

University of Twente
The Netherlands

Innovation for Good Local and regional Governance A European Challenge

Workshop 4

New forms of transborder and inter-territorial cooperation at the local and the regional level

1

University of Twente
The Netherlands

Thursday 2 April, 13.45 - 15.45

Introduction: Nico Groenewijk (University of Twente, the Netherlands) – (10 min)

Paper 2: Alice Linj (European Academy Bozen/ Bolzano, Italy) – Territorial Cooperation in Europe - Contributed strategy or best in confusion? (30 min)

Keynote 1: Karl Heinz Lambertz (Prime Minister of the German Speaking Community Belgium; Working group on inter-regional co-operation, Council of Europe) (30 min, including discussion)

2

University of Twente
The Netherlands

Friday 3 April, 09.30 - 11.15

Paper 2: Dominik Szold (Delft University of Technology, the Netherlands) – Spatial Planning + Best Practices + European Territorial Cooperation – Convergence? (30 min)

Paper 3: Diana Corcoba Iancu (National School of Political Studies and Public Administration, Romania) – Exploring inter-territorial cooperation (On grass-roots government in Romania) (30 min)

Keynote 2: Bert van Wissen (IIR 100, Association of European Border Regions) - New challenges for crossborder cooperation? (15 min, including discussion)

11:30 - 12:30 **Interlude 1: Cross-border cooperation in practice**
 Chairmatic prof. dr. Nico Groenewijk, University of Twente
 + Introduction by dr. Frank Wertheim, Mayor of the city Heerlen (also representative of Nederlandse Toerisme)
 + Presentation of concrete examples: Risk map and police cooperation

Friday 4 April, 13.30 - 14.45

Formulation of the main recommendations to the Ministerial Conference of the Council of Europe.

3

University of Twente
The Netherlands

The aim of this workshop is to provide:

1. to provide an overview of recent developments in cross border and inter-territorial cooperation by municipalities and regions in Europe;
2. to identify factors for success and failure of such cooperation;
3. to identify innovative forms of cross border and inter-territorial cooperation.

4

University of Twente
The Netherlands


As far as the development of cross border and inter-territorial cooperation by local authorities and regions in Europe is concerned, over the last few decades we have witnessed a major growth in such cooperation as well as an increase in the diversity of forms of cooperation. Although this development as such has been the subject of many research publications, we do not have a systematic overview of different types of cooperation and how they are used in practice. In the description 'European' work that has been done there is a clear bias towards a strong focus on well-known 'settled' cases and towards Western Europe. The first aim of the workshop is to bring clarification in both conceptual and empirical terms on (the process of proliferation of) cross border and inter-territorial cooperation by municipalities and regions in Europe.

5

University of Twente
The Netherlands

Secondly, the workshop deals with identifying factors that may account for the success or failure of (different forms of) cooperation. Are market driven forms of cooperation more successful than policy driven forms? What role do political ownership and circumstances play? Is it important to include private actors? What is the impact of the domestic institutional administrative set up? (i.e. the competencies of local authorities and regions to inter-territorially cooperate), both in terms of conditions and possibilities? How about the institutional context of large regional cooperation schemes like the European Union and the Council of Europe? How important is the membership of cooperative networks in terms of resources and policy learning?

6



Finally, the focus will be on examples of cooperation that constitute best practices of innovative governance. Other recently established cooperation (regional and inter-regional) is based on governance structures that are modelled after matured and successful (Western European) examples of cooperation. Apart from deficiencies due to inadequate policy transfers, this imitation mechanism is at odds with the need for an innovative and tailor-made approach. Examples of such innovative governance in cross-border and inter-territorial cooperation in Europe will be discussed. A special emphasis will put on the use of new public entities like European groupings of territorial cooperation (EGTCs).

7




Utrecht, theme 2

Transfrontier cooperation

- Crossborder movements of all types are ever-increasing as a result of European integration and internationalisation
- Many local and regional authorities, as well as citizens in these border regions, are discovering daily that their location on the border with a neighbouring country brings with it both stumbling blocks as well as opportunities. This can relate to people who work, live and go to school across the border, economic activity, environmental issues, police cooperation, contingency planning, public transport links, a hospital that is closer than another and so on.


