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# **Cross-border cooperation in the EU: Euroregions amid multilevel governance and re-territorialization**

Authors: Andrea Noferini<sup>a</sup>, Matteo Berzi<sup>b\*</sup>, Francesco Camonita<sup>b</sup>, Antoni Durà<sup>b</sup>

<sup>a</sup> *Department of Political Science and Public Law, Autonomous University of Barcelona (UAB), Barcelona, Spain*

<sup>b</sup> *Department of Geography, Autonomous University of Barcelona (UAB) Barcelona, Spain*

\*Corresponding author: [matteo.berzi@uab.cat](mailto:matteo.berzi@uab.cat)

*Department of Geography,*

*Autonomous University of Barcelona*

*Edifici B, Facultat de Filosofia i Lletres*

*Campus de Bellaterra - Universitat Autònoma de Barcelona (UAB)*

*08193, Bellaterra (Cerdanyola del Vallès)*

*Barcelona. Spain*

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# **Cross-border cooperation in the EU: Euroregions amid multilevel governance and re-territorialization**

## **Abstract**

The article focuses on Euroregions as formal organizations within the wider context of cross-border cooperation (CBC) in the EU. Nowadays, CBC promoted by Euroregions all over the European Union is a consolidating reality. Although there is an existing plurality of study-cases over the matter, we acknowledge a lack of global analysis to produce comparative data on Euroregions. We believe in the necessity to develop further systematic and comparative analyses over a wider number of aspects related to cooperation: its real efficiency, its developments either in the different sectors or specific territorial frameworks (urban, rural, etc.), the governance strategies, etc. A real understanding of the CBC promoted by Euroregions, in our view, may only arise when adding such global perspective to the separate contexts of the study-cases. By using a data set of 61 Euroregions considered as especially active in our research project, we investigate the nature, the characteristics and the goals of the actors involved in cross-border cooperation agreements. From a descriptive perspective the study aims at providing some useful classification regarding the great variety of cross-border experiences developed in Europe in the last decades. We challenge therefore common views and understandings about cross border governance: according to our findings, Euroregions are neither effective political instruments for re-territorialization nor new modes of (cross-border) multilevel governance. we instead argued in this contribution is that Euroregions are more functional-oriented organizations that have used different instruments and strategies in order to gain momentum and relevance in the cross-border space

**Keywords:** Euroregion; Cross-Border Cooperation; Multi-level Governance; Re-territorialization; comparative analysis.

## **Introduction**

The article focuses on Euroregions as formal organizations within the wider context of cross-border cooperation (CBC) in the EU. Broadly speaking, CBC can be defined as ‘any type of concerted action between public and/or private institutions of the border

regions of two (or more) states' (De Sousa, 2013) and it usually refers to some kind of 'institutionalized collaboration between contiguous sub-national authorities (SNA) across national borders' (Oliveras, Durà, & Perkmann, 2010: 24). CBC can be driven by geographical, economic, cultural/identity, political/leadership factors and its main goals consist in reinforcing the neighbourhood relations, solving common problems and/or managing jointly resources between communities.

Over thirty years later, EU institutions have placed a great deal of importance on CBC which, since 2007, is one of the grand objectives of European Cohesion Policy. As a consequence of such an interest, today hundreds of Euroregions exist in Europe. Basically, Euroregions are formal organizations whose main purpose is to enhance impulse, coordinate and/or implement cross-border joint initiatives. Although cooperation across borders per se does not necessarily imply the presence of a permanent cross-border organization, a consistent share of CBC practices is nowadays carried out by Euroregions. The presence of permanent cooperation structures, such as the Euroregions, is usually considered as an essential tool for achieving a more advanced and stable CBC: 'Its higher expression is reflected in the creation of cooperation-based organizations, which are in turn oriented towards the coordination of horizontal and vertical policies and joint actions' (Oliveras, Durà, & Perkmann, 2010: 24).

By using a data set of 61 Euroregions considered as especially active (Durà et al., 2018), innovative and excellent, the article investigates the nature, the characteristics and the goals of the actors involved in cross-border cooperation agreements. From a descriptive perspective the study aims at providing some useful classification regarding the great variety of cross-border experiences developed in Europe in the last decades.

From the analytical perspective the paper proposes a combined approach that mixes together contributions from multilevel governance and territorialization literatures.

The paper challenges common views and understandings about typologies of cross border governance. According to our findings, Euroregions are neither effective political instruments for re-territorialization nor new modes of (cross-border) multilevel governance. We provide two arguments to consider, in change, Euroregions as more functional and policy-oriented organizations. Firstly, the variety of actors (from local to supralocal and regional entities), their respective legal and administrative asymmetries as well as the variety of the goals pursued by each cooperation agreement have usually prevented the emergence of some real dynamic of re-territorialization. Secondly, although multilevel in their nature (as Euroregions are usually participated by different levels of government at the same time), Euroregions have been seldom able to generate some genuine, integrated and novel model of cross-border governance. Although the impact of Euroregions on the definition of effective cross-border strategies can be considered still weak, in the last years Euroregions have, however, become more prominent and have assumed a privileged role as formal (but not binding) arenas for the negotiation of territorial preferences across the border.

Methodologically, the article combines qualitative and quantitative techniques. Data and information have been gathered during the field work conducted between 2014 and 2017 in the framework of the COOP-RECOT II project. Unlike the majority of researches based on specific case studies, our study employs the comparative perspective relying upon an original data set of 61 Euroregions (Annex I).

## **Cross-border cooperation and Euroregions: the theoretical framework**

### *Euroregions and re-territorialization*

According to a geopolitical perspective, Euroregions can be conceived as a process of cross-border reterritorialization, which means the reorganization of the social, economic and political activities at sub-national scale that transcends the traditional Westphalian system (Popescu 2008). This concept, drawn upon Deleuze and Guattari's work (1988), has been widely applied in social science since the late 1980s to reinterpret the production of space according to a postmodern approach (Elden 2005, p.3). The deep geopolitical and geo-economical changes boosted by the end of Cold War, in addition to the growing globalization, pushed nation-states into a re-scaling process (Brenner 1999), to reorganize and redistribute the power at sub-national (regional and local authorities) as well as at supra-national level (international organizations). John Agnew (1994) contributes in discussing the nation-state territoriality introducing the concept of "Territorial Trap": the state territory as a geographic container of modern societies where political borders and social borders often do not coincide. The territory should not be conceived just as bounded "national" spaces with taken-for-granted spatial divisions (the local, the regions, the state), but rather the resulting of a Territorialization-Deterritorialization-Reterritorialization process and therefore, an historical contingency.

As a consequence, also the concept of borders, being a key element of territory and of the nation state-territoriality, has undergone a deep re-conceptualization. The borders, as spatial and the temporal delimitation of the society (Jacobs & Van Assche 2014) are not just conceived as political and jurisdictional delimitations between neighbouring states, but rather as a multidimensional concept, whose cultural, social and symbolic significance are historically and geographically produced and re-produced by the societies (Paasi 1999; Paasi & Prokkola 2008). As a social construction, the

borders represent a complex multi-scale process in which national, regional and local narratives give it different (and often divergent) functions and meanings.

Within the context of border studies in the EU integration literature (Scott 1999; Brenner 2000; Perkmann 2003; Blatter 2004; Löfgren 2008; Popescu 2008; Scott 2012; Medeiros 2018), Euroregions - and CBC more in general - have been considered as instruments for enhancing territorial cross-border integration. The main question usually focuses on the capability of these formal organizations in implementing cross-border strategies that can reterritorialize the space beyond the national jurisdiction (Sohn 2014). In the most extreme cases, Euroregions would even achieve the goal to “re-inscribe border areas formerly considered marginal and peripheral to the territorial projects of nation-states to those of centrality and dynamism at the very heart of Europe” (Kramsh and Hooper, 2004).

