

DIRECTORATE-GENERAL FOR INTERNAL POLICIES

POLICY DEPARTMENT
STRUCTURAL AND COHESION POLICIES **B**



Agriculture and Rural Development



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**EUROPEAN GROUPING OF
TERRITORIAL COOPERATION
AS AN INSTRUMENT FOR
PROMOTION AND IMPROVEMENT
OF TERRITORIAL COOPERATION
IN EUROPE**

STUDY





DIRECTORATE GENERAL FOR INTERNAL POLICIES
POLICY DEPARTMENT B: STRUCTURAL AND COHESION POLICIES

REGIONAL DEVELOPMENT

EUROPEAN GROUPING OF TERRITORIAL
COOPERATION AS AN INSTRUMENT FOR
PROMOTION AND IMPROVEMENT OF
TERRITORIAL COOPERATION
IN EUROPE

STUDY

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REGIONAL DEVELOPMENT

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Abstract

This study provides a critical analysis of EGTCs in light of their potential to improve territorial cooperation in Europe. On the basis of a literature review and case studies, the study offers insights into previous achievements of EGTCs, obstacles of their foundation and functioning as well as on their future perspectives. Recommendations have been derived to contribute to the opinion-forming process of the European Parliament about general lessons, future potentials and possibilities for further improving the instrument.

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LIST OF ABBREVIATIONS

CBC	Cross-border Cooperation
CETC	Central European Transport Corridor
CF	Cohesion Fund
CPR	Common Provisions Regulation
CLLD	Community-Led Local Development
CODE24	Interregional Alliance for the Rhine-Alpine Corridor EVTZ
CoR	Committee of the Regions
ERDF	European Agricultural Fund for Rural Development
EEIG	European Economic Interest Grouping
EGTC	European Grouping of Territorial Cooperation
EMFF	European Maritime and Fisheries Fund
ERDF	European Regional Development Fund
ENI	European Neighbourhood Instrument
ENP	European Neighbourhood Policy
ESIF	European Structural and Investment Funds
ESF	European Social Fund
ETC	European Territorial Cooperation
EU	European Union
EUKN	European Urban Knowledge Network
HC	Hospital de la Cerdanya/Hôpital de Cerdagne
IPA	Instrument for Pre-accession Assistance
ICT	Information and Communication Technology
ITI	Integrated Territorial Investment

IP	Investment Priority
Ltd.	Limited Liability
MA	Managing Authority
MC	Monitoring Committee
MS	Member States
MOT	Mission Opérationnelle Transfrontalière (Cross-border operational mission)
OCT	Overseas Countries and Territories
OP	Operational Programme
PA	Partnership Agreement
SME	Small and Medium-sized Enterprises
SPF	Small Project Fund
TFEU	Treaty on the Functioning of the European Union
TO	Thematic Objective(s)
UN	United Nations

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EXECUTIVE SUMMARY

By adopting Regulation (EC) No 1082/2006 of 5 July 2006, a new instrument for territorial cooperation was established: the European Grouping of Territorial Cooperation (EGTC). An amending regulation was adopted in 2013 and came into force in June 2014. Since 2006, up to 54 EGTCs have been established (until April 2015). The EGTC instrument is used for various purposes and can thus be characterised as an instrument that can be flexibly applied in different contexts as regards member constellations, thematic focuses, or different legal backgrounds in the respective EU Member States. Compared to other instruments for territorial cooperation, the EGTC legal instrument is a relatively new and not yet matured instrument, and different challenges occur in the founding and running of EGTCs.

In order to contribute to the debate on how to improve the instrument in the future, the European Parliament's REGI Committee seeks to gain insights into the use of the EGTC instrument.

The study's overall aim is to assess the role EGTCs play for EU Cohesion Policy in general and for European Territorial Cooperation (ETC) in particular. It furthermore presents a clear picture of recent involvement and the potential for future involvement concerning the European Neighbourhood Policy and outermost regions. As the amended regulation came into force less than one year ago, only the first achievements could be taken into consideration to develop tentative conclusions for further developing the EGTC regulation. This regards for instance the amendments for the participation of overseas countries and territories (OCT), the greater variety of potential tasks of an EGTC and the changed approval procedures.

The study is divided into five main chapters. The first two chapters build the basis for the analysis in the remaining chapters: Chapter 1 describes the objectives, design and methodology in more detail, and Chapter 2 describes the EGTC legal instrument. With the adoption of the EU Cohesion Policy regulations 2014-2020, the legal embeddedness of the EGTC instrument in EU Cohesion Policy has been strengthened. EGTCs may contribute to the implementation of EU Cohesion Policy for instance by implementing Joint Action Plans or acting as Managing Authority or as sole beneficiary of a programme.