This also necessitates good administrative cooperation across borders. Therefore, a good administrative organisation of trans-frontier cooperation between local and regional authorities is becoming increasingly important in Europe.

8



- The most familiar transfrontier co-operative arrangement is that of the **euroregions** in which local and regional authorities on either side of the border work together with each other according to public or private law formats.
- However, such bodies are not yet so familiar to many citizens, which also leads to questions concerning their legitimacy and base of support.
- The CDLR is currently working on establishing a Third Protocol to the Madrid Outline Convention. Depending on how much progress has been made on the draft agreement, the Ministerial conference could be a good opportunity to open the Third Protocol to signature and ratification by member states of the Council of Europe and in that way make it possible for the ministers to avail themselves of the opportunity to sign the agreement during the session, should they wish to do so.

9



Discussions about public administration usually focus within the countries on the enduring issues regarding the organisation and performance of the local, regional or central level of government and the relationships between tiers of government. The Council of Europe provides its member states with the forum for placing the theme of transfrontier cooperation between local and regional authorities on the political agenda, for exchanging information and expertise, for identifying best practice and for providing practical tools.

10

EURAC research

Territorial Cooperation in Europe:

Coordinated Strategy or lost in Confusion?

Alice Engl
Researcher
European Academy Bozen/Bolzano

EURAC research Institute for Minority Rights

Differing in size

Different consolidation or institutionalization

With or without legal personality

Territorial Cooperation

- Crossborder cooperation
 - Adjacent local and regional entities
- Interregional cooperation
 - Nonadjacent local and regional entities
- Transnational cooperation
 - Local, regional and national authorities → spatial planning of a certain area

Alice Engl 02.04.2009 2

EURAC research Institute for Minority Rights

Crossborder cooperation

Euroregion	Working Community	Eurodistrict
<ul style="list-style-type: none"> •With or without legal personality •Legal personality can be private or public •Different level of integration •Different size and different number of partners 	<ul style="list-style-type: none"> •Mostly no legal personality •Mostly regional actors •Larger geographic scope •Platform for exchanging information and for establishing contacts 	<ul style="list-style-type: none"> •No clear legal status •Concentration on a certain conurbation •Forum for the intensification of crossborder contacts

Alice Engl 02.04.2009 3

EURAC research Institute for Minority Rights

However, these classifications are a **theoretic concept**, which does not necessarily correspond to the practice.

On the **ground**, the forms are **overlapping**...

- The Eurodistrict Strassbourg-Ortenau resembles a Euroregion
- The Eurodistrict Region Freiburg/Centre et Sud Alsace is organized as Working Community
- The Carpathian Euroregion and the Black Sea Euroregion have elements of transnational cooperation

Territorial cooperation is a heterogenous phenomenon which is difficult to be scientifically analyzed from a comparative perspective.

Alice Engl 02.04.2009 4

EURAC research Institute for Minority Rights

Complexity and lack of transparency are caused by legal ambiguity

- ⌘ No European-wide legal framework
- ⌘ CoE Madrid Convention and its two Protocols have not been ratified by all states (actually only roughly one third of the CoE member states has ratified all the three documents)
- ⌘ Legal basis for territorial cooperation is to be found in national constitutions and bi- or multilateral interstate agreements

However:

- National constitutions are often quite restrictive
- Not every border area is covered by an interstate agreement
- Interstate agreements include different provisions and produce different outcomes

Alice Engl 02.04.2009 5

EURAC research Institute for Minority Rights

The EC Regulation on a European Grouping of Territorial Cooperation (EGTC)

- A new Community legal framework
- Adopted in July 2006
- It is the first Community legal instrument which grants substantial rights to local, regional and national authorities to set up joint structures for a more efficient collaboration

Could the EGTC Regulation contribute to a harmonization of the legal basis for territorial cooperation?

Alice Engl 02.04.2009 6

An EGTC...

