooperation in Europe*. Tech. rep. CdR 308/2007 fin. Brussels.
- (2010). *Conclusions of the Committee of the Regions about the joint consultation – The review of Regulation (EC) 1082/2006 on the European Grouping of Territorial Cooperation*. Tech. rep. Brussels.
- (2011b). *Item 6 – Constitution of the platform of European Groupings of Territorial Cooperation (EGTC)*. Tech. rep. Brussels: Committee of the Regions.
- (2012b). *The European Groupings of Territorial Cooperation – Delivering growth and opportunities*. Tech. rep. Brussels.

- Committee on Spatial Development (1999). *ESDP European Spatial Development Perspective – Towards Balanced and Sustainable Development of the Territory of the European Union*. Luxembourg: European Commission.
- (2007). *Territorial Agenda of the European Union – Towards a More Competitive and Sustainable Europe of Diverse Regions*. Agreed upon the Informal Ministerial Meeting on Urban Development and Territorial Cohesion on 24/25th May, 2007. Leipzig.
 - (2011). *Territorial Agenda of the European Union 2020 – Towards an Inclusive, Smart and Sustainable Europe of Diverse Regions*. Agreed at the Informal Ministerial Meeting of Ministers responsible for Spatial Planning and Territorial Development on 19th May, 2011 Gödöllo, Hungary. Gödöllo.
- Council of the European Union (2006). *COUNCIL REGULATION (EC) No 1083/2006 of 11 July 2006 laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Regulation (EC) No 1260/1999*. Brussels.
- (2012). *COUNCIL REGULATION (EC) No 723/2009 of 25 June 2009 on the Community legal framework for a European Research Infrastructure Consortium (ERIC)*. Brussels.
- Dahou, K. (2004). *Towards a Euro-African dialogue on cross-border cooperation – A study completed for the Secreteriat of the Sahel and West Africa Club*. Tech. rep. Paris: Secreteriat of the Sahel and West Africa Club.
- Damm, G.-R. and Moll, P. (1992). “Aufgaben der grenzüberschreitenden Stadt- und Regionalplanung im Raum Saar-Lor-Lux-Raum”. In: *Europa der Städte und Regionen – Grenzüberschreitungen*. Berlin: Ed. StadtBauKunst, pp. 85–98.
- Deppisch, S. (2006). *Governance in grenzüberschreitenden Regionen – Eine empirische Analyse am Beispiel der österreichisch-bayrischen Euregios*. Dresden: Rohn.
- Dizdarevic, N. (2011). “The European Grouping of Territorial Cooperation (EGTC) – To what extent should the EGTC be considered a rational choice for organising cross-border cooperations?” MA thesis. Limburg: Centre international de formation européenne and University of Cologne.
- Dühr, S., Colomb, C., and Nadin, V. (2010). *European Spatial Planning and Territorial Cooperation*. Oxon: Routledge.
- Dühr, S., Stead, D., and Zonneveld, W. (2007). “The Europeanization of Spatial Planning through Territorial Cooperation”. In: *Planning, Practice & Research*, 22(3), pp. 291–307.

- E.G.T.C. Amphictyony (2008). *Contract Amphictyony*. Statute and Convention of an EGTC. Accessed on 20th April. Athens.
- EGTC Aquitaine-Euskadi (2011). *Statuts du Groupement Européen de Coopération Territoriale «Eurorégion Aquitaine/Euskadi»*. Hendaye: EGTC Aquitaine-Euskadi.
- EGTC ARCHIMED (2010). *Convention of the European Grouping of Territorial Cooperation of the Mediterranean Archipelagus (ARCHIMED) – European Group of Territorial Cooperation of the Mediterranean Archipelagus*. Taormina.
- EGTC Espacio Portalet (2011). *Convention entre la communauté autonome d'Aragon (Espagne) et le département des Pyrénées-Atlantiques (France) pour la création du groupement européen de coopération transfrontalière «Espace Pourtalet»*. Sanbinánigo: EGTC Espacio Portalet.
- EGTC Euregio Tirol - Alto Adige - Trentino (2011). *Übereinkunft über die Errichtung des Europäischen Verbundes für Territoriale Zusammenarbeit "Europaregion Tirol-Südtirol-Trentino"*. Trentino: EGTC Euregio Tirol - Alto Adige - Trentino.
- EGTC Gate to Europe Ltd. (2012). *EURÓPA-KAPU KORLATOLT FELELŐSSÉGŰ EURÓPAI TERÜLETI EGYÜTTMŰKÖDÉSI CSOPORTOSULÁS ALAPS ZABÁLYA*. Nyíradony: EGTC Gate to Europe Ltd.
- EGTC Linieland van Waas en Hulst (2011). *Linieland van Waas en Hulst Europese Groepering voor Territoriale Samenwerking met beperkte aansprakelijkheid*. Published in the Annexes of the Moniteur Belge on 18th August, 2011. Brussels.
- EGTC Pirineus-Cerdanya (2011). *Convention de Constitution du Groupement Européen de Coopération Territoriale Pirineus-Cerdanya (Pyrénées-Cerdagne)*. Saillagouse: EGTC Pirineus-Cerdanya.
- EiBel, D., Grasse, A., Paeschke, B., and Sängner, R. (1999). *Interregionale Zusammenarbeit in der EU*. Opladen: Leske + Budrich.
- Engl, A. and Woelk, J. (2011). *Der EVTZ: Entwicklung und erste Anwendungsbeispiele des neues unionsrechtlichen Instruments*. Bozen.
- Engström, L., Nergelius, J., Persson, V., and Tallberg, P. (2011). *European Grouping of Territorial Cooperation – Report on EGTC (2011)*. Kristianstad.
- EUKN (2011). *EUKN – Making cities smarter*. PowerPoint presentation held at the Open Days 2011. Brussels.

- European Commission (1991). *Europe 2000 – Outlook for the Development of the Community's Territory*. Tech. rep. Brussels.
- ed. (1994). *Interregional and cross-border cooperation in Europe*. Vol. 10. Regional development studies. European Commission. Brussels, Luxembourg.
- (2000). *COMMUNICATION FROM THE COMMISSION TO THE MEMBER STATES of 28.4.00 laying down guidelines for a Community Initiative concerning trans-European cooperation intended to encourage harmonious and balanced development of the European territory – INTERREG III*. Tech. rep. Brussels.
- (2001). *European Governance – A white paper*. COM(2001) 428 final. Brussels.
- (2002). *Structural policies and European territory – Cooperation without frontiers*. Luxembourg: Office for Official Publications of the European Communities.
- (2004). *Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL (2004/0168 (COD)) establishing a European grouping of cross-border cooperation (EGCC) (presented by the Commission)*. Tech. rep.
- (2008). *COMMUNICATION FROM THE COMMISSION TO THE COUNCIL, THE EUROPEAN PARLIAMENT, THE COMMITTEE OF THE REGIONS AND THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE – Green Paper on Territorial Cohesion – Turning territorial diversity into strength*. SEC(2008) 2550. Brussels.
- (2010). *EUROPE 2020 – A European strategy for smart, sustainable and inclusive growth*. Brussels.
- (2011a). *EUROPEAN TERRITORIAL COOPERATION BUILDING BRIDGES BETWEEN PEOPLE*. Luxembourg.
- (2011b). *Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending 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) as regards the clarification, simplification and improvement of the establishment and implementation clarification, simplification and improvement of the establishment and implementation of such groupings*. Brussels.
- (2012a). *CORRIGENDUM: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending 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) as regards the clarification, simplification and improvement of the establishment and implementation of such groupings*. Brussels.

European Commission (2012b). *CORRIGENDUM: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund covered by the Common Strategic Framework and laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund and repealing Council Regulation (EC) No 1083/2006*. Brussels: European Commission.

- (2012c). *CORRIGENDUM: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal*. Brussels.

European Parliament and Council (2006a). *REGULATION (EC) No 1080/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 5 July 2006 on the European Regional Development Fund and repealing Regulation (EC) No 1783/1999*. Official Journal of the European Union. Straßbourg.