The empirical evidence in favour of strong processes of re-territorialization is however weak. Euroregions are geopolitically unstable and the asymmetries between national administrative and legal systems represent the most frequent obstacle for the implementation of effective cross-border common strategies. In many cases, moreover, national governments remain the central actors because international economic relations are ‘largely determined by the policies of the states’ (Agnew 1994, p. 58), by announcing for the next years a dramatic re-bordering political phase.

### ***Euroregions and multilevel governance***

In MLG literature, Euroregions are usually framed within the wider context of sub-national mobilization and new regionalism (Borzell 2002; Tatham, 2013; Hooghe and Marks, 1994, 1996; Piattoni, 2010; Jeffery, 2007; Keating, 1998). Globalization, europeanization (Featherstone and Radaelli, 2003) and decentralization are among the

most relevant driving forces that contributed to enhance a renewed role for territorial units across Europe. Whilst nation states' dominance might have been the rule until the early 1980s, neo-functionalists and multilevel governance arguments started in the 1990s to focus the attention to the novel fact that in some areas of EU policy making, decisions depended on the mutual relations among different levels of government (EU, national, sub-national and local) as well as on the participation of a new array of actors from civil society. The presence of these new actors claimed for a qualitative shift in EU policy-making and politics that – according to some – had become plural, open and less hierarchical. In a word, multilevel (Piattoni, 2010).

In this favorable context, SNAs started to develop some sort of external action by blurring in this way the domestic-international divide that conferred the monopoly of the international relations to central states (Dudachek, 1990; Cornago, 1999). The proliferation of international networks of territorial actors (Bouzas, 2011), the establishment of regional offices and delegations abroad (Noferini, 2012) and the Euroregions are examples of this renewed role of SNAs in international fields. The drivers for cross-border initiatives were diverse. For some, Euroregions were functional and economic-oriented organizations aimed at increasing the competitiveness of the cross-border areas by focusing, for example, on connectivity and mobility infrastructures. For others, in change, cross-border cooperation was more politically oriented as it was framed in the wider area of external action (together with decentralized cooperation and international lobbying). According to this perspective, Euroregions were instruments for projecting the regional identity into the international scenario either for capturing European funding or for increasing political visibility.

Basically, MLG arguments applied to CBC focuses on governance structures at the cross-border level. According to this perspective, CBC is usually interpreted as a

network governance system that goes beyond national jurisdictions in order to develop cross-border joint initiatives. At the center of this cross-border network, Euroregions would be the relevant organizations whose main goals consist in mobilizing human, economic and institutional resources already present in the border area. In sum, Euroregions are usually considered as ‘laboratories’ for the establishment of more horizontal, participative, consensual and generally low-level hierarchical practices between public and private actors across the border.

Contributions from the applied literature are usually case or sectorial-oriented and findings are controversial (Harguindéguy & Sánchez Sánchez, 2017; Tripl, 2010; Lundquist & Tripl, 2011). Nevertheless, the empirical evidence shows that very few Euroregions were able to establish and implement effective and genuine cross-border integrated strategies with a novel character with respect to more classic planning instruments. Considering the most positive results, some Euroregions have, for example, succeeded in generating cross-border policies in important fields like the natural resource management (Blatter, 2004), local economic development (Berzi, 2017), transport and mobility (Löfgren, 2008), health care assistance (Berzi & Durà, 2018). Moreover, in some economically developed urban contexts, newly introduced organizations – as the Eurodistricts – have further advanced in the definition of innovative common strategies towards sustainability.

However, the establishment of some innovative model of cross-border (multilevel) governance is mainly an exception. Firstly, as Euroregions were exclusively created by public administrations, the involvement of actors from civil society and the business was scarce and of low intensity. Secondly, failed Euroregions have been frequent and the European scenario is full of examples of cross-border structures which have not survived more than one INTERREG period. The impact of

euoregional policies has been additionally challenged by the high number of SNAs involved in the cross-border agreements as well as by the scale of cooperation. In Euroregions with more than 30 public actors, coordination costs are notably high and political commitment very sensitive to the alteration of the different political cycles. Thirdly, against the idea that borders are today more permeable, national states have shown to still have an impact as gate-keeper of the external action of SNAs. Central government attitude and national-specific regulatory contexts still represent relevant obstacles for the implementation of joint cross-border initiatives (MOT, 2016a and 2016b). The weak legal character of Euroregions has for example reduced the binding character of the decision-making process at the cross-border level.

In sum, more than being instruments for MLG arrangements at the cross-border level, some Euroregions have succeeded in the less ambitious goal of acting as a normative and policy referent by establishing a (more or less) formal forum in the border area, by providing some financial resources and increasing the institutional capacities of the euoregional actors.

### **The institutionalization of cross-border cooperation: historical evolution and governance models**

Although the first cross-border experiences dated back to the late 1950s, the explosion of cross-border cooperation agreements occurred in Europe in the 1990s. With the deepening of the process of integration (the deployment of the Common Market), cross-border territories were assigned by the European Commission the role of ‘laboratory’ areas for European integration. The reform of Cohesion policy in 1988, the introduction in 1990 of the Community Initiative INTERREG, and the Maastricht Treaty in 1993 (with the creation of the Committee of the Regions), all contributed to insert into the

European political agenda the 'regional question', i.e.: the role of SNAs in EU policy-making.

Regarding CBC, Oliveras, Durà & Perkmann (2010: 25-26) pointed out the existence of four stages of expansion of the Euroregional phenomena.

- 1950 - 1979: Predominantly a time for interstate agreements; first suprastate support (recommendation for further regulation by the CoE in 1966, first initiatives of the Nordic Council); local twinings and first Euroregional initiatives (EUREGIO, also known as Gronau Euroregion)
- 1980 - 1990: Increased European political and juridical support; Madrid Convention (1980); European Charter of Local Self-Government (1985); initiatives by the CoR; recommendations provided by the AEBR (European Charter of Border and Cross-Border Regions, 1981); Mediterranean enlargement of the European Community;
- 1990 - 2006: Political and economic support is provided by the European programmes, especially in the case of INTERREG, in light of European agreements for further integration and the following enlargement processes towards Eastern and Northern Europe (main expanding period for the new EU);
- 2007 - onward: Consolidating stage; definition of the main EU objective of the European Territorial Cooperation; the creation of the new EGTC instrument and the stabilization of presently existing Euroregions by means of creating new structures to compensate for obsolete ones.

Rather than creating new layers of administrative government, Euroregions usually assume a variety of (more or less) formalised structures and different legal instruments to implement cross-border initiatives (Blatter, 2004; Morata, 2007). In its

Practical Guide to CBC (AEBR, 2000), the AEBR identifies several models of institutionalization (assemblies, permanent secretariats with administrative staff, basic agreements built upon public or private law, etc.) and it highlights the recurrence of multilevel governance contexts. As the practice of cross-border cooperation has increased, cross-border governance toolkits have notably increased accordingly (MOT, 2017). Nowadays, CBC agreements can mainly use three typologies of legal instruments<sup>1</sup>:

- Not binding cooperation agreements;
- Private law associations with a cross-border purpose.
- Instruments that confer legal personality to the organization (regulated either by private or public law);

The most common among these legal instruments is the cooperation agreement, a contractual commitment on the part of the territorial authorities that have signed it to develop joint cross-border initiatives. There is no standard cooperation agreement but, however, the cross-border governance structure is usually informal, flexible and without a legal personality. Being mainly a political agreement among territorial entities, the level of enforcement usually relies on political momentum and on interpersonal relations.