- Can be composed of member states, regional authorities, local authorities and bodies governed by public law
- Implements EU funded territorial cooperation programmes, but can carry out as well actions not financed by the EU
- Is vested with legal personality
- Has at least an assembly and a director as organs

} Could favour a harmonization effect

Aspects which could impede approximation tendencies:

EGTC Regulation includes numerous references to the national law:

1. National provisions cover elements which have been left open in the Regulation (tasks and legal regime)
2. Many characteristics of an EGTC will be determined by the law of the state where it has its headquarter
3. Participation in an EGTC can be prohibited if it is not in conformity with national law. Thus, restrictive national law prevails?

Conclusion

These features of the EGTC Regulation could rather **widen the disparities** between the situations of local and regional authorities instead of harmonizing the legal basis.

Authorities that do not operate within a legal framework **might not be able to take advantage** of the opportunities provided by the EGTC Regulation because of the numerous references to provisions of national law and because of their eventual precedence.

Thank you very much for
your attention!

Best Practices + European Territorial Cooperation + Spatial Planning = Convergence?

Dominic Stead
09/04/2009

"To what extent are... policy instruments, which have proved to be successful in one urban area, transferable to another, given that the latter has a different historical, cultural or political background, or is in another phase of economic development? Are there best practices which are convertible like currencies? If not, how and to what extent must one take account of specific circumstances?"

Guller, 1996

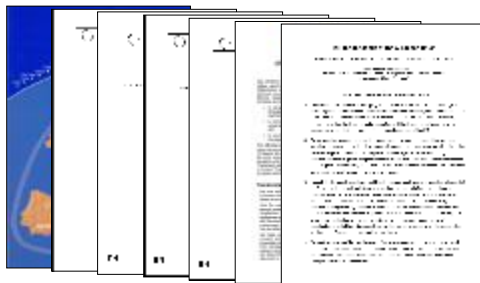
"European Territorial Cooperation programmes are founded on the assumption that best practices are equally applicable and effective in another setting, and that the development and dissemination of best practice will help to lead to improvements in policy and practice in other countries, regions or cities. This paper argues that such a belief is too simplistic."

Content

- the prevalence of European best practice
- the validity of European best practice
- the role of European best practice
- future directions for policy and research on best practice

à relation to spatial planning

Best practice in EU policies



Best practice in EU policies



"the EU can best support Member States and local authorities by promoting Europe's best practices, facilitating their widespread use throughout Europe and encouraging effective networking and exchange of experiences between cities"

"improving local authorities' access to existing solutions is important to allow them to learn from each other and develop solutions adapted to their specific situation"

Best practice in EU programmes



Best practice in EU programmes/policies

- **accepted wisdom:** the assumption that the dissemination of best practice can lead to policy change
- **assumed logic:** by providing information or knowledge about specific initiatives, other individuals and/or organisations will be able to undertake similar projects or processes, or learn from the experience, which will then lead to policy change
- **evidence gap:** despite the prevalence of best practice in policies and programmes, relatively little is known about the ways in which best practices are used

Global best practices

2006 Best Practices Database

Title or location	Country	City	Year	Location
Private Real Estate through Food Security and Environmental Protection	Israel	Ramat Gan, Be'er Sheva	2004/05	IS
High Quality Service - Housing	Spain	Barcelona	2004/05	ES
Intelligent Urban Planning Development Program	China	Beijing	2004/05	CN
RENEW VILLAGES DEVELOPMENT STRATEGY	Spain	Barcelona	2004/05	ES
Code for Sustainable Use of Land	Spain	Madrid	2004/05	ES
CONCEPT FOR DEVELOPMENT	Spain	Madrid	2004/05	ES
Intelligent Urban Planning Development Program	China	Beijing	2004/05	CN
Intelligent Urban Planning Development Program	China	Beijing	2004/05	CN

The validity of best practice

- **applicability:** large number and diversity of member states; substantial differences in governance, administrative cultures and professional capacities; different effects in different situations (Europeanization)

"the Europeanization of spatial planning in the Mediterranean countries neither follows uniform mechanisms nor produces homogenous domestic structures and spatial planning identities"

Giannakourou, 2005

The validity of best practice

- **origin:** governments are becoming increasingly active in developing (or claiming) innovative policies, which they sell as 'success stories' and best practice; projects often feel obliged to identify best practice

"in this new competitive world of territorial governance, most units depict themselves as winners"

Lidström, 2007

The validity of best practice

- **detail:** stories often sanitised; lack of complete information to replicate practice elsewhere; details of how practices were put into place, and any difficulties or failures along the way, are not always described