- (2006b). *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)*. Strasbourg.

European Union (1997). *TREATY OF AMSTERDAM AMENDING THE TREATY ON EUROPEAN UNION, THE TREATIES ESTABLISHING THE EUROPEAN COMMUNITIES AND RELATED ACTS*. Amsterdam.

- (2007). *Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community, signed at Lisbon, 13th December 2007*. Lisbon.
- (2008). *CONSOLIDATED VERSION OF THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION*. Lisbon.
- (2010). *Programme Manual INTERREG IV C*. Lille.

European Urban Knowledge Network (2011). *DRAFT Convention of the European Grouping of Territorial Cooperation European Urban Knowledge Network Limited (EUKN)*. The Hague.

Faludi, A. (2007). "Territorial Cohesion Policy and the European Model of Society". In: *European Planning Studies*, 15(4), pp. 568–571.

- Fleischhauer, M. (2009). *Developing and Assessing Strategic Transnational Co-operation Projects (INTERREG IV B)*. Ed. by T. Federal Ministry of Transport, Building and Urban Development of Germany. Bonn.
- Gabbe, J. (2002). "Regionen und Regionalisierung in Europa – Die Rolle der Grenzregionen und der grenzüberschreitenden Zusammenarbeit". In: *Grenzüberschreitende Zusammenarbeit zwischen den Regionen in Europa*. Ed. by X. Gu. Vol. 39. Schriften des Zentrum für Europäische Integrationsforschung der Rheinischen-Friedrich-Willhelms-Universität Bonn. Baden-Baden: Nomos Verlagsgesellschaft Baden-Baden. Chap. III, pp. 205–206.
- (2006). *Legal status of cross-border co-operation structures – past, present and prospects*. Tech. rep. Gronau: Association of European Border Regions.
- Gabbe, J. and Malchus, V. von (2008). *Cooperation between European Border Regions – Review and Perspectives*. Baden-Baden: Association of European Border Regions.
- Gaissert, K. (2002). "Grenzüberschreitende Zusammenarbeit zwischen den Regionen der Europäischen Union: die Sicht des Ausschusses der Regionen". In: *Grenzüberschreitende Zusammenarbeit zwischen den Regionen in Europa*. Ed. by X. Gu. Vol. 39. Schriften des Zentrum für Europäische Integrationsforschung der Rheinischen-Friedrich-Willhelms-Universität Bonn. Baden-Baden: Nomos Verlagsgesellschaft Baden-Baden. Chap. I, pp. 1–38.
- Gärditz, K. (2009). *Europäisches Planungsrecht – Grundstrukturen eines Referenzgebiets des europäischen Verwaltungsrechts*. Tübingen: Mohr Siebeck.
- Gasparini, A. (2012). *Intervention – EGTC AND BORDER AREAS*. Download on the Homepage of the Committee of the Regions. PowerPoint presentation. Accessed on 8th May, 2012, originally presented at the European Territorial Cooperation and its instruments - Conference on 11th April, 2012. Brussels.
- Görmar, W. (2002). "Zur Zusammenarbeit zwischen den Regionen Europas auf dem Gebiet der regionalen Strukturpolitik". In: *Grenzüberschreitende Zusammenarbeit zwischen den Regionen in Europa*. Ed. by X. Gu. Vol. 39. Schriften des Zentrum für Europäische Integrationsforschung der Rheinischen-Friedrich-Willhelms-Universität Bonn. Baden-Baden: Nomos Verlagsgesellschaft Baden-Baden. Chap. II, pp. 51–68.
- Gu, X. (2002). "Europäische Intergration und grenzüberschreitende Zusammenarbeit zwischen den Regionen in Europa: Eine Einführung". In: *Grenzüberschreitende Zusammenarbeit zwischen den Regionen in Europa*. Ed. by X. Gu. Vol. 39. Schriften des Zentrum für Europäische

- Integrationsforschung der Rheinischen-Friedrich-Willhelms-Universität Bonn. Baden-Baden: Nomos Verlagsgesellschaft Baden-Baden. Chap. Introduction, pp. 7–11.
- Halmes, G. (2002). "Zusammenarbeit im Europa der Regionen: Die Entstehung des rechtlichen Rahmens". In: *Grenzüberschreitende Zusammenarbeit zwischen den Regionen in Europa*. Ed. by X. Gu. Vol. 39. Schriften des Zentrum für Europäische Integrationsforschung der Rheinischen-Friedrich-Willhelms-Universität Bonn. Baden-Baden: Nomos Verlagsgesellschaft Baden-Baden. Chap. I, pp. 15–30.
- Hellenic Republic (2012). *LAW No 3613 - 23/11/2007 – Article 22 European Grouping of Territorial Cooperation (EGTC)*. Homepage of the INTERACT Programme. Athens.
- Hermanns, O. (2011). *Die Kooperation der Deutschsprachigen Gemeinschaft Belgiens mit Deutschland auf den Ebenen des Staats- und Verwaltungsrechts*. Vol. 5113. European University Studies. Dissertation. Frankfurt/Main: Peter Lang GmbH Internationaler Verlag der Wissenschaften.
- Hörnström, L. (2011). *EGTS - Europeiska grupperingar för territoriellt samarbete – Bakgrund och nordisk nytta*. Tech. rep. Stockholm: NORDREGIO.
- Houbart, J. (2008). *The Mot guides – 7 The European grouping of territorial cooperation*. Ed. by Mission opérationnelle transfrontalière. The Mot guides. Paris.
- Huebner, M. and Stellfeldt-Koch, C. (2009). *Impacts and Benefits of Transnational Projects (INTERREG IIIB)*. Vol. 138. Bonn: The Federal Institute for Research on Building, Urban Affairs and Spatial Development of Germany.
- INTERACT (2011). *The European Grouping of Territorial Cooperation (EGTC)*. Vienna.
- Ister-Granum EGTC (2011). *ISTER-GRANUM EUROPEAN GROUPING FOR TERRITORIAL CO-OPERATION LTD – STATUTES*. Esztergom: Ister-Granum EGTC.
- Janssen, G. (2006). "Grenzübergreifende Kooperationsverbünde – zur Einführung". In: *Europäische Verbünde für Territoriale Zusammenarbeit (EVTZ)*. Vol. 258. Juristische Schriftenreihe. Berlin: LIT VERLAG. Chap. Preface, p. 10.
- (2009). "Cooperation (EGTC) – Experiences and Prospects". In: *New disparities in spatial development in Europe*. Ed. by H. Kilper. Berlin: Springer, pp. 177–181.
- Kingdom of Sweden (2009). *Förordning om register över europeiska grupperingar för territoriellt samarbete*. Swedish law.