The analysis shows that the instrument is still little used for managing EU Cohesion Policy funds. The majority of EGTCs aim to conduct cross-border cooperation projects and deal with several themes relevant for cross-border areas. Only recently has the EGTC instrument become more prominent for facilitating theme-specific cross-border cooperation and transnational and interregional forms of cooperation. The EGTCs furthermore vary considerably in terms of size, both in terms of the number of members and the covered territory.

The analysis of EGTCs in practice allows for drawing general lessons on their application and development as discussed in Chapter 3. Practical experience shows how motivations differ for founding an EGTC and which factors may facilitate or hamper the set-up of an EGTC. The creation of an integrated strategic approach for regional development, stabilisation and continuity of cooperation, increased visibility of cooperation and the improvement of the participation in EU programmes are particularly important motivations. National legal differences and different ways of implementation of the EGTC regulation remain and may either delay or even impede the foundation of EGTCs.

The objectives and tasks found within EGTCs are as varied as the motivations. They typically conduct joint projects, facilitate cross-border communication, promote exchange and learning processes and develop thematic plans, strategies or visions. These tasks are performed particularly often in the fields of spatial development, transport, tourism, environment and culture.

Correspondingly, the main achievements of EGTCs also vary considerably. Some have already made successful use of EU funds, mostly from Interreg programmes. However, they have also realised various benefits without necessarily using EU Cohesion Policy funds and still contribute to this policy's objectives. Nevertheless, not all EGTCs are similarly successful. Some EGTCs suffer, e.g. from limited resources, low institutional capacities or a lack of political commitment. Despite the theoretical option that EGTCs may be considered as private entities, they are (nearly) all public entities. Liability decisions are often influenced by national rules of the seat country rather than independently decided by the EGTC members. Location decisions are mostly the result of assessments of selected criteria or are based on one player's particularly strong role in the initiation process or level of commitment.

Both the development of the EU Cohesion Policy programmes for the funding period 2014-2020 and the amendment of the EGTC regulation raise the question of which role EGTCs may play in the future. This is discussed in Chapter 4 of the study. The analyses point out that there is principally a strong alignment between the objectives of the EGTCs and EU Cohesion Policy objectives 2014-2020. Nevertheless, the number of Operational Programmes referring either to EGTCs as single beneficiaries in general or to specific EGTCs in their programme area is still rather low. In part this may result from the small size of the EGTC in relation to the programme areas. If EGTCs are mentioned they usually occur in ETC programmes, and several EGTCs were actually involved in the programming of ETC programmes relevant for them. Although there is some interest among EGTCs to utilise the more integrated instruments of Community-Led Local Development (CLLD) or Integrated Territorial Investment (ITI), they rarely seem to be available to EGTCs.

The future role of EGTCs is also considered with respect to the territorial dimension of its use, i.e. in how far the EGTC instrument provides a new potential for neighbouring countries and outermost regions. Despite some attempts to include regions from neighbouring countries as members in EGTCs, this has not yet materialised. Further attempts are under way. Similarly, the attempts have been even fewer in outermost regions where so far no EGTC exists; however, the foundation of one corresponding EGTC is currently in process. Lack of knowledge and institutional capacity seems to hamper the use of the EGTC instrument in the outermost regions, whereas various reasons have prevented the inclusion of members from neighbouring countries.

The conclusions of the study are presented in Chapter 5. They point out some general lessons and specify typical key success factors. Some of the elements that successful EGTCs build on are: well-coordinated cooperation structures, the ability to identify and communicate the specific added value of the EGTC instrument, having a common understanding of how to achieve their long-term objectives and making the required resources available. Some more forward-looking conclusions reveal the quantitative and qualitative changes the EGTC instrument is able to achieve.

1. INTRODUCTION

The European Grouping of Territorial Cooperation (EGTC) was created with the adoption of the Regulation (EC) No 1082/2006. This Regulation was revised during 2011-2013, and the amended regulation came into force in June 2014. The EGTC is an instrument with legal personality which allows institutions under public law to cooperate across Member States borders and to act in one name.

The European Parliament's Committee on Regional Development (REGI Committee) commissioned an analytical study on "European Grouping of Territorial Cooperation as an instrument for promotion and improvement of territorial cooperation in Europe" within the corresponding framework contract led by the ÖIR (Austrian Institute of Regional Studies).

1.1. Scope and objectives of the study

The REGI Committee wishes to gain knowledge on the potential of the EGTC instrument for promoting and improving territorial cooperation in Europe. The knowledge shall enable the REGI Committee to contribute to discussions on further developments of the EGTC instrument, e.g. with regard to the ambitions of the incoming Luxembourg Presidency for further developing the legal basis for cross-border cooperation and in preparation of the post-2020 regulations.