"expressing tacit knowledge in formal language is often clumsy and imprecisely articulated"

Hartley & Allison, 2002

The validity of best practice

Ideas
Principles for action
Philosophy
Methods
Techniques
Know-how
Operating rules
Programmes
Institutions
Modes of organisation
Practitioners
Joint projects

The validity of best practice

Visibility	Component for exchange	Transferability
Low	Ideas Principles for action Philosophy	Low
Medium	Methods Techniques Know-how Operating rules	High
High	Programmes Institutions Modes of organisation Practitioners Joint projects	Low

Source: OECD, 2001

The role of best practice

- **impacts:** government documents and professional networks are more important than good practice examples in influencing new policy; medium-low impact of national examples – even lower impact of international examples

	national examples	international examples
Big effect	2%	1%
Significant effect	11%	1%
Some effect	69%	21%
Very little effect	16%	42%
No effect	1%	35%

Source: Wolman & Page, 2002

The role of best practice

- **impacts:** government documents and professional networks are more important than good practice examples in influencing new policy; medium-low impact of national examples – even lower impact of international examples
- **monitoring gap:** lack of information about the precise impacts and implications of identifying and disseminating best practices; little knowledge in the area of spatial planning
- **need:** is there a real need/demand for best practice or is it primarily a supply-led activity? If there is demand, where is it and what is needed and by whom?

Conclusions

"To what extent are... policy instruments, which have proved to be successful in one urban area, transferable to another, given that the latter has a different historical, cultural or political background, or is in another phase of economic development? Are there best practices which are convertible like currencies? If not, how and to what extent must one take account of specific circumstances?"

Güller, 1996

Conclusions – Central and Eastern Europe

- many common issues for spatial planning between western and eastern Europe, which might make the idea of best practices appealing BUT:
 - lower levels of trust in the role of government (van Dijk, 2002; Mason, 1995)
 - position of spatial planning is weaker (Maier, 1998)
 - planning systems are not as mature (Adams, 2007)
 - different effects in different situations (Giannakourou, 2005)

Conclusions – a reappraisal?

- **policies and programmes:** reappraise the importance of good practice for European policies and programmes, by means of the following:
 - **transferability:** still in its infancy; need to draw on theories of policy transfer, lesson drawing and Europeanization
 - **utility:** how best practices are used (if at all) and what level of effect they have on policy-making
 - **impact:** can the same example of best practice take root in different ways depending on the context?

end




Exploring inter-territorial cooperation: On joined-up government in Romania

By Diana – Camelia Iancu 

Prepared for the International Conference
"Innovation for Good Local and Regional Governance.
A European Challenge", Enschede: 2-3 April 2009







Exploring inter-territorial cooperation

Contents:
Concept Exploration



1. When Government needs to do more and better – On Governance
2. Governing by "Joined-up Government"
3. Inter-territorial cooperation: A possible approach to joining-up government?

Exploring inter-territorial cooperation

Contents:
Concept Analysis

4. On Government's choices and Governance's approach in Decentralizing Romania
5. Romanian "Joined-up government": The Case of Public order and Safety service
6. Romanian "Joined-up government" in the context of inter-territorial cooperation



Exploring inter-territorial cooperation

Concept Exploration

1. **Joined-up Government:**
 - = model of policymaking, implying working across organizational boundaries (be it between portfolios or departments within a tier of government, different tiers of government, government and other sectors or the community etc.) without removing the boundaries themselves

Forms:

- Whole of Government Integration
- Service Delivery Integration
- Integration around Programs






Exploring inter-territorial cooperation

Concept Exploration

2. **Inter-territorial cooperation:**
 - = any concerted action designed to establish relations between territorial communities or authorities of two or more Contracting Parties, other than relations of transfrontier co-operation of neighboring authorities, including the conclusion of co-operation agreements with territorial communities or authorities of other States

Where? Between who? Under whose rules?

Exploring inter-territorial cooperation

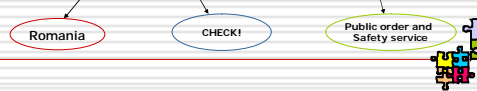
Concept Analysis

Departure point:

Is it possible to talk of joining-up arrangements of inter-territorial nature?