- Kistenmacher, H. and Saalbach, J. (1992). "PAMINA – Die grenzüberschreitende Zusammenarbeit im Raum Südpfalz/Mittlerer Oberrhein/Nordelsaß". In: *Europa der Städte und Regionen – Grenzüberschreitungen*. Berlin: Ed. StadtBauKunst, pp. 79–84.
- Lamblin, M. (2007). *INTERREG IVC - IPs – Explanatory note about GECOTI*. Explanatory note. Written on 10th September, 2007. Lille.
- Landaburu, E. (1994). "Plenary session conclusions (Summary)". In: *Interregional and cross-border cooperation in Europe*. Vol. 10. Regional development studies. European Commission. Brussels: Office for Official Publications of the European Communities.
- Lepik, K.-L. (2009). "Euroregions as mechanisms for strenghtening cross-border cooperation in the Baltic sea region". In: *Trames – A Journal of the Humanities and Social Sciences*, 13(3), pp. 265–284.
- Luciani, G. P. (2009). "EGTC European Grouping of Territorial Cooperation". MA thesis. College of Europe Bruges Campus.
- Maier, J. (2008). "European Grouping of Territorial Cooperation (EGTC) – Regions' new instrument for 'Co-operation beyond borders' – A new approach to organize multi-level-governance facing old and new obstacles". MA thesis. Bolzano - Luxembourg - Graz - Barcelona: University of Graz and University of Zagreb.
- Mayntz, R. and Scharpf, F. W. (1995). "Der Ansatz des akteurszentrierten Institutionalismus". In: *Gesellschaftliche Selbstregulung und politische Steuerung*. Ed. by R. Mayntz and F. W. Scharpf. Vol. 23. Schriften des Max-Planck-Instituts für Gesellschaftsforschung Köln. Frankfurt/Main: Campus Verlag. Chap. 2, pp. 44–72.
- METIS GmbH (2009). *The European Grouping of Territorial Cooperation (EGTC): state of play and prospects*. Tech. rep. Brussels: Committee of the Regions.
- (2010). *EGTC Development on the Ground: added value and solutions to problems – Executive Summary*. Tech. rep. Brussels: European Union.
- Millan, B. (1994). "Conference on Interregional Cooperation – Opening Speech (Summary)". In: *Interregional and cross-border cooperation in Europe*. Vol. 10. Regional development studies. European Commission. Brussels: Office for Official Publications of the European Communities, p. 21.
- Nohlen, D. (2010). "Case Studies". In: *Lexikon der Politikwissenschaft Band 1 A-M – Theorien Methoden Begriffe*. Ed. by D. Nohlen and R.-O. Schultze. Forth. beck'sche reihe. München: C.H. Beck Verlag, p. 252.

- Obwexer, W. and Happacher, E. (2010). "Rechtsfragen der Gründung eines Europäischen Verbundes für territoriale Zusammenarbeit (EVTZ) am Beispiel der Europaregion Tirol". In: *Europäisches Journal für Minderheitsfragen*, 3(2), pp. 75–99.
- Olbrycht, J. (2005). *DRAFT REPORT on the proposal for a regulation on the European Parliament and the Council on establishing a European grouping of cross-border cooperation (EGCC) (COM(2004)0496 – C6-0091/2004 – 2004/0168(COD))*. Tech. rep. Strasbourg: European Parliament.
- Pannon EGTC (2012). *Statutes of the Pannon European Grouping of Territorial Cooperation LTD*. Pécs: Pannon EGTC.
- Perkmann, M. (2003). "CROSS-BORDER REGIONS IN EUROPE – SIGNIFICANCE AND DRIVERS OF REGIONAL CROSS-BORDER CO-OPERATION". In: *European Urban and Regional Studies*, 10, pp. 153–171.
- Pucher, J. and Radzyner, A. (2011). *EGTC-Monitoring Report 2010*. Tech. rep. Brussels: European Union.
- Riou, M.-A. (2010). "Le Groupement Européen de Coopération Territoriale (GECT): outil de gestion ou structure de gouvernance? – Quel avenir pour la politique de coopération territoriale de l'Union Européenne?" MA thesis. Lille: Institut d'Etudes Politiques de Lille.
- Ritter, E.-H. and Fürst, D. (2009). *Europäische Raumentwicklungspolitik – Inhalte, Akteure, Verfahren, Organisation*. Detmold: Rohn.
- Roch, I. and Vock, A. (2008). "Grenzüberschreitender Hochwasserschutz – Europäischer Verbund für territoriale Zusammenarbeit empfohlen". In: *PlanerIn*, 2008/05(2008/05), pp. 46–47.
- Schäfer, N. (2003). *Ansätze einer Europäischen Raumentwicklung durch Förderpolitik – das Beispiel INTERREG*. Schriften der Raumordnung und Landesplanung 14. Augsburg: University of Augsburg.
- Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, ed. (2011). *Dokumentation des EVTZ-Workshops am 30. Mai 2011 in der Vertretung der Europäischen Kommission Berlin*. Berlin.
- Speer, B. (2010). *Grenze und grenzüberschreitende Zusammenarbeit im historischen Kontext – Eine explorative politikwissenschaftliche Studie am Fallbeispiel des Pyrenäenraums*. Vol. 201. Schriftenreihe der Hochschule Speyer. Berlin: Duncker & Humblot.

- Spinaci, G. and Vara-Arribas, G. (2009). "The European Grouping of Territorial Cooperation- (EGTC): New Spaces and Contracts for European Integration?" In: *EIPASCOPE*, 2(2009/2), pp. 5–13.
- Stake, R. E. (1994). "Case Studies". In: *Handbook of qualitative research*. Ed. by N. K. Denzin and Y. S. Lincoln. First. Thousand Oaks: Sage Publications. Chap. III 14. Pp. 236–247.
- Territorio dei comuni EGTC (2011). *CONVENZIONE PER LA COSTITUZIONE DEL GRUPPO EUROPEO COOPERAZIONE TERRITORIALE "TERRITORIO DEI COMUNI: COMUNE DI GORIZIA (I), MESTNA OBCINA NOVA GORICA (SLO) E OBCINA ŠEMPETER-VRTOJBA (SLO)" / "OBMOČJE OBCIN: COMUNE DI GORIZIA (I), MESTNA OBCINA NOVA GORICA (SLO) IN OBCINA ŠEMPETER-VRTOJBA (SLO)"*. (Full name: Territorio dei comuni Comune di Gorizia, Mestna Obcina Nova Gorica e Obcina Šempeter-Vrtojba EGTC). Gorizia.
- Tóth, G. (2009). "EGTC – the EU's new instrument of European Territorial Cooperation Programmes". MA thesis. Eisenstadt: University of Applied Sciences Eisenstadt, pp. 9, 21.
- Van der Goot, A. (2010a). *Administrative and legal framework for transfrontier co-operation at the European level – The CoE and EU legal instruments*. Tech. rep. Trieste: Council of Europe.
- (2010b). "Links with the Euroregional Cooperation Grouping". In: *Final Conference of the EGTC URBACT project – Identification of future options and opportunities based on the results of the "EGTC" URBACT project*. Ed. by URBACT. Esztergom, pp. 67–86.
- Waterhout, B. (2011). "European Spatial Planning – Current state and future challenges". In: *Territorial Development, Cohesion and Spatial Planning – Knowledge and policy development in an enlarged EU*. Ed. by N. Adams, G. Cotella, and R. Nunes. First. Oxon: Routledge. Chap. 4, pp. 84–102.
- Weinviertel Management (2006). *European Grouping of Territorial Cooperation (EGTC) – an instrument for cross-border cooperations in Lower Austria?* Tech. rep. Zistersdorf: European Union.
- Westermann, R. (2007). *Die Nachhaltigkeit transnationaler EU-Raumentwicklungspolitik*. Ed. by E. Glässer, J. Nipper, M. W. Schmied, and G. Schulz. Vol. 14. Wirtschaftsgeographie und Wirtschaftsgeschichte. Köln: JOSEF EUL Verlag.
- Yin, R. K. (2003). *Case Study Research*. Third. Thousand Oaks: Sage.
- Zapletal, J. (2010). "The European Grouping of Territorial Cooperation (EGTC): A new tool facilitating cross-border cooperation and governance". In: *Quaestiones Geographicae*, 29(4), pp. 15–26.