The second typology involves more simplified organizational structures regulated by private law. Thus, Euroregions can assume the form of a private no-profit association (NGOs) which act as simplified structures with a legal personality but only governed by the private law applicable to the place where the headquarters (or registered office) of the organization is located. Since these associations are governed

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<sup>1</sup> Due to the documented difficulties in applying transnational regulations in CBC practices (MOT, 2017a, 2017b), it is important to notice that each of these instruments is usually subjected to the domestic law of the state where the Euroregion is legally established.

by private law, they cannot take the place of the participating territorial authorities in the CBC activities and they usually offer less guarantees with respect to cross-border bodies governed by public law. On the side of advantages, however, the flexibility of association structures makes them particularly well-suited to the realisation of concrete cross-border initiatives such as technical consultations, the promotion of a specific single project or preliminary studies.

Finally, with the aim of creating autonomous bodies capable of managing cross-border initiatives, several legal instruments that confer legal personality to cross-border organizations have been established over the last decade by EU institution and the Council of Europe. As it was outlined in other studies (i.e. Sanguin, 2013), the diversity of legal frameworks can at times produce complexity and even confusion. Although the toolbox is wide, today the most used formula is the European Grouping of Territorial Cooperation (EGCT) that has mainly substituted previous instruments such as the European Economic Interest Grouping (EEIG) and the Euroregional Cooperation Grouping (ECG)<sup>2</sup>. The EGTC (created by Regulation /EC No 1082/2006) is a permanent and autonomous structure with legal personality and subject to public or private law according to the national jurisdiction governing the place where the headquarters are located. With 16 cross-border EGTCs created over the last decade, it is an instrument that has acquired high visibility in this kind of initiatives around Europe. The EGTCs main advantages derive from: a) long term political commitment of its members; b) greater visibility with respect to third parts; c) the ability to enter into contracts and to compete for external and European funding.

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<sup>2</sup> EEIG and ECGs, in this sense, strongly resemble the functional logic of the EGTC. The first instrument is usually used for cross-border economic activities that involve private actors and for which a legal personality is also required. However, the main limitation of EEIGs lies in the restricted scope of the intervention which must be related to the economic activity of its members by excluding any additional CBC features. Even more like the EGTC, the second instrument listed (ECG) also allows to create a legal personality which manages the cross-border initiative on behalf of its members.

## Methodology<sup>3</sup>

At the time of this writing, no official definition for the term “Euroregion” has so far been universally recognised despite the many institutional and academic attempts. Formally, a Euroregion can be defined as an institutionalized collaboration between continuous sub-national authorities across national borders (Perkman, 2003; AEBR, 2000; Medeiros, 2011, MOT 2017, Oliveras, Durá y Perkman, 2010). This does not necessarily entail any compromise for co-operation and can even be understood as a simple geographical definition. The research relies upon an operational definition of Euroregion as an organization that shows the following characteristics:

- 1) covers a cross-border territory and usually hosts a corresponding population;
- 2) represents a declared will of cooperation (=permanent/progressive cooperation), being reinforced by some form of institutionalisation via political agreement;
- 3) Shows signs of joint activities as well as consolidation of public cross-border policies, particularly when developing a common strategy. Such activities may be shaped by either funded projects, as in the case of most of the Euroregions considered, or the provision of permanent services.

Employing the operational definition was instrumental in delivering a comprehensive total of 267 Euroregional organisations. As no prior listing or web resource was effectively able to distinguish those Euroregions currently developing CBC activities from those that may have succumbed to the numerous circumstances leading to their inactivity, the study distinguishes between Active and Inactive Euroregions. According to our criteria, an ‘Active Euroregion’, is an organization that:

- possesses a working website with updated information;

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<sup>3</sup>For a more detailed methodological explanation see Durá et al. (2018).

- shows clear signs of on-going or recent CBC activities (meetings; joint seminars; workshops, etc.); and
- Employs a visible and updated communication strategy.

After removing 40 TB Parks and 13 CB Equipment, the sample included 214 Euroregions of which 158 were labeled as ‘Active’ and 56 were, in change, ‘Inactive’. Starting from the list of 158 Active Euroregions, the study provided a more restricted definition for a sub-sample of “Especially Active Euroregions”, as those organizations that<sup>4</sup>;

- At the organizational level, showed some distinct traits of stable governance in place among the participating actors.
- At the project level, showed a minimum of 3 to 5 CBC projects per Euroregion during the EU funding framework 2007-2013;

From 158 Active Euroregions, 61 were finally marked as “Especially Active” and thus selected for inclusion in the present euroregional database (Table 1). Additionally, two further criteria were included in order to select the projects developed or implemented by the selected Euroregions: Excellence and Innovation. In the cross-border context, we observed that Euroregions tend to achieve excellence when fulfilling the following criteria:

- effectiveness in globally running the co-operation processes (governance features);
- presence of continuous and self-reinforcing co-operation processes; and

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<sup>4</sup> Furthermore, a geographical consideration criterion was applied when collecting relevant cases from all over the EU. Having identified a solid nucleon of best practices in the central and northern part of the European continent, we still wanted to achieve a degree of equal representation across all the EU borders.

- Stable or increasing dynamics for improving the quality of the co-operation.
- In practical terms, we tend to consider the CBC activities to be innovative when at least one of the following criteria is observed:
  - there is technological progress involved in the project execution;
  - new techniques or methodologies in processes or organisations are employed to improve the overall project development; or
  - There is evidence for applying novel concepts, including those for social and public innovation.

Table 1: Summary of the Euroregional Operational Listing.

Typology		Classification & Status	Sub-Total		Catalogue Selection	
					Excluded	Selected
Euroregions	214	1. EUR (Active)	158	152	95	57
		2. EUR Monothematic (Active)		4	2	2
		3. EUR Micro (Active)		2		2
		4. EUR Inactive	56		56	
Cross-Border Equipment	13	1. Active	13			10
		2. In constitution			3	
Transboundary Parks	40	1. Advanced EUR Features (Active)	40			9
		2. Active			31	
Excluded (unfitting Criteria Catalogue)	16	1. Working Communities	31		16	
		2. EUR External Borders			7	
		3. EUR Transformed			8	
Excluded (Not EUR)	41				44	
<b>Total Etc Structures Analysed</b>	<b>342</b>	<b>Total CBC Structures Analysed</b>	<b>298</b>		<b>262</b>	<b>80</b>

Source: RECOT Team

Data and information were collected by using primary sources and institutional and academic literature on cross-border cooperation in Europe during the period 2014-2017. For the construction of the database we first explored all existing listings. We

therefore conducted our own research by contacting directly or via e-mails the responsible of the selected Euroregions. The 61 selected Euroregions were subjected to an in-depth analysis by means of a second exploration of their website content. This time, we supplemented the research by studying documentary materials, such as technical reports and strategies downloadable on the Internet. Furthermore, we relied on academic literature on case studies, and in some cases, requested additional information via e-mail.

## **Analysis and findings**

### ***Historical evolution***

The chronological distribution of the sample widely confirms what had already been theorized by other studies dealing with sub-national mobilization and the proliferation of Euroregions (Oliveras, Dura and Perkmann, 2010; Wasseberg et al., 2015). By aligning the 61 entities contained in the sample (Fig 1), the continuity in establishing new Euroregional structures since the early 1970s is indeed remarkable.