Ways of investigation:


Take a country with joined-up government practice and inter-territorial cooperation and find cases of joining-up, inter-territorial government.



```

graph LR
    A([Romania]) --> B([CHECK!])
    B --> C([Public order and Safety service])
  
```







Exploring inter-territorial cooperation

Concept Analysis

Results:

1. Joined-up practice in Romania..... ✓
2. Inter-territorial cooperation in Romania..... ✓
 - Legal framework
 - Practice
3. Joined-up, inter-territorial government..... X




Exploring inter-territorial cooperation

Concept Analysis

To be done:

- Refining the research hypotheses ← I'm here!
- Broadening the inquiry (subjects, techniques)
-



Exploring inter-territorial cooperation: On joined-up government in Romania

Thank you for your comments!

D.C. Iancu
dciancu@snsa.ro

NEW CHALLENGES FOR CROSSBORDER COOPERATION

Bart van Winsen
EUREGIO / AEBR



AEBR

- The Association of European Border Regions
- Founded in 1971: 96 members.
- Represents common interests in cross-border cooperation
- A "European Platform" for border and cross-border developments
- Important role in future: further strengthening CBC
- Cross-border as key element in European Integration

ADDED VALUE OF CROSS-BORDER COOPERATION

- Multilevel governance in practice:
- European Integration because of p2p-contacts
- Contribution to the Lisbon strategy e.g.
 - research and innovation
 - cross-border networks
 - exchanges of best practices and know-how
 - synergies by cross-border activities
- Territorial cohesion e.g. spatial planning

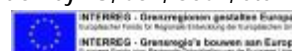
CONDITIONS FOR SUCCES

- Crucial: Political will and active involvement and participation
- joint responsibility
- engagement of the partners by common goals
- Praxis-orientated activities



NEW CHALLENGES

- More funding for CBC: 5.5 billion (2007-2013)
- ENPI: 15 programmes Eastern and Southern Europe (1.1.billion)
- EGTC: added value for cooperation across the border
- More awareness at different levels: priority for European policy
- Cooperation by EU, CoE, OSCE, etc. is essential





EXAMPLE EUREGIO

- The oldest and the best?
- Surely with a lot of experiences!
- Laboratory for further European integration
- Success because of:
 - growing bottom-up: that means: p2p- approach
 - growing step-by-step
 - political acceptance in the region
 - real partnership in projects and EUREGIO-structures



EXAMPLE EUREGIO

- Still a model for crossborder cooperation elsewhere?
- EUREGIO is:
 - innovative in several programs and projects
 - has a democratic dimension by their own parliament: The Euregio Council



Kunst Naaber Shop

- Partners: EUREGIO, cultural organisations, universities
- Objective: to get to know the neighbours; student's training
- Activities: competition between student's pieces of art; public sale of pieces of art
- Success: to know differences, similarities, prejudices between neighbours; get to know oneself



Kiib - Artificial intelligence in your company

- Partners: EUREGIO, regional development agencies, universities / consulting engineers
- Objective: increasing competitiveness of SMEs (technology-transfer and cooperation between SMEs, universities and engineering companies across the border)
- Activities:
 - technology consult (36 SMEs)
 - feasibility study (53 SMEs)
 - prototype development (28 SMEs)



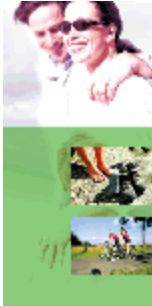
Cross-border civil protection

- Partners: regional fire brigades in the EUREGIO
- Activities:
 - development of first cross-border danger defence plan in Europe
 - common practices
 - creation of basic conditions for implementation



EUREGIO touristic marketing crossborder-region

- Partners: EUREGIO and the 5 regional tourism associations in the EUREGIO
- Objective: increase of tourists / visitors from the neighbouring country
- Activities: development of touristic products and common marketing
- Success: 5-75% more overnight stays (depends on the region)



EUREGIO - SLOBOZHANSCHINA

*celebrated their anniversary together:
50 years – 5 years

The “oldest and the youngest” member

*did they learn from each other during the party?



Thank you for your attention!