On-line sources

- CETC Initiative (accessed 2012). *Maps and Logo*. Homepage of the CETC Initiative. Accessed on 15th April, 2012. Szczecin.
- CODE24 (2010). *About Code24*. Homepage of the INTERREG IV B- project CODE 24. Accessed 17th April, 2012. Mannheim.
- (2012). *Project Partnership*. Homepage of the CODE24 INTERREG IV B project. Accessed on 1st August, 2012. Mannheim.
- Committee of the Regions (2011a). *EGTC setups – Already in Place*. Homepage of the Committee of the Regions. Accessed on 1st April, 2012. Brussels.
- (2011c). “News: ‘Rába-Duna-Vág’: New EGTC between Hungary and Slovakia”. In: Accessed on 24th January, 2012.
- (2012a). *The EGTC Amphictyony multiplies its budget by 5 for 2012*. on the Homepage of the Committee of the Regions. Accessed on 10th July, 2012. Brussels: Committee of the Regions.
- (accessed 2012[a]). *Adopted national provisions*. Homepage of the Committee of the Regions. Accessed on 4th April, 2012. Brussels.
- (accessed 2012[b]). *EGTC setups under preparation*. Homepage of the Committee of the Regions. Accessed on 9th April, 2012. Brussels.
- (accessed 2012[c]). *The Committee of the Regions – An introduction*. Homepage of the Committee of the Regions. Accessed on 6th March, 2012. Brussels.
- Daft Logic (2012). *Google Maps Distance Calculator*. Homepage of the Google Maps Distance Calculator. Accessed on 10th July, 2012.
- Duero-Douro EGTC (accessed 2012). *View our members*. Homepage of the Duero-Douro EGTC. Accessed on 30th June, 2012. Trabanca: Duero-Douro EGTC.
- E.G.T.C. Amphictyony (2012). *Members*. Homepage of the E.G.T.C. Amphictyony. Accessed on 1st August, 2012. Athens.
- EUKN (2009). *History*. Homepage of the European Urban Knowledge Network. Accessed on 17th May, 2012. The Hague.
- European Commission (1998). *Urban Pilot Projects – An introduction to the Urban Pilot Programme*. Homepage of the European Commission. Accessed on 7th May, 2012. Brussels.

-
- (2007). “European Territorial Co-operation – Transnational co-operation programmes”. Accessed on 28th February, 2012. PhD thesis.
 - (2012d). *The Funds – European Regional Development Fund*. Homepage of the European Commission. Accessed on 14th May, 2012. Brussels.
 - (accessed 2012[a]). *European Territorial Co-operation*. Homepage of the European Commission. Accessed on 10th February, 2012. Brussels.
 - (accessed 2012[b]). *Three objectives*. Accessed on 3rd April, 2012. Brussels.

European Union (2012). *HU-Tatabánya: Rába-Duna-Vág European Grouping of Territorial Co-operation with Limited Liability 2012/S 87-141840 ESTABLISHMENT OF A GROUPING OF TERRITORIAL COOPERATION (EGTC)*. Homepage of the Supplement to the Official Journal of the European Union. Accessed on 6th July, 2012. Luxembourg.

Fiera del Levante Press Office (2010). “The inauguration of the Corridor VIII pavilion at the 74th Fiera del Levante – The forthcoming Corridor VIII Euroregion helps mutual cooperation between Italy, Albania, Macedonia and Bulgaria”. In: *Fiera del Levante*. Accessed on 17th, April 2012.

Ister-Granum EGTC (accessed 2012). *Member settlements*. Homepage of the Ister-Granum European Grouping of Territorial Cooperation. Accessed on 30th June, 2012. Esztergom: Ister-Granum EGTC.

ONGLIFE (accessed 2012). *Project Partners*. Homepage of the Longlife INTERREG IV B project. Accessed on 1st August, 2012. Berlin.

Main City Court of Budapest (2012). *BODROGKÖZI Korlátolt Felelősségű Európai Területi Együttműködési Csoportosulás*. Homepage of the City Court of Budapest. Accessed on 17th May, 2012. Budapest.

Nuñez Feijoo, A. (2010). *Review of the EGTC regulation: Interview with Alberto Nuñez Feijoo, rapporteur for the CoR opinion*. Homepage of the Committee of the Regions. Accessed on 16th April, 2012. Brussels.

Parque Tecnológico de Andalucía (PTA) Malaga (accessed 2012[a]). *EXPECTED RESULTS*. Homepage of the Med Technopolis INTERREG IV B-project. Accessed on 17th April, 2012. Malaga.

- (accessed 2012[b]). *Members*. Homepage of the Med Technopolis INTERREG IV B-project. Accessed on 17th April, 2012. Malaga.

Programme Med (2009). *MED TECHNOPOLIS Project for the implementation of a mediterranean network of technopolis interface structures*. Homepage of the INTERREG B Programme Med. Accessed on 17th May, 2012.

Secretariat Corridor 8 (2005). *General Background*. Homepage of the Corridor 8 Secretariat. Accessed on 17th April, 2012. Bari.

— (accessed 2012). *Satellite map*. Homepage of the Corridor 8 Secretariat. Accessed on 20th June, 2012. Bari.

Interviews

Alcolea-Martínez, A. (2012). “Network-EGTCs”. Phone interview on 30th April. Brussels.

Ballnus, F. (2012). “INTERREG IV B projects in the Alpine Space – plans to establish EGTCs?” Phone interview on 24th April. Munich.

Blais, E. (2012a). “INTERACT as EGTC?” Email correspondence on 21st June. Vienna.

— (2012b). “Network-EGTCs”. Phone interview on 3rd May. Vienna.

Bucella, A. (2012). “EGTCs in URBACT”. Email correspondence on 30th January. Saint Denis.

Ciesielska, M. (2012a). “Decision about the members of the EGTC”. Email correspondence on 6th August. Szczecin.

— (2012b). “EGTC CETC Route 65”. Email correspondence on 23rd March. Szczecin.

— (2012c). “Planned CETC-EGTC”. Phone interview on 6th and 11th June. Szczecin.

— (2012d). “Planned CETC-EGTC”. Email correspondence on 5th June. Szczecin.

Curzolo, I. (2012). “EGTCs in South East Europe?” Phone interview on 26th January.

Damm, M. (2012). “Donauhanse”. Email correspondence on 23rd March and 17th April. Vienna.

Daniel, A. (2012). “MED TECHNOPOLIS EGTC”. Email correspondence on 7th March. Malaga.

Dudás Kószó, K. (2012). “Bánát-Triplex-Confinum”. Email correspondence on 6th July. Móra-halom.

Füzér, J. (2012). “Pannon EGTC”. Email correspondence on 9th July. Pécs.

Gabbe, J. (2012). “Network EGTCs”. Phone interview on 24th April. Gronau.

Grisel, M. (2012). “EUKN-EGTC”. Phone interview on 20th June. The Hague.

Kamara, A. (2012). “Bodies of the EGTC”. Email correspondence on 5th June. Athens.

Karvounis, A. (2012). “EGTCs in Greece”. Email correspondence on 2nd July. Athens.

- Kiefel, M.-I. (2012). "Longlife Institute EGTC". Phone interview on 28th February and 18th April. Berlin.
- Koutsaki, S. (2012a). "E.G.T.C. Amphictyony". Email correspondence on 23rd March. Athens.
- (2012b). "E.G.T.C. Amphictyony". Email correspondence on 10th July. Athens.
- (2012c). "E.G.T.C. Amphictyony". Interview on 21st May. Athens.
- Lamblin, M. (2012). "EGTC as managing authority of INTERREG IV C?" Interview and email correspondence on 27th January. Lille.
- Lantz, T. (2012). "Skåne's participation in the CETC-EGTC". Phone interview on 15th June. Ystad.
- Lieske, R. (2012). "Baltic Sea Region – EGTCs in the transnational cooperation programme?" Phone interview on 23rd January. Rostock.
- Littmann, T. (2012). "STRING". Phone interview on 16th March.
- Mehlbye, P. (2012). "ESPON EGTC?" Email correspondence on 2nd May. Luxembourg.
- Möllers, A. (2012). "EGTCs planned in North-West Europe". Phone interview on 23rd January. Lille.
- Ocskay, G. (2012a). "Network-EGTCs". Email correspondence on 7th May. Budapest.
- (2012b). "Network-EGTCs". Phone interview on 9th May. Budapest.
- Olbrycht, J. (2012). "Network-EGTCs". Phone interview on 2nd May. Brussels.
- Peters, D. (2012). "Network-EGTCs". Phone interview on 3rd May. Brussels.
- Peyrony, J. (2012). "Network EGTCs". Phone interview on 23rd April. Paris.
- Pienkoß, C. (2012). "European Route of Brick Gothic". Email correspondence on 23rd February. Berlin.
- Reichel, L. (2012). "Network-EGTCs". Phone interview 9th May. Brussels.
- Ritt, W. (2012). "EGTC as managing authority in INTERREG B Central Europe?" Phone interview on 27th January. Vienna.
- Roger, I. (2012). "EGTCs in South West Europe (SUDOE)". Email correspondence on 7th and 8th February. Santander.
- Saalbach, J. (2012a). "CODE24 EGTC". Phone interview on 7th March and 25th April. Mannheim.
- (2012b). "CODE24-EGTC current state". Email correspondence on 9th July. Mannheim.
- Schneider-Français, F. (2012). "Network-EGTCs". Email correspondence on 3rd May. Paris.