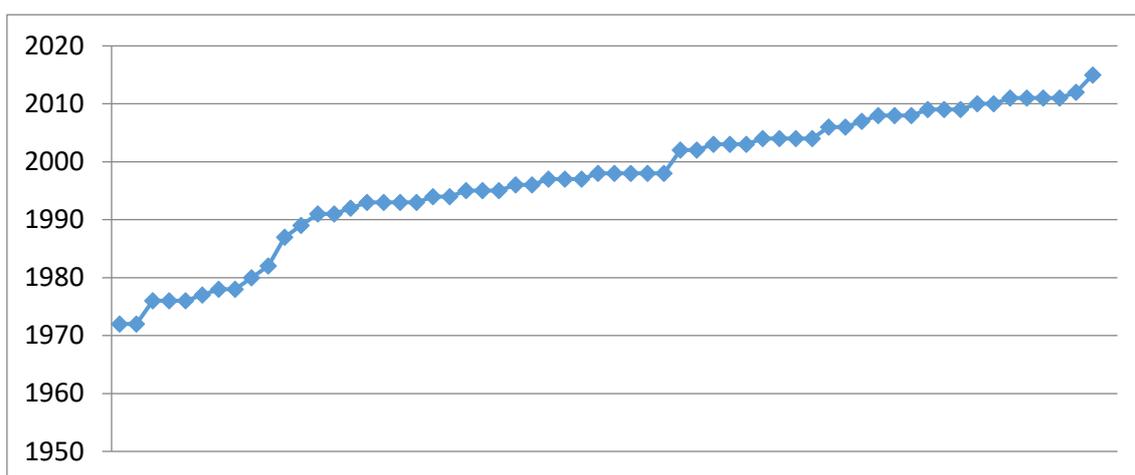
Basically, we distinguish three main stages of spreading and diffusion of Euroregions:

- 1) 13 Euroregions were created earlier than 1990, whereby the prevalence of such structures was most apparent in the 1970s (the first historical EUREGIO is an exception, as it was created in 1958). Such pioneer cross-border structures were usually developed under a weak institutional and financial framework.
- 2) 22 Euroregions were created in the 1990s, reflecting the general trends already established, not only under the Madrid Convention, but also thanks to the new incoming financial subvention provided by the INTERREG programmes.

- 3) 26 Euroregions finally appeared in the first decade of the 2000s, a good part of which was inspired by the newly established Territorial Cooperation Objective of the EU, as a consequence of the reform of Cohesion Policy in 2007.

Interestingly, the analysis suggests a correlation between the different historical stages described above and the institutional forms adopted by the Euroregions. The first Euroregions were basically inspired by local entities on both sides of the border involving pairs of European Member States, namely the Netherlands-Germany and France-Germany, etc. They are cooperation experiences involving a high number of public actors, generally between local and supralocal entities, with a pragmatic approach oriented to provide solutions to day-by-day problems of commuters that cross ordinarily the border, like the Gronau Euroregio (129 public actors), the Ems - Dollart Region (96), the Rhein-Waal Euregio (51) and the Meuse Rhin-Nord Euregio (26)

Figure 1- Chronological appearance of selected Euroregions in the sample (Date of Creation)



Source: RECOT Team

The same pattern seems to apply to the 22 Euroregions created during the 1990s, of which only 3 eventually converted to an EGTC legal formula. However, the second

grouping shows a higher institutional density having a total average number of 53 participating public actors. Many of them are both local and supralocal entities, and for the first time they are beginning to jointly develop new urban and rural formulas for envisioning the border area (like the Basque Eurocity or the Espace MontBlanc).

Lastly, the final block of Euroregions, i.e. the 26 created in 2000 onwards, accounts for a reduced institutional density, in which the total average goes down to 21 public actors, and the main shift is represented by a growing territorial extension ruled by the new presence of larger administrative levels (regional scale at the level of NUTS2). Such change is visible when comparing the 29 sub-national entities and regional bodies participating in Euroregional structures of this third block with previous numbers (21 in the 1990s and barely 14 in the 1980s). The third stage is also a moment in which the CBC phenomenon seems to attain a new sense of maturity and increasing complexity. This becomes clear when revealing the presence of border territories that host overlapping CBC structures at different scales but in the same geographical context. This is especially the case for the so-called ‘Eurodistricts’, which introduce for the first time the idea of developing urban policies at the Euroregional level.

### ***The scale of the cooperation: institutional density and complexity of Euroregions***

Cross-border cooperation is characterized by singularity, diversity and complexity and each cross-border region is unique in terms of geographical, historical and political features (Wasseberg, Reitel and Peyrony, 2015). The diversity observed among different Euroregions apparently stems from the heterogeneity of their territorial and administrative features. According to the population and the territorial dimension, Durà et al. (2018) classify 4 main categories of Euroregions and 11 subgroups based on their urban, rural or mountainous features. Such territorial traits have an impact regarding the

feasibility and the typology of cross-border joint initiative as well as in the scale of the services (and public goods) to be provided at the euroregional level.

From a neo-institutional perspective (North, 1990) Euroregions can be considered as formal institutions whose main goal is to promote and enhance joint cross-border initiatives by mobilising human, economic and administrative resources already present in the border territory. Since Euroregions represent (more or less) formalised forums for negotiating actors' preferences across the border, they contribute to reduce transaction costs and to consolidate a cross-border space for the debate. In this sense, the institutionalization of Euroregions as organizations contributes to make this space more stable, permanent and legitimate.

From an internal logic, the success or failure of such institutional consolidation processes will depend on several factors, among which the typology and the number of territorial entities involved in the CBC processes are essential parameters. Firstly, the typology of territorial entities (regional, supralocal, local public administrations), coupled with their geographical scale, enables us to observe the close relations of administrative and territorial units towards its citizens, as well as the legal competences that national legal systems conferred to each of them. This idea is crucial to understanding possible asymmetries occurring on both sides of the border.

Secondly, Euroregions possess different degrees of institutional density, which means that the number of territorial units of government involved in the cross-border agreement can vary greatly according to each individual case. The main operational hypothesis proposed here suggests that by increasing the number of involved actors, the difficulties and obstacles affecting the cooperation will also increase accordingly. Two factors may help us explain such an assumption. Firstly, in presence of different administrative traditions, a larger number of public actors and a wider gap among the

given competences will be associated with higher coordination costs for shared initiatives. Secondly, as each self-governing units will be subject to different electoral cycles, Euroregions with a high number of members can suffer of less stable political commitment.

From an external logic, public administrations alone cannot guarantee the definition and implementation of common cross-border objectives. Actors from civic society as well as economic agents must be involved in the cross-border governance structure, understood as a network of actors who are willing to develop collective actions with beneficial impacts for participants of both sides of the border.

