

# CROSS-BORDER CO-OPERATION: A TOOL OF DEMOCRATISATION?

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# 1. The Council of Europe and crossborder cooperation

- The significance of crossborder cooperation for the achievement of the goals of the Council of Europe: **greater unity**
- **Evolution in the fields covered by intergovernmental cooperation:** from social and economic affairs, cultural cooperation and legal issues – to environment, youth, municipal affairs in the 1970s
- The impact of the **Helsinki conference (1975)** on Security and Cooperation in Europe
- **Europe is taking roots:** let citizens and not only diplomats and politicians make it!
- Various actors in the Council of Europe – Parliamentary Assembly, Standing conference of local and regional authorities – one sole goal: **a greater unity**

## 2. The legal framework of crossborder cooperation in Europe

- Three **major legal instruments**: Madrid Outline convention (1980), Additional protocol (1995), protocol No 2 (1998) and protocol No 3 (2009).
  - **MOC** commits Parties to “facilitate and foster” transfrontier cooperation including through arrangements and agreements between local authorities
  - **Additional protocol** allows for the establishment of bodies of transfrontier cooperation with or without legal personality
  - **Protocol No 3** provides a detailed list of provisions enabling the setting up of a specific European body to manage effectively crossborder cooperation (ECG).
- To be checked against **EGTC** set up by Regulation 1082/2006 of the European Parliament and the Council

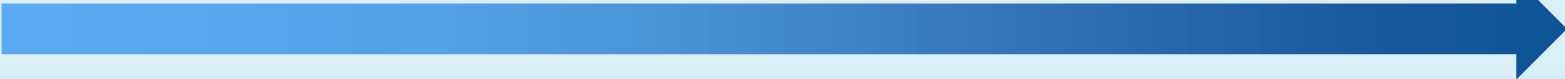
### 3. Participation in crossborder cooperation

- **Protocol No 3 explicitly refers to ECG** as a body set up “for the benefit of the populations” (an analogous detail is missing in the EGTC Regulation)
- What is the **place of the local population** in the management of crossborder initiatives?
  - In Europe, **102 million people live along a border** (meaning at a distance of 45’ from a border)
  - Approximately **8 million people live in such urban agglomerations** as Basel – Copenhagen/Malmö-Geneva-Lille-Luxembourg-Strasbourg-Vienna/Bratislava

**CBC arrangements** lack the direct political accountability of the public institutions they pull together but are still subject to a wider spread of accountability as:

- Citizens and beneficiaries want to know how the CBC entity is performing; but they must first understand the CBC and its operations.
- They are expected to be efficient and effective. Poor performance will undermine the value of the CBC; people will begin to see it as a waste of time and money.
- Partner municipalities and their citizens want to be sure that one partner is not benefitting at the expense of the others; this requires good communications and a culture of trust and cooperation.
- Decision-making processes have to be transparent so that people have confidence in the integrity of the CBC entity.
- The delegated CBC members represent the interests of their own municipality at the same time as they represent the interests of the citizens of all the partner municipalities.





		Phases of decision-making					
		Priority Setting	Drafting	Decision	Implementation	Monitoring	Policy Tuning
Intensity of participation	Information						
	Consultation						
	Dialogue						
	Partnership						





# Some examples from current practice across European states

## Lille-Courtrai

		Phases of decision-making					
		Priority Setting	Drafting	Decision	Implementation	Monitoring	Policy Tuning
Intensity of participation	Info.	-	-	-	Organisation of open CBC festivals	-	-
	Consultation	-	On the online Infodesk space for feedback/inputs will be created for citizens	-	-	-	-
	Dialogue	Forum Of civil society (80 representatives) – 4 plenary sessions per year to give inputs on the agenda setting and drafting		-	-	Forum Of civil society (80 representatives) – 4 plenary sessions per year to give feedbacks on implemented policies	-
	Partn.	-	-	-	-	-	-

# Ister-Granum

		Phases of decision-making					
		Priority Setting	Drafting	Decision	Implementation	Monit.	Policy T.
Intensity of participation	Information	-	-	-	A catalogue of CSO has been created and CSO are informed about EGTC policies	-	-
	Cons.	-	-	-	-	-	-
	Dialogue	Civil Forum – citizens/CSO that participate to EGTC meetings. Decisions and opinions formulated by the forum are then forwarded to the Assembly	Civil Forum – citizens/CSO that participate to EGTC meetings. Decisions and opinions formulated by the forum are then forwarded to the Assembly  Individual CSOs involved as project partners in drafting of project proposal	-	Individual CSOs involved as partners in projects implementation	-	-
	Partn.	-	-	-	-	-	-