Siweris, E. (2012). "EGTCs in INTERREG IV C?" Phone interview on 18th January. Lille.

Westerholt, C. (2012). "EGTCs in the North Sea Region?" Phone interview on 26th January. Viborg.

Xenos-Gabrielis, V. (2012). "E.G.T.C. Amphictyony". Interview on 23rd May. Athens.

Appendix

A.1 Alternatives to EGTCs

The legal forms of territorial cooperation can be differentiated according to their legal basis (national, international or European law) and the type of instrument (an agreement under public or private law, a non-profit structure under private law, an institutionalised public private partnership, a structure under public law or an EGTC). The different types of instruments are presented in the first subsection. Out of the different types different cooperation structures have developed with and without a legal personality. These will be introduced in the second subsection.

Different Types of Instruments

Cooperation agreement

A cooperation agreement is the simplest cooperation instrument that forms a cooperation structure. Such an agreement can derive both under national and international law (Houbart, 2008, p.11).

An example of an agreement under national law is the 'Nordic Agreement in cross-border cooperation between municipalities' which was concluded already in 1977 among Denmark, Norway, Sweden and Finland: The countries agreed to allow neighbouring cross-border regions to cooperate as if the communities belonged to one state. To make this possible the countries amended their national laws (Dahou, 2004, p.20).

Other prominent examples, developed under international law, are the 'Isselburg Anholt Agreement' and 'Karlsruhe Agreement' (see chapter 1.1, p.7) which were based on the 'Madrid Outline Convention'. Many more inter-state agreements were made in the form of international treaties (Deppisch, 2006, p.57), conventions and protocols that included regional and local as well as national authorities (Gabbe, 2006, p.3).

The outcome of these agreements are cross-border structures without legal personality and decision-making powers. Instead they can give recommendations (Gabbe, 2006, p.3) and are responsible for the implementation of the agreed issues themselves (Houbart, 2008, p.11).

Some regional and local agreements led to the arising of working communities and Euroregions¹

¹ These are explained in detail in the following subsection

(Gabbe, 2006, p.3). However, most of these cooperation structures are organized in a very simple way. Only some possess different organs or a governmental system like institutions do (Coen, 2010, p.95).

Non-profit structure governed by private law

A non-profit structure governed by private law is legally autonomous of its members. Depending on its legal basis out of which it derives, its members can be individuals or legal entities. Disadvantages of this type of instrument are the limited area of tasks (promotion, lobbying and studies) and that the structures cannot act in place of its members.

Besides the European instrument of European Economic Interest Groups (EEIG), these structures can also derive under national law. Examples are associations and foundations (Houbart, 2008, p.11).

Institutionalised public-private partnership

An institutionalised public-private partnership, available under French law ('Société d'économie mixte locale'), allows to use existing public private partnerships in cross-border areas. The tasks are limited to industrial or commercial activities and an initial financing is needed before the co-operation can start (Houbart, 2008, p.11).

Structure governed by public law

A structure governed by public law has the advantages that it is a legal entity that can carry out every task of common interest. However, like the EGTC, this instrument is governed by the national law of its registered office and, as an inter-state agreement or even a national instrument, it is only applicable for members at some borders (Houbart, 2008, p.11).

Such a structure can derive under international ('Local Grouping for Cross-border Cooperation', based on the 'Karlsruhe Agreement') as well as national law (the 'Consortio' in Spain and the 'European District' in France).

These structures are very rare and structures under private law dominate the territorial cooperation. Only few structures have derived on the basis of the 'Madrid Outline Convention' so far. It was said that this is due to the reason that the convention left much room for interpretation and was not capable of creating a uniform legal framework for members of territorial cooperation (Gabbe, 2006, p.3). Cooperations under public law are said to be better applicable on project level because projects are limited in contents and participating authorities. In the interregional and transnational cooperation there have been no structures based on public law so far because

these cooperations are said to be harder to monitor (Gabbe, 2006, p.4).

Over the years different forms of territorial cooperation structures have arisen. Often the co-operations have established a permanent committee organising the cooperation. Coen sees two main advantages in a permanent organisation: First it is possible to formulate conform policies for a large area that crosses national borders. Second the union of several entities permits a more powerful representation of common interests to regional, national or European authorities (Coen, 2010, p.96).

In the following subsection, the different cooperation structures in the territorial cooperation are presented.

Different Cooperation Structures

Local Grouping of Cross-border Cooperation (special purpose association)

Based on the 'Karlsruhe Agreement' a specific form of special purpose associations for territorial cooperation has been defined. The agreement contains only a few common general provisions. Apart from that the regulations of each member state involved are applicable (Bräutigam, 2009, p.68).

Members of a Local Grouping of Cross-border Cooperation can be territorial and public authorities as well as institutions and foundations that have a local reference to a common territory of the cooperation (Bräutigam, 2009, p.69). National states are excluded (Janssen, 2009, p.180).

The members of these groupings develop a common statute and convention. A statute has to contain instructions about its legal nature, its duration, its dissolution and its liability.

The law of the Grouping's registered office decides about the foundation procedure.

The national levels of the entities involved have to decide about the participation of each prospective member based on their national regulations (Bräutigam, 2009, p.76f., p.82, p.84f.).

The groupings have a legal capacity under public law and are financially autonomous of the territory of the cooperation.

Some tasks and competences of the members are transferred to the grouping. Therewith the grouping gets the permission to act as a public authority.

The actions of the grouping are observed by the state of its registered office (Bräutigam, 2009, p.107ff.).

This cooperation structure shows many similarities to the EGTC but its usage has been restricted to the countries being part of the 'Karlsruhe Agreement' (Germany, France, Luxembourg and Switzerland) and the 'Treaty of Brussels' (French and Belgian cooperations) (Riou, 2010, p.27).

Existing examples are the 'Eurodistrict Regio Pamina' and the 'Euregio Rhein-Waal' (Deppisch,

2006, p.57).

Working communities

In comparison to EGTCs working communities do not accept national states and public and private entities as members (Spinaci and Vara-Arribas, 2009, p.6) and do not have a legal personality (Lepik, 2009, p.269). An example is the Arge Alp (Deppisch, 2006, p.57).

Euroregions

Euroregions are cross-border platforms which shall make bordering regions to cooperate in topics of common interest (Gabbe and Malchus, 2008, p.62).

The first Euroregion and cross-border cooperation structure was the 'Euregio' established at the border between Germany and the Netherlands (Coen, 2010, p.95) (see chapter 1.1, p.7).

Euroregions consist of a large group of solely local and regional authorities from neighbouring countries that belong to a common border region (Gabbe, 2006, p.10). National states and other public and private entities are excluded as members (Spinaci and Vara-Arribas, 2009, p.6). Dühr et al. argued though that they could possibly constitute to "the first steps towards multi-level governance" (Dühr, Colomb, et al., 2010, p.234) (see chapter 1.2.2, p.14). It is underlined by the statement of Brenner that the regional and local level, as well as the EU level, supported this development to "circumvent national governments" (Brenner, 2004, p.288).

A Euroregion is organized through a cross-border organisation with permanent organs and staff. It has long-term goals (Gabbe and Malchus, 2008, p.40f.).

The cooperation structure can be based either on public or private law. Euroregions under private law are based on associations or foundations (Gabbe and Malchus, 2008, p.62). Euroregions under public law are based on national working communities or special purpose associations (Gabbe, 2002, p.205).

These structures can implement the decisions of the common border area according to their competences through procedures that are applicable on all levels involved (Gabbe, 2002, p.206).