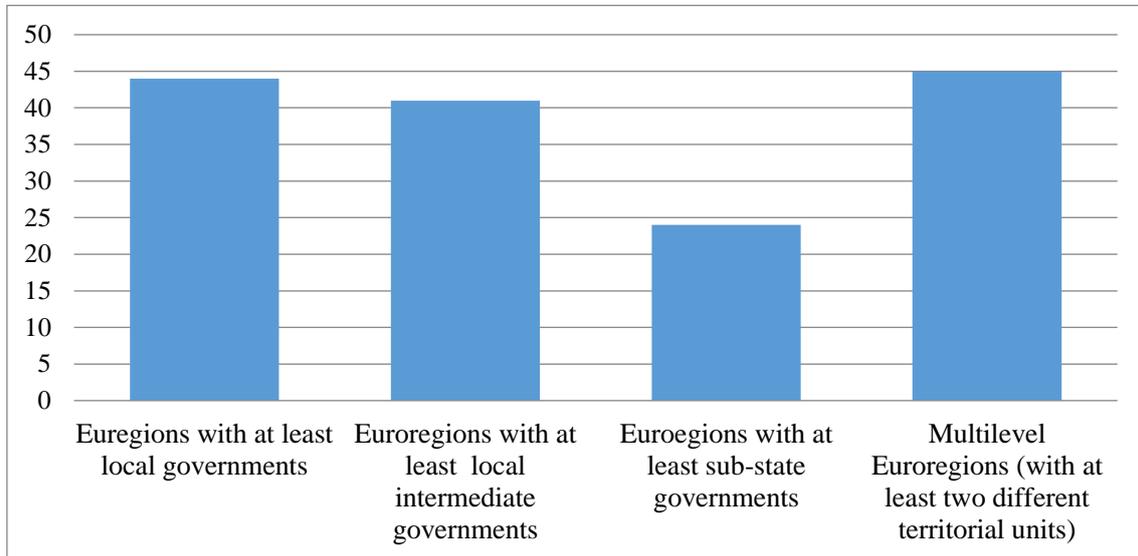
#### *Actors and the scale of cooperation*

The leading authorities of Euroregions are predominantly public actors, who are either provincial, regional or sub-state entities (Figure 2). They essentially come from the traditional levels of government, which are present in the administrative geography of EU Member States. Local entities seem to dominate CBC agreements, being present (although normally in combination with other territorial levels) in 44 of 61 Euroregions. Supra-local entities are also relevant with a total of 41 cases. Finally, a smaller role is usually played by SNAs of larger sizes, which are only present in an euroregional structure in 24 of 61 cases.

A further sign of the relevance of public authorities can be perceived in the participation of other public organisations (distinct from pure levels of governments), such as public associations, agencies or consortia. Over 50% of the sample shows the presence of these organizations. We refer, for example, to associations that represent municipal interests (i.e. Ems-Dollart Region; Sønderjylland-Schleswig Euroregion), local or regional development agencies (i.e. Galicia-North Portugal Euroregion; Regio

Pamina) and, to a lesser degree, some universities and public enterprises or sectorial agencies, such as health-related ones.

Figure 2- Political and administrative scales of Euroregional actors involved in CBC



Source: RECOT Team

In reality, the development of necessary institutional capacities for a CBC with a stronger impact on citizens should count with a stronger participation of private actors in cross-border initiatives (Morata, 2007). However, the euroregional sample confirms the scarce presence of such actors in CBC dynamics. In most of the cases analysed, the euroregional governance is dominated by a strong and sometimes even exclusive leadership of public actors, who are also the main promoters of cross-border interventions. Barely 10 out of 61 cases (Table 2) record the presence of private entities that are almost always represented by chambers of commerce or other agencies for business promotion and local development. The direct involvement of economic agents, such as enterprises, is still scarce and usually limited to the construction of physical infrastructure having an impact on both sides of the border.

Table 2 – Euroregions according to the type of public/private actor participation

<b>A. Multilevel Euroregion with 3 levels (local, supralocal and sub-state)</b>	
Adriatic-Ionian Euroregion	Regio Pamina
Basel Trinational District	Saarmoselle Eurodistrict
Carpathian Euroregion	Scheldemond Euroregion
Fehmarnbelt Committee	Sønderjylland-Schleswig Euroregion
Greater Copenhagen & Skåne Committee	
<b>B. Multilevel Euroregion with 4 levels (local, supralocal and sub-state)</b>	
FinEst Link (Helsinki-Tallinn)	Tri-national Metropolitan Region of the Upper Rhine,
Greater Geneva	MontBlanc Space
International Lake Constance Conference	
<b>C. Euroregions with same levels of government involved (local-local, etc.) (Examples)</b>	
Local Level: Chaves-Verín Eurocity, Rhine-Waal Euregio	Supralocal Level: Leman Council, Meuse-Rhine Euroregion
<b>D. Euroregions with the presence of private actors</b>	
Adriatic-Ionian Euroregion	MontBlanc Space
Ems-Dollart Region	Neisse-Nisa-Nysa Euroregion
Fehmarnbelt Committee	Praded Euroregion
Inntal Euregio	Rhine-Waal Euregio
Kvarken Council	Salzburg-Berchtesgadener Land-Traunstein EuRegio
Meuse Rhine-North Euroregion	Sønderjylland-Schleswig Euroregion

Source: RECOT Team

Interestingly, in terms of governance, 45 of 61 Euroregions in the sample have a multilevel character, which means that they reflect cooperation agreements, wherein participation in each case is given by actors at different territorial level<sup>5</sup>. The result is positive because it shows the presence of more complex models of governance that can guarantee a complementary role of competencies that affect each territorial unit

<sup>5</sup> Apart from multilevel Euroregions, a certain number of cross-border experiences exist among equivalent levels of government (exclusively between local entities or between supralocal and supralocal, etc.). However, the latter model is a less employed model for cooperation.

involved in the euroregional structure. Furthermore, among the multilevel experiences, there are nine cases that are ‘entirely multilevel’ due to their organisational structure including the three main administrative units (local, supralocal and sub-state).

Five more cases achieve one further level by also adding the presence of central state authorities, hence reaching four levels of government involved. However, it should be noted in this case that the presence of state actors in Euroregions is, as one may expect, a limited phenomenon. National actors are always inserted into a complex governance framework in which they are merely one more player, and not the leader of cross-border governance. In some Euroregions, they are formal actors of EGTCs or other formulas responsible for supervising cross-border urban agglomeration projects (Alzette-Belval EGTC, Lille-Kortrijk-Tournai Eurometropolis, FinEst Link (Helsinki-Tallinn), Grand Geneva, West-Vlaanderen/Flandre-Dunkerque-Côte d’Opale). In other circumstances, state participation is given in territories with an already large trajectory of CBC, such as in the cases of the Tri-national Metropolitan Region of the Upper Rhine, the International Lake Constance Conference and the MontBlanc Space.

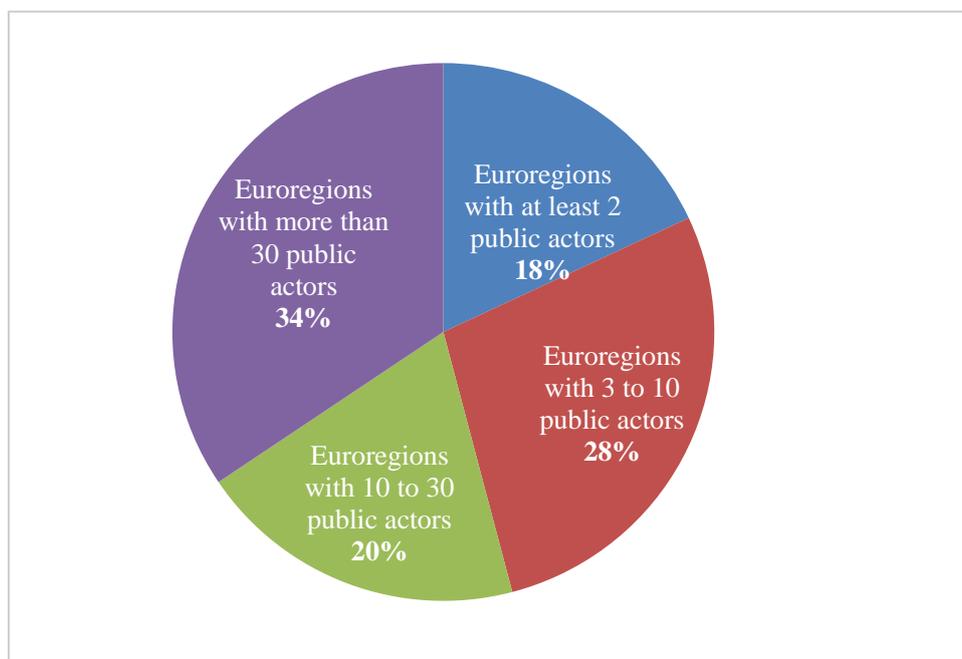
These five cases show the ambivalence of Euroregions, which seems more conceived as functional and policy-oriented organizations instead of a real dynamic of re-territorialization. Indeed, Euroregions, on one hand, challenge the nation-state territoriality by promoting innovative cross-border territorial strategies but, on the other hand, they need the central authority support to pursue the implementation of their actions.