# EGTC – Gorizia/Nova Gorica

		Phases of decision-making					
		Priority Setting	Drafting	Decision	Implementation	Monitoring	Policy Tuning
Intensity of participation	Information	Front desk open to the public	Front desk open to the public	Website and socials Front desk open to the public	Website and socials Front desk open to the public Conferences open to the public	Website and socials Front desk open to the public	Website and socials Front desk open to the public
	Consultation	-	Stakeholders instances incorporated in the drafting of 3 pilot actions at CBC level	-	Conferences open to the public/open days to gather citizens' feedbacks	-	-
	Dial.	-	-	-	-	-	-
	Partnership	-	Working committees on thematic priorities of EGTC	-	-	Working Committees on thematic priorities of EGTC	Feedbacks from stakeholders attending the Working committees are integrated in the reformulation

# Frankfurt/Oder – Slubice

		Phases of decision-making					
		Priority Setting	Drafting	Decision	Implementation	Monitoring	Policy Tuning
Intensity of participation	Information	Information available via newsletters and published on website	Information available via newsletters and published on website	Information available via newsletters and published on website	Information available via newsletters and published on website Joint Council meetings open to citizens to report on actions/strategies	Press releases on monitoring of implemented actions/strategies	Information available via newsletters and published on website
	Consultation	Future Conference – CB conference organised to gather insights from citizens and stakeholders on 'visions' for the CBC area towards 2020	–	–	Workshops during City councils, where citizens can feedback on results/impact of implemented actions/strategies	Organisation of follow-up meetings to Future conference to get a feedback on implemented actions	–
	Dialogue	–	Questionnaire – to parents on the interest in Polish classes in German schools	–	Involvement of parents associations in the campaigning for awareness raising towards German – Polish school	–	–
	Partn.	–	–	–	–	–	–

# Eurodistrict Basel

		Phases of decision-making					
		Priority Setting	Drafting	Decision	Implementation	Monitoring	Policy T.
Intensity of participation	Information	--	--	--	CBC activities/initiatives are published on the official website and disseminated through newsletter Information on 3Land project disseminated through a travelling exhibition	--	--
	Consultation	Feedbacks collected from citizens (questionnaire) on urban planning needs/suggestions		--	--	Feedbacks collected from citizens (/through questionnaire) on perception of CBC area	--
	Dial.	--	--	--	--	--	--
	Partnership	--	--	--	400.000 € allocated in a fund for civil society projects in the field of culture, environment, language, music , sports	--	--

**Citizens' engagement in CBC structures** allows for and contributes to:

- Increased democratic legitimacy of CBC structures and sense of ownership of citizens in cross-border areas towards CBC arrangements, projects and initiatives;
- Improved multi-level governance opportunities as it implies vertical and horizontal integration of stakeholders in the decision-making process;
- Improved responsiveness of policies to local needs;
- Enhanced quality, efficiency and sustainability of decision-making of cross-border governance structures;
- Improved capacities of LAs, CBC authorities and citizens in developing the cross-border areas through multi-lateral dialogue.

## The possibility of implementing citizens' engagement in CBC governance structures and strategies, and their success is directly linked with:

- Citizens knowledge and awareness of:
  - cross-border governance (legal and financial) mechanisms;
  - the action being undertaken at cross-border level.
- The pre-existence of functional networks among the civil society based on citizens' own social capital;
- The involvement of citizens in the decision-making process from the very beginning of CBC activities, regardless of the level of institutionalisation of CBC;
- The availability of resources dedicated to CSOs/citizens' involvement and capacity building initiatives.

## 4. Do we need to make a bold step in crossborder cooperation?

- Crossborder cooperation is not made for the benefit of institutions or bodies but **for the peoples living in a given – frontier – area**.
- For this cooperation to be successful, it **has to be understood, shared, seen to be delivering the goods by the citizens**.
- **Transparency** and **accountability** are the key words of a successful crossborder cooperation.
- **Democracy at crossborder level** is a big step forward and a formidable challenge:
  - How to define the cross-border area?
  - How to accommodate existing institutions and representative bodies or mechanisms?
  - Is a transfrontier territory a fancy idea?
- Is the concept of **multilevel governance** of any help here?
- The success or failure of the **“idea of Europe”** depends on its frontiers not disappearing but becoming spaces of dialogue, cooperation and shared prosperity.



**THANK YOU  
FOR YOUR  
KIND ATTENTION!**

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Budapest, 25 April 2019