They mainly focus on shared services for "citizens, economy, official instances and social partners" (Gabbe and Malchus, 2008, p.62), joint interests and offer a platform of relations. Through the platform the participation of citizens, social partners and institutions in projects and decision shall be enlarged.

Euroregions can take care about the implementation of treaties and inter-state agreements (Gabbe, 2006, p.10). They can also focus on the management and administration of territorial cooperation projects and programmes crossing borders (Gabbe and Malchus, 2008, p.62) (Deppisch, 2006,

p.51).

Yet, Euroregions are not supposed to be a new administrative level but a service point for its territory instead (Gabbe, 2002, p.206).

Euroregions organize their administration, finances and technical resources on their own (Tóth, 2009, p.21).

The cooperation always focuses on a common cross-border strategy and never on individual cases. Euroregions cooperate horizontally as well as vertically with the European and national levels.

Third parties can be supported by their own resources and by direct initiatives (Gabbe, 2006, p.10).

Euroregions under public law have their basis on international treaties (Gabbe, 2006, p.10) based on the 'Madrid Outline Convention but can also be managed on the basis of the EGTC regulation (Coen, 2010, p.96) or EEIGs (Tóth, 2009, p.21). In recent times, some Euroregions transferred their organisation to an EGTC. Examples are the 'Euroregion Pyrénées - Méditerranée' and the 'Euregio Tirolo - Alto Adige - Trentino' (Committee of the Regions, 2011a).

The term 'Euroregion' has to be considered more as a 'brand' than as a legal structure, compared to the term 'EGTC' (Engström et al., 2011, p.7).

Gasparini demarcates EGTCs from Euroregions in saying that Euroregions are broader in their "strategy, transparency and participation" (Gasparini, 2012, p.1) while EGTCs are said to be more focussed on the fulfilment of concrete aims. Therefore he sees the possibility that one Euroregion might consist of several EGTCs (Gasparini, 2012, p.1f.).

Eurodistricts

Eurodistricts are similar to Euroregions. In contrast to Euroregions they consider themselves as structures for metropolitan regions.

Eurodistricts are only applicable in cross-border cooperations for local and regional authorities as it is the case in Euroregions.

Eurodistricts have been established on the basis of the 'Madrid Outline Convention'.

A joint declaration between Germany and France in 2004 has called for the creation of more Eurodistricts. This call has been fruitful as only one year later the first of these Eurodistricts was established (Eurodistrict 'Strasbourg- Ortenau'). It has been managed by an EGTC since 2010. Other examples are the Eurodistrict 'Saar-Moselle' which had been based on an incorporated society before it became an EGTC (Senatsverwaltung für Wirtschaft, Technologie und Frauen Berlin, 2011, p.7) and the Eurodistrict 'Freiburg/ Centre et Sud Alsace, as well as the Eurodistrict 'Regio

Pamina', which was established as a special purpose association on the basis of the 'Karlsruhe agreement' (Zapletal, 2010, p.19f.).

European Economic Interest Groupings (EEIGs)

The instrument of EEIGs was already introduced in 1985 (Riou, 2010, p.27).

EEIGs have the only purpose to maximise the economic outcome of cross-border cooperations (Dizdarevic, 2011, p.5).

The initial aim of this instrument was the support of the creation of the European Single Market (Riou, 2010, p.15) through the pooling of skills, actions and resources (Tóth, 2009, p.9).

EEIGs were created as legal body for the cooperation among economic actors – especially small and medium sized enterprises (Riou, 2010, p.15) – across borders but can also be applied by public authorities (Luciani, 2009, p.23f.).

Yet, the maximisation of their financial benefits is usually not the (ultimate) goal of local and regional authorities in their cooperations across borders (Zapletal, 2010, p.20).

According to the EGTC regulation, the EEIGs are said not to have proven to be suitable for the management of structured cooperation in INTERREG III (European Parliament and Council, 2006b, preamble, no.4). This was also confirmed by the CoR (Zapletal, 2010, p.20). Still, they have been used several times in territorial projects and the cooperation of territorial authorities. Halmes stated that the EEIGs' coverage was limited in practice so that its usage in the territorial cooperation would often go hand in hand with problems (Halmes, 2002, p.25).

An example of an EEIG used in the territorial cooperation is the 'Groupement Européen pour la COopération Transnationale et Interrégionale' (GECOTI). This EEIG is responsible for the management of INTERREG IV C, INTERREG IV B North West Europe and an INTERREG IV A area: Maritime cooperation (Lamblin, 2007). Lamblin, director of the INTERREG IV C Programme, expressly opposed the statement that EEIGs would not be suitable for the management of territorial cooperation programmes. He stated that EEIGs were more suitable for the management of programmes than EGTCs because EEIGs were very flexible and had a higher reactivity in operation. Furthermore, there were no troubles in employing staff from other member states in contrast to the EGTCs. Additionally, an EEIGs would also have fiscal advantages: In some cases the EEIG could recover the VAT.

Therefore he ascribes a greater efficiency to the EEIG than to the EGTC (Lamblin, 2012).

The EEIG had been the only instrument under the European Community law for the support of cooperation projects across borders until the EGTC has been introduced (Riou, 2010, p.15).

Euroregional Co-operation Groupings (ECG)s

The possibility to establish the legal form of ECGs was offered by the third protocol of the Madrid Outline Convention, decided upon at the end of 2009. This new form of territorial cooperation was introduced by the Council of Europe in line with the EGTC regulation to offer a comparable legal instrument to the non-EU countries.

ECGs have a legal personality and their own budgets (Hermanns, 2011, p.155f.).

These groupings can carry out tasks which belong to the competences of the partners involved. For instance, they can be used for governance, consultations and agreements and are not implicitly made for the management of large scale projects (Van der Goot, 2010b, p.82).

Like the EGTCs they are subject to the national state where they have their registered office.

The purpose of ECGs is not further restricted: Their task is to promote, support and develop cross-border and interregional cooperation among the Council of Europe's member states. However, ECGs are not allowed to exercise regulatory powers (Van der Goot, 2010a, p.7f.). The members of ECGs mainly consist of territorial authorities. They can also comprise national states, institutions under public and private law and also economic entities if their tasks are public services as well as associations consisting of some of those bodies (Hermanns, 2011, p.155f.). The local and regional authorities have "the majority of voting rights" (Van der Goot, 2010b, p.82).

Depending on the national laws, the prospective members have to indicate their interest to join the grouping at their national authorities and need the national agreement (Hermanns, 2011, p.155f.). ECGs are more open to the participation of third countries than EGTCs. The only preconditions are that it is a neighbouring country of the country where the ECG will be established and that the third country makes an agreement with the country of the ECG's registered office (Van der Goot, 2010a, p.8).

A disadvantage of this instrument is that it can only be used when the respective member state signed the protocol. In contrast EGTCs can be used in the area of the EU without limitation. The third protocol of the Madrid Outline Convention was only signed by few countries: Germany, Belgium, France, the Netherlands, Luxembourg, Lithuania, Slovenia and only two countries that are not members of the EU, Montenegro and Armenia (situation in 2010) (Van der Goot, 2010b).

European Research Infrastructure Consortium (ERIC)

Since 2009 there has been also the possibility to establish ERICs among members of at least three member states. Yet, this possibility is exclusively restricted to research infrastructures and economic activities (Council of the European Union, 2012, art.3 para.1 and 2). It is therefore not explained any further.