#### *Institutional density and complexity*

In the institutional analysis, the observation of the density (i.e. the number of actors per Euroregion) and the complexity (i.e. the levels of territorial actors overlapping in the administration of the same territory) leads to a clearer framework of the euroregional

structures employed by the participating actors. When observing the institutional density, the sample presents four groupings of Euroregions (Figure 3). In the first grouping, 10 Euroregions only rely on two public actors from both sides of the border. In contrast, the second grouping is composed of Euroregions with total numbers ranging between 3 and 10 actors; such is the case of those Euroregions led by a few sub-state actors enjoying considerable political autonomy, such as the Baltic Euroregion, the Pyrenees-Mediterranean Euroregion and the Tyrol-South Tyrol Trentino Euroregion.

Figure 3- Institutional Density (number of public territorial actors involved)



Source: RECOT Team

In the third grouping, the diversification increases significantly by including a much higher total number of actors, in which a general predominance of local and supralocal entities in CBC dynamics is apparent. In contrast, the last grouping classifies those Euroregions with a strong presence of local entities often represented by

communities or municipal associations and whose total number of actors exceeds the 100 participating self-government units<sup>6</sup>.

Table 3 jointly exposes the two dimensions previously analysed, i.e. the institutional density and territorial scale of the administrative units. Both dimensions are indeed required to measure the institutional complexity of a Euroregion. Thus, a higher complexity can lead to a series of different consequences. A larger number of members can effectively make the general coordination more difficult, while a wider diversity could probably lead to increased asymmetries in the respective competences of each actor involved. In conclusion, the great variability of combinations among participating actors does not reveal consistent statistic correlations between the two factors. Nevertheless, it is possible to claim the presence of a certain tendency showing a decreasing number of public actors when increasing the territorial scale of the cross-border territory. Likewise, it is possible to state that when institutional density is either high or very high, the corresponding group of Euroregions will be dominated by local entities or other representing authorities of such territorial scale, i.e. municipal associations.

Table 3 – Institutional complexity of Euroregions

Level of Self-Government (predominant)	Institutional Density (Number of Self-Governing Units)			
	Very low (2 actors)	Low (Between 3 and 10)	High (Between 11 and 30)	Very high (more than 30 actors)
Sub-state (or regional)	<i>Galicia–North Portugal Euroregion</i>	<i>Pyrenees– Mediterranean Euroregion</i>		
	<i>New Aquitaine- Euskadi-Navarre Euroregion</i>	<i>International Lake Constance Conference (IBK)</i>		

<sup>6</sup>Duero-Douro, EUREGIO (Gronau Euroregion), Glacensis Euroregion, Inn-Salzach Euregio, Pomerania Euroregion, Praded Euroregion, Salzburg - Berchtesgadener Land - Traunstein Euregio, Strasbourg-Ortenau Eurodistrict, Tatry Euroregion, Via Salina Euregio.

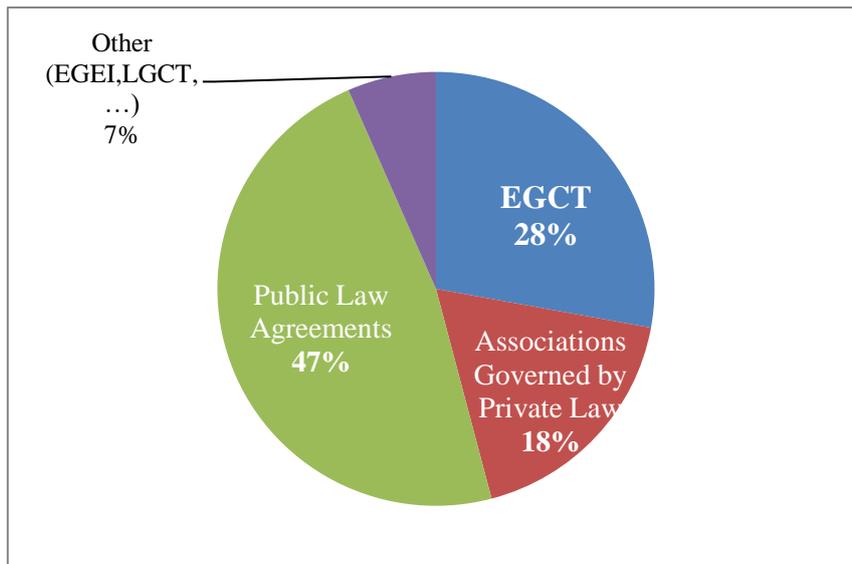
		<i>Baltic Euroregion</i>		
		<i>Adriatic Ionian Euroregion</i>		
<b>Supralocal (provincial or intermediate)</b>	<i>Ruse-Giurgiu Danubius Euroregion</i>	<i>East Border Region Ltd</i>	<i>Euroregio Egrensis;</i>	
	<i>Tyrol-South Tyrol-Trentino Euroregion</i>	<i>Regio PAMINA Eurodistrict</i>	<i>Tri-national Metropolitan Region of the Upper Rhine</i>	
	<i>Alzette-Belval</i>			
<b>Local</b>	<i>Kerkrade-Herzogenrath Eurode</i>	<i>Freiburg Region and South Alsace Eurodistrict</i>	<i>Rhine-Meuse-North Euregio</i>	<i>Duero-Douro</i>
	<i>FinEst Link Helsinki-Tallinn</i>	<i>Irish Central Border Area Network (ICBAN)</i>	<i>Kvarken Council</i>	<i>Inn-Salzach-Euregio</i>
	<i>Chaves-Verin Eurocity</i>	<i>Scheldemond Euregio</i>	<i>Country of Lakes Euroregion</i>	<i>Praded Euroregion</i>
	<i>North West Region Cross Border Group</i>			<i>Banat Triplex Confinium</i>

Source: RECOT Team

### ***Variety of legal instruments for Euroregional administration***

Euroregions generally rely on a variety of legal models for their institutionalisation. According to this classification, the analysis highlights the co-existence of various governance solutions among the Euroregions (Figure 4). When calculating the total numbers, Public Law Agreements represent most of the cases with 29 Euroregions over 61. They are then followed by EGTCs (17), NGOs (11) and other formulas (4).