A.2 Interviews

The following interviews were conducted:

Status Quo

Interviews with the different INTERREG B and C secretariats, URBACT, INTERACT and ESPON

- * Florian Ballnus (Alpine Space) conducted on 24th April, 2012
- * Adele Bucella (URBACT) conducted 30th on January, 2012 (email correspondence)
- * Ivan Curzolo (South East Europe) conducted on 26th January, 2012
- * Michel Lamblin (INTERREG C) conducted on 27th January, 2012
- * Ronald Lieske (Baltic Sea Region) conducted on 23rd January, 2012
- * Peter Mehlbye (ESPON) conducted on 2nd May, 2012 (email correspondence)
- * Anke Möllers (North West Europe) conducted on 23rd January, 2012
- * Winfried Ritt (Central Europe) conducted on 27th January, 2012
- * Isabelle Roger (South West Europe) conducted on 7th and 8th February, 2012
- * Erwin Siweris (INTERREG C) conducted on 18th January, 2012
- * Carsten Westerholt (North Sea Region) conducted on 26th January, 2012
- * Antonia Widmer-Leitz (Alpine Space) conducted on 24th January, 2012

Interview questions

- * Are there any projects that established or envisage to establish an EGTC after the end of funding?
- * Are there any existing/ planned projects with an EGTC as partner?
- * Are there any plans to establish an EGTC as the managing authority of your programme?

Planned and existing network-EGTCs

- * Markus Damm (Donauhanse) conducted on 23rd March, 2012 and 17th April, 2012 (email correspondence)
- * Aline Daniel (MED TECHNOPOLIS) conducted on 7th March, 2012 (email correspondence)
- * Mart Grisel (EUKN) conducted on 20th June, 2012
- * Maria-Ilona Kiefel (Longlife) conducted on 28th February and 18th April, 2012
- * Thomas Littmann (STRING) conducted March 2012
- * Christoph Pienkoß (European Route of Brick Gothic) conducted on 23rd February, 2012 (email correspondence)
- * Jörg Saalbach (CODE24) conducted on 7th March and 25th April, 2012 and on 9th July, 2012 (email correspondence)

Interview questions

These questions have been adjusted to the respective interview and the situation of the network-EGTC.

- * What is the current status of your EGTC?
- * When did you start to prepare the EGTC?
- * When do you expect the EGTC to be established?
- * Will the EGTC be based on a previous cooperation?
- * Who will be the members of the EGTC?
- * Where will the registered office be located?
- * What will be the aims and tasks of the EGTC?
- * Which organs will the EGTC consist of?
- * Why did you choose an EGTC?
- * Will the EGTC be limited in its duration?
- * Which working language will be used?

Stakeholders

- * Jens Gabbe (AEBR) conducted on 24th April, 2012
- * Jean Peyrony (MOT) conducted on 23rd April, 2012
- * Gyula Ocskay (CESCI) conducted on 9th May, 2012, before email correspondence at the 7th of May 2012
- * Elise Blais (INTERACT) conducted on 3rd May, 2012
- * Alfonso Alcolea Martínez (CoR) conducted on 30th April, 2012
- * Lucas Reichel² (EP-Germany) conducted on 9th of May, 2012
- * Jan Olbrycht (EP-Poland) conducted on 2nd May, 2012
- * Dirk Peters (DG Regio) conducted on 3rd May, 2012

Interview questions

- * What was giving the impulse to include the transnational and interregional cooperation into the EGTC regulation? (When the proposal about EGTCs was made in 2004, the groupings were only called "European Groupings of Cross-border Cooperation (EGCC)")
- * Are there differences between EGTCs established in the cross-border cooperation and those in the territorial non-contiguous cooperation?
- * Why have there only been two EGTCs (ARCHIMED and Amphictyony) so far that support non-contiguous cooperation?

²Accredited assistant of Joachim Zeller.

- * How do you assess the applicability of EGTCs in the non-contiguous cooperation?
- * What are possible tasks of EGTCs in the interregional and transnational cooperation?
- * Can EGTCs be used for the management of macro-regions or to implement macro-regional strategies as it has been proposed in the scientific literature?
- * What do you think about the future of EGTCs in the interregional and transnational cooperation? Will the amendment of the EGTC regulation change something in this respect?

Case studies

E.G.T.C. Amphictyony

- * Vassilis Xenos-Gabrielis conducted on 23rd May, 2012 in Athens: Mr. Xenos-Gabrielis is the Director of E.G.T.C. Amphictyony. Before the establishment of the EGTC he has been mayor of the Greek municipality Alimos which has been member of the union of the twinning of cities. He had the idea to establish an EGTC (Koutsaki, 2012c), (Xenos-Gabrielis, 2012).
- * Aphrodite Kamara, conducted on 5th June, 2012 (email correspondence)
- * Stavroula Koutsaki, conducted on 21st May, 2012; 23rd March, 2012 and 10th July, 2012 (email correspondence)
- * Antonios Karvounis conducted on 2nd July, 2012 via email correspondence: Mr. Karvounis works for the Hellenic Ministry of Interior and is the responsible contact partner for EGTCs in Greece.

CETC-EGTC

- * Marta Ciesielska, conducted on 6th and 11th June, 2012 via phone: Mrs Ciesielska belongs to the staff of Technical Secretariat of the CETC-initiative and is responsible for the planning of the establishment of the 'CETC'-EGTC.
 - + email correspondence on 23rd March, 2012
 - + email correspondence on 5th June, 2012
 - + email correspondence on 6th August, 2012
- * Thomas Lantz, conducted on 15th June, 2012 via phone: Mr. Lantz is the vice-president of the parliament of the Skåne region and member of the Steering Committee of the CETC-initiative. The Swedish region Skåne belongs to the prospective members of the EGTC.

Interview questions

These questions have been adjusted to the respective interview and the situation of the network-EGTC.

- * Has your cooperation have already existed before the EGTC was established?
- * What were the reasons to use an EGTC? Were other forms of cooperation considered, too?
- * Did you experience any problems before the EGTC has been established ?

-
- * Did you feel that you needed to compete with other cooperations?
 - * Would you consider your cooperation as intensive before the EGTC has been established ?
 - * Who suggested to establish an EGTC?
 - * How did you get to know about the existence of EGTCs?
 - * What had been the process of making the decision like before the decision to establish the EGTC was taken?
 - * Which problems did arise in the preparation phase of the foundation of the EGTC?
 - * How much time did...
 - the foundation of the EGTC take? (From the decision until the foundation)
 - it take you to clarify common competences of the members?
 - it take you to agree with the members on the tasks of the EGTC?
 - * Who are the authorities responsible of each member state which the prospective participants have to inform about their intention to join the EGTC?
 - * How has the statute been registered or published?
 - * Had all of the participating states already implemented their national regulations on EGTCs before the establishment of the EGTC?
 - * Where did you get support for the foundation of the EGTC?
 - * Were there any opponents of the establishment of the EGTC?
 - * Was the public involved in the considerations of the establishment of an EGTC?
 - * What is your attitude towards the EGTC regulation?
 - * What are the main aims of your cooperation?
 - * What are the tasks of the EGTC?
 - * How do you contribute to the economic and social cohesion?
 - * How do you foster and simplify territorial cooperation?
 - * What does the EGTC most concentrate on?
 - * What was expected according to the position/ status of the EGTC? Have the expectations been met?
 - * How many members does your EGTC have?
 - * Do you think that the members of your EGTC are similar?
 - * How important do you consider the similarity of languages within an EGTC?
 - * How many and which nationalities do the members of the EGTC have?
 - * How did the members of the EGTC get together?
 - * Which role does the equality of authorities of different levels and sectors in decision making and the inclusion of non-governmental actors (multi-level governance) play in your EGTC?

-
- * Have there been any problems or risks identified concerning the composition of the EGTC's members?
 - * How is the EGTC organised?
 - * Do you have regular meetings?
 - * Which country do the employees of the EGTC come from?
 - * Why was Greece chosen as country of the registered office of the EGTC?
 - * Why are there so many working languages?
 - * How is your EGTC financed?
 - * Has the EGTC acquired or disposed properties so far? If yes, which?
 - * Does the EGTC have a limited liability?
 - * Why is the duration of the EGTC restricted to 25 years?
 - * How did you determine the geographical scope of your EGTC?
 - * How are decisions in the EGTC taken?
 - * How are changes in the statute passed?
 - * Have there been any problems/risks identified in the organisation of the EGTC in practice?
 - * Because of which potentials and expectations did you choose an EGTC? Have these come true in reality?
 - * How can your cooperation benefit through the organisation by an network-EGTC?
 - * How would you categorize/compare/distinguish your EGTC to others?
 - * What has been the reason for establishing such a small amount of network-EGTCs in the EU so far?
 - * What is the added value of EGTCs in the transnational and interregional cooperation?
 - * How do the spatial distances turn out in your cooperation?
 - * Which advantages to the previous organisation did you expect of the EGTC?
 - * Have there been any more problems or risks identified in the practice of your EGTC? If so, which ones?
 - * After having some experience in the practice of your EGTC, do you consider it as the right choice to establish an EGTC?

A.3 Table: Existing EGTCs – Situation July 2012

Table 14 – Characteristics of Existing EGTCs – Situation July 2012

No.	Name	Countries (Seat)	Since	Members	Nature of Members	Law Nature	Duration	Organs
1	Abaúj az Abaújban	<u>HU</u> , SK	2010	14	local and regional	private	unlimited	General Assembly, Senate, Executive Committees, Work Organization, Regional Advisory Board, Supervisory Board
2	Amphictyony	CY, FR, <u>GR</u> , IT	2008	47(+4)	local	private	limited (25years)	General Assembly, Board of Directors, President of the Board of Directors, Executive Committee, Audit Committee
3	Aquitaine-Euskadi	ES, <u>FR</u>	2011	2	regional	public	unlimited	General Assembly, President, Board of Directors, Director
4	Archimed	CY, ES, <u>IT</u>	2011	3	regional and development agency (CY)	public	limited (20years)	General Assembly, President, Director, Technical Secretariat
5	Arrabona	<u>HU</u> , SK	2011	4	local	private	??	General Assembly, President, Director, Technical Committees, Supervisory Board
6	Bánát-Triplex Confinium	<u>HU</u> , RO, Serbia	2011	74	local	private	unlimited	President, Director, Deputy Director, Board, Supervisory Board
To be continued on the next page								

No.	Name	Countries (Seat)	Since	Members	Nature of Members	Law Na- ture	Duration	Organs
7	Bodrogközi EGTC	<u>HU</u> , <u>SK</u>	2012	17	local	private	unlimited	General Assembly, Senate, Executive Committees, Work Organization, Regional Advisory Board, Supervisory Board
8	Duero-Douro	<u>ES</u> , <u>PT</u>	2009	79	local	public	unlimited	General Assembly, President, Director, Sector Councils, Coordinationa Council, Technical Secretariat
9	Espacio Portalet	<u>ES</u> , <u>FR</u>	2010	2	regional	public	limited (10years)	General Assembly, President, Director
10	Euregio Tirolo - Alto Adige -Trentino	<u>AU</u> , <u>IT</u>	2011	3	regional	public	limited (15years)	General Assembly, Board of Directors, President, General Secretary, Audit Committee
11	Eurodistrict Saar - Moselle	<u>DE</u> , <u>FR</u>	2010	8	regional	public	unlimited	General Assembly, President, Vice-President, Director, Board
12	Eurodistrict Strasbourg - Ortenau	<u>DE</u> , <u>FR</u>	2010	7	local	public	unlimited	Council, Board of Directors, President, Vice-President, General Secretariat
13	Eurométropole Lille-Kortrijk- Tournai	<u>BE</u> , <u>FR</u>	2008	14	national, regional, local, Belgian community	public	unlimited	General Assembly, Executive Management Committee (President and Vice-Presidents), Board of Directors, Cross-Border Agency
To be continued on the next page								

No.	Name	Countries (Seat)	Since	Members	Nature of Members	Law Nature	Duration	Organs
14	Eurorégion Pyrénées-Méditerranée	<u>ES</u> , <u>FR</u>	2009	5	regional	public	unlimited	General Assembly, Assembly of Presidents, Coordination Group, General Secretariat
15	Galicia-Norte de Portugal	<u>ES</u> , PT	2008	2	regional	public	unlimited	General Assembly, Board of Governors, Presidents, Executive Members (Director, Sub-Director)
16	EGTC Gate to Europe Ltd.	<u>HU</u> , RO	2012	8	local	private	??	General Assembly, Board, Supervisory Committee
17	Grande Région	BE, DE, <u>FR</u> , LUX	2010	11	national, regional, local, Belgian and French community	public	unlimited	General Assembly, Administrative Council, Joint Technical Secretariat
18	Hospital de la Cerdanya	<u>ES</u> , FR	2010		national, regional, other public bodies	public	unlimited	Management Board, Executive Board, Director, President, Advisory Board
19	Ister-Granum	<u>HU</u> , SK	2008	86	local	private	unlimited	General Assembly, Senate, Financial Committee, Civil Parliament, Board of Experts
20	Karst Bodva	HU, <u>SK</u>	2009	3	local	private	unlimited	General Assembly, President, Monitoring Committee
21	Linieiland van Waas en Hulst	<u>BE</u> , NL	2011	6	local and regional	public	limited (18years)	General Assembly, Board, President, Vice-President, Project Manager (Director)
To be continued on the next page								

No.	Name	Countries (Seat)	Since	Members	Nature of Members	Law Nature	Duration	Organs
22	PANNON EGTC	<u>HU</u> , <u>SI</u>	2012	50	local	private	unlimited	General Assembly, President, Presidency, Boards, Director and Deputy Directors, Working Organization, Supervisory Board
23	Pirineus - Cerdanya	<u>ES</u> , <u>FR</u>	2011	2	regional (community of local authorities)	public	unlimited	General Assembly, President, Board of Directors, Director
24	Pons Danubii	<u>HU</u> , <u>SK</u>	2010	7	local	private	unlimited	General Assembly, Chair of the Assembly, Director, Supervisory Board
25	Rába-Duna-Vag	<u>HU</u> , <u>SK</u>	2011	3	regional	private	unlimited	General Assembly, Supervisory Board, Professional Committee, President, Vice-President, Director
26	Territorio dei comuni: Comune di Gorizia, Mestna Obcina Nova Gorica e Obcina Šempeter-Vrtojba	<u>IT</u> , <u>SI</u>	2011	6	local	public	unlimited	General Assembly, President, Director
27	Ung-Tisza-Túr-Sajó (UTTTS)	<u>HU</u> , <u>SK</u>	2009	4	local	private	unlimited	General Assembly, Supervisory Committee, Presidium, Secretariat, Management (Director, Deputy Directors), Territorial Directorates
To be continued on the next page								

No.	Name	Countries (Seat)	Since	Members	Nature of Members	Law Nature	Duration	Organs
28	West-Vlaanderen/ Flandre- Dunkerque- Côte d' Opale	BE, <u>FR</u>	2009	13	national, region- al, local, other public bodies	public	unlimited	General Assembly, Director, Board of Directors, President, Vice President
29	ZASNET	ES, <u>PT</u>	2010	5	local and regional	public	unlimited	General Assembly, Director, President, Audit Committee

Sources: Own illustration, Bonn, July 2012, based on (Committee of the Regions, 2011a), (European Union, 2012), (Dudás Kószó, 2012), (Territorio dei comuni EGTC, 2011), (ABAÚJ – ABAÚJBAN EGTC, 2009), (EGTC Aquitaine-Euskadi, 2011), (Arrabona EGTC, 2011), (METIS GmbH, 2009), (EGTC Espacio Portalet, 2011), (EGTC Pirineus-Cerdanya, 2011), (Pannon EGTC, 2012), (Füzér, 2012), (Pucher and Radzyner, 2011), (EGTC Euregio Tirolo - Alto Adige - Trentino, 2011), (METIS GmbH, 2010), (EGTC Gate to Europe Ltd. 2012), (Main City Court of Budapest, 2012), (BODROGKÖZI EGTC, 2012), (Ister-Granum EGTC, 2011), (Ister-Granum EGTC, accessed 2012), (Duero-Douro EGTC, accessed 2012) and (EGTC Linieland van Waas en Hulst, 2011).

Notice: The financing of the EGTCs is not shown in this table because most EGTCs name in their statutes all possible financial sources and not those out of which the EGTC is mainly financed. The financing of EGTCs could be the topic of another study and would to explore this would have gone too far.