Figure 4 - Legal frameworks of Euroregions: Variety of juridical instruments employed by selected Euroregions from the sample



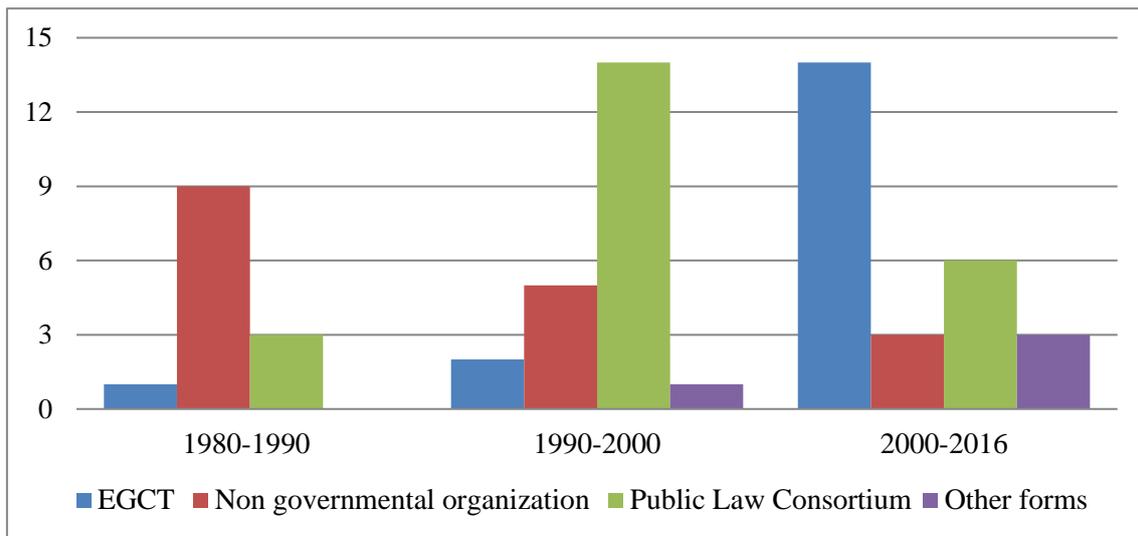
Source: RECOT Team

Figures from our database do not allow inferring the key-reasons why a Euroregion selects a specific legal formula. Nevertheless, it is possible to observe that most of the Public Law Agreements in the sample were all established before 2006, which is when the EGTC was created as an EU instrument. This clearly means that before EGTCs were established, the main formulas available for CBC came in the form of associations governed by private law (NGOs) and different models of Public Law Agreements. NGOs seem to have been the initial trend for creating Euroregions, probably due to their facility in the establishment process and the straightforwardness associated with their administrative dynamics.

However, the trend changed firstly in the 1990s, such that the most frequent formula came in the form of the Public Law Agreement, and then again from 2007 onwards through the creation and consolidation of EGTCs. Thus, the data seems to prove that recently established Euroregions tend to prefer EGTCs as their chosen legal formula (Figure 5). Of the 15 Euroregions identified as being created after 2007, 10 chose to apply for an EGTC status. Nevertheless, it should be noted that the availability

of the EGTC formula does not appear as a concrete solution for Euroregions with a longer trajectory. This is especially true when considering that, of the 13 Euroregions created before the 1990s, only 1 (New Aquitaine-Euskadi-Navarre Euroregion) decided to adopt the EGTC legal instrument.

Figure 5- Chronological evolution of the employment of legal instruments for CBC in the selected Euroregions



Source: RECOT Team

When considering institutional complexity, there does not seem to be a direct correlation between the chosen legal formula and the number and typology of territorial entities involved in the cooperation agreement. Initially, a preliminary hypothesis may consider that the presence of many actors could provide incentives for formalising cooperation through legal instruments with a stronger institutionalising effect (EGTCs or advanced formulas of Public Consortia). Regardless, among the grouping of Euroregions with the highest number of participating actors (i.e. more than 50), it is possible to observe not only the presence of EGTCs, but also Public Law Agreements and even NGOs. On a further note, no relation was also found between EGTCs and the territorial scale of cooperation. Both small-scale cross-border experiences (between 25

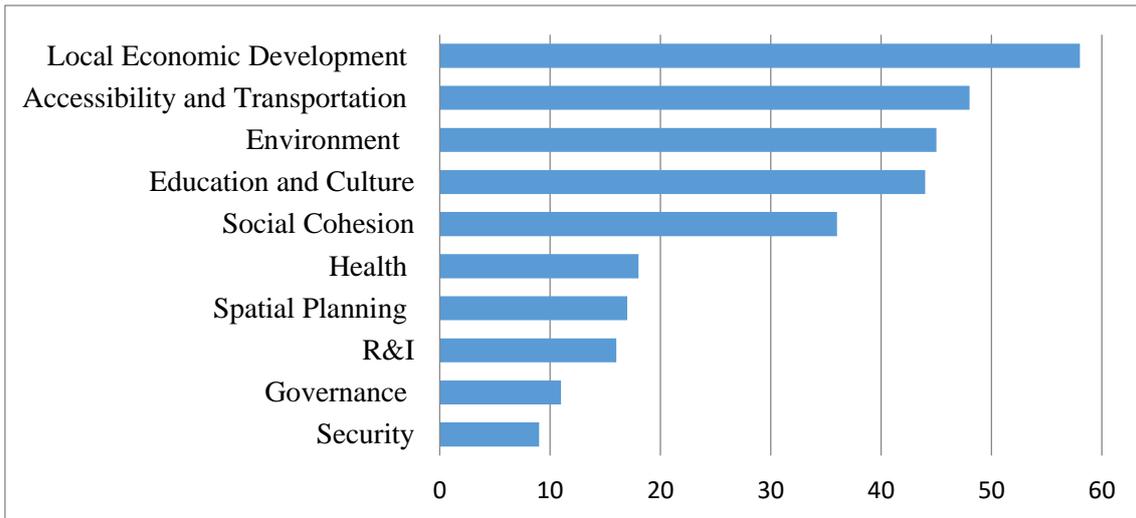
000 and 70 000 inhabitants) and much larger border regions having millions of inhabitants (i.e. the New Aquitaine-Euskadi-Navarre Euroregion and its 6 million citizens) can be seen as employing the EGTC instrument. Indeed, all previous arguments reject the hypothesis that institutional complexity could have an impact on the legal formula employed by Euroregions.

Nevertheless, it is still possible to claim that since their creation, EGTCs have been of primary interest for most of the Euroregions consolidating in more recent times. Only five Euroregions from the sample which were created after 2007 did not adopt EGTC formula: Basel Trinational Eurodistrict (2007), Frankfurt-Slubice Cooperation Centre (2011), Trinational Metropolitan Region Upper Rhine Valley (2008), Fehmarnbelt Committee (2009) and FinEst Link (Helsinki-Tallinn) (2015).

### ***Sectors of activity of Euroregional cooperation***

CBC can be shaped by a large variety of objectives that are generally grouped around wider sectorial fields. Figure 6 shows a recount of the number of policy fields that Euroregions officially consider as their declared aims. It is possible to observe that there is a first core of policy issues common to most Euroregions consisting of five policy areas: local economic development, transport and accessibility, environment, culture and education.

Figure 6 - Sectorial fields in CBC practices of selected Euroregions



Source: RECOT Team

Practical reasons may help explain such preferences. Firstly, despite important variations in competences according to each state, these are sectorial areas in which territorial entities usually possess some degree of autonomy. Secondly, the cross-border nature of the difficulties relative to these fields usually requires interventions from the administrative units that are closest to citizens, especially when considering issues such as environmental sustainability or accessibility issues on a metropolitan scale.

The second group of fields involves social cohesion, health, territorial planning and Research and Innovation (R&I). These issues are also actively pursued by Euroregions, but in these areas, the scope of cooperation is even more dependent on the competences entrusted to territorial authorities by each national juridical system. Actually, these policy areas often correspond to fields in which there can be a higher number of obstacles resulting from asymmetries between cooperation actors across the border. To cite an important example, health regulations very often gravitate towards national systems where local entities can benefit from small autonomy<sup>7</sup>. Therefore, a

<sup>7</sup> As in the case of the Strasbourg-Ortenau Eurodistrict and its CBC project for creating a ‘Cross-Border Medical Cabinet for the Treatment of Addiction’. In the context of this initiative,

reduced presence of this type of agreement should not be surprising. Similarly, territorial managing and strategic planning tend to be competences entrusted to different actors according to the different administrative cultures in Europe. Central and Northern Europe almost always rely on supralocal entities but in other countries like Spain, Italy and France, such competences are rather entrusted to sub-state entities, i.e. regions or autonomous communities. Hence, the fundamental relevance of multilevel agreements including actors from different administrative levels is clearly shown in the pursuit of these strategic policies on a cross-border scale.

As a second results, it is worthy to notice that a Euroregion usually deals with an average of four sectorial areas for their projects, although a closer examination reveals a variety of situations, in which almost 80% of selected Euroregions focuses on three to six sectorial objectives while up to ten Euroregions reach the higher total of seven or more policy issues. Monothematic or bi-thematic cooperation agreements are indeed exceptions<sup>8</sup>. Thirdly, data show a weak positive correlation (0.2) between the numbers of sectorial areas chosen and the institutional density involved in the cooperation agreement.

Although the correlation is statistically weak, it is possible to underline the presence of a core number of Euroregions in the sample, which recurrently share the same two features, i.e. middle-sized groupings of local or supralocal public administrations (ranging from little less than a dozen actors to two or three dozen maximum) divided by the border and which work jointly around four to five sectorial

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a joint medical institution was created for drug addiction treatments for both French and German citizens on the Euroregional territory. Clearly, the project represented a clear example of social innovation promoted by public administrations on both sides of the border.

<sup>8</sup> the CAWT Region (Co-Operation and Working Together) of cross-border health cooperation between the two Irelands and the FinEst Link Helsinki-Tallinn (former Helsinki-Tallinn Euroregion). The last case is even more interesting due to the operational choice of shifting from a multi-sectorial Euroregion to an organisation entirely focused on cross-border transports and the construction of road infrastructure (hence a large-scale project) easing mobility between the two cities.

areas. Next to this ranking, the second and smaller relevant group includes cases with a higher number of actors (50 up to 150 on average) dealing with four to eight policy issues.

## **Conclusions**

In the last decades, the renewed interest towards the territory as a key factor for socioeconomic development has promoted the explosion of cross border agreements among different kinds of SNAs. With more than 150 Euroregions which are actively involved in some kind of cross border initiatives along the internal (and external) borders of the EU, the euroregional phenomenon is today a contrasted reality.

Whether euroregions can be considered as effective organizations for the reconfiguration of the cross-border space or for the establishment of novel multilevel model of governance is still an open question. Evidently, the historical progression of the phenomenon suggests the presence of a real demand coming from SNAs as well as from the business and the civil society for some alternative models of territorial governance across the borders. However, relying upon the empirical evidence of our dataset, this article challenged common views and understandings about the impact of the euroregional phenomena. According to our analysis, Euroregions are neither political instruments for re-territorialization nor new modes of (cross-border) governance. Because of political instability and weak institutional capacity, the role played by the euroregions in the construction of an effective cross-border governance system has been often weak and not a decisive one (the regions remain regions, municipalities, counties or provinces remain as such). Secondly, the high number of SNAs involved has usually increased coordination costs and amplified the (negative) impact of the asymmetries between diverse national administrative and legal system.

Thirdly, the variety of goals pursued by any euroregion and the multiplicity of sectors involved (for some of which SNAs do not dispose of legal competencies) have in many case blurred the impact of many cross-border initiatives.

What we instead argued in this contribution is that euroregions are more functional-oriented organizations that have used different instruments and strategies in order to gain momentum and relevance in the cross-border space. Some Euroregions acted as forums for exchanging experiences or were directly involved in the management of European projects (as leading actors or in partnership with other territorial actors). Very few Euroregions have, in change, shown the capacity to develop and to adopt integrated cross-border strategies while the majority of them have focused on a limited set of specific sectors (economic development, transport, education, and environment). Only in some exceptional cases (like in health care), the innovative character of cross-border joint initiatives have induced the transformation of the existing national regulation in a cross-border perspective.

Although, Euroregions are still far away in implementing an effective multilevel governance system (Beck 2017; 2018) that can reshape the traditional institutions and reorganize the state territoriality, our findings suggest some optimism. Euroregions are indeed relevant organizations which can impulse the institutionalization of some process of (soft) reterritorialization that, more than alternative, should be consider complementary to the traditional state level intervention.

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## Annex I: List of Euroregions analysed (Source: Durà at al., 2018)

List of the selected Euroregions (61)
Adriatic-Ionian Euroregion
Alzette-Belval EGTC
Baltic Euroregion
Banat Triplex Confinium EGTC
Basel Trinational District
Bayonne-San Sebastián Basque Eurocity
Bidasoa-Txingudi Cross-Border Consortium

Bothnian Arc
Carpathian Euroregion
CAWT Region (Co-Operation and Working Together)
Country of Lakes Euroregion
Chaves-Verín Eurocity
Duero-Douro EGTC
Dunkirk- Flandre-Côte d’Opale region and West Flanders EGTC
East Border Region Ltd.
Ems Dollart Region (EDR)
EUREGIO (Gronau Euroregion)
Euregio Egrensis
EUROPAREGION (Tyrol-South Tyrol-Trentino Euroregion)
Fehmarnbelt Committee
FinEst Link (Helsinki-Tallinn
Frankfurt (Oder) & Slubice Cooperative Center
Freiburg Region and South Alsace Eurodistrict
Galicia–Northern Portugal Euroregion
Glacensis Euroregion
Gorizia-Nova Gorica EGTC
Greater Copenhagen & Skåne Committee
Greater Geneva
Inn-Salzach-Euregio
Inntal Euregio
International Lake Constance Conference (IBK)
Irish Central Border Area Network (ICBAN)
Kerkrade-Herzogenrath Eurode
Kvarken Council
Leman Council
Leman Council

Lille-Kortrijk-Tournai Eurometropolis
Meuse–Rhine Euroregion
MontBlanc Space
Neisse-Nisa-Nysa Euroregion
New Aquitaine-Euskadi-Navarre Euroregion
North West Region Cross Border Group (NWRCBG)
Pomerania Euroregio
Pourtalet Space EGTC
Praded Euroregion
Pyrenees-Cerdanya EGTC
Pyrenees–Mediterranean Euroregion
Regio PAMINA Eurodistrict EGTC
Rhine-Meuse-North Euregio
Rhine-Waal Euregio
Ruse-Giurgiu Danubius Euroregion
Saarmoselle Eurodistrict
Salzburg - Berchtesgadener Land - Traunstein EuRegio
Scheldemond Euregio
Sicily-Malta Cross-Border Region
Sønderjylland-Schleswig Euroregion
Strasbourg Ortenau Eurodistrict
Svinesund Committee
Tatry Euroregion
Tri-national Metropolitan Region of the Upper Rhine
Via Salina Euregio
“Vis-à-Vis” LGTC