In general, the study aims to assess the role of EGTCs in Cohesion Policy and in European Territorial Cooperation (ETC) in particular. This encompasses both participation as a beneficiary and the management or preparation of Operational Programmes (OP). Within this overall scope, the potential role of EGTCs in neighbourhood policy and outermost regions is also assessed, since these were objects of substantial interest prior to the regulation's amendment in 2013. By taking into account the amended EGTC regulation, the study assesses the achievements of EGTCs to date as well as developing future-oriented conclusions.

In order to provide insights into these rather different perspectives of the implementation of EGTCs, the report is divided into the three main chapters 2, 3 and 4, which are followed by the final conclusions in Chapter 5. Chapter 2 introduces the instrument legally and in terms of practical applications. Chapter 3 is dedicated to the main lessons that can be drawn with regard to EGTC set ups, their objectives, tasks, challenges and achievements. The findings with respect to future contributions of EGTCs to Cohesion Policy and the potential role of EGTCs in and for outermost regions and in the context of neighbourhood policy are reflected in Chapter 4. The conclusions that may be drawn on this instrument's overall potential to promote and improve territorial cooperation in Europe are given in the final chapter. The Annex contains further in-depth information including in particular summaries on EGTCs that were analysed in more detail and the latest list of EGTCs that have been established since the introduction of the instrument in 2006.

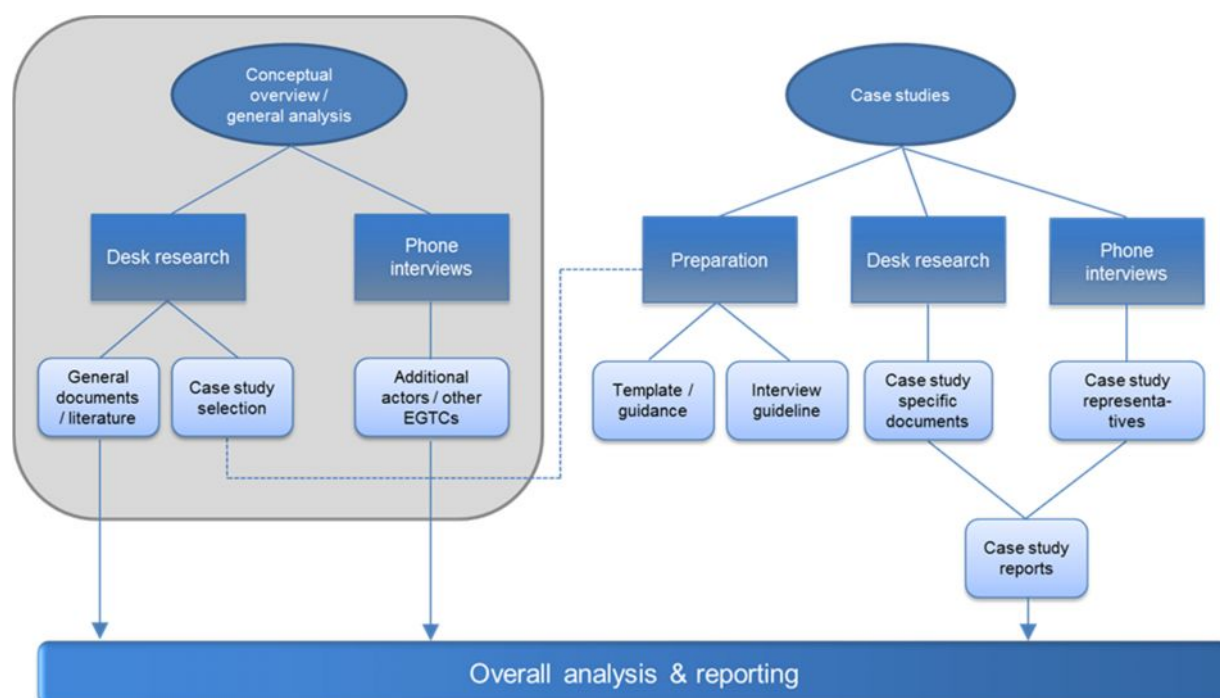
1.2. Methodology

The study focuses on two principal themes that build on its overall aim as mentioned in the introduction, i.e. (1) general lessons from past experiences of EGTCs and (2) perspectives on future potentials and roles of EGTCs in EU Cohesion Policy.

Three types of methodology were used for achieving the study's objectives, namely desk research, interviews and case studies. The following figure indicates the links and sources of

the analyses and illustrates which methods were used for which analytical step. The results of the three types of methodology were integrated into the overall analyses across case studies, summaries and the final report. The grey box around the elements of the general analysis indicates that this represented the main part of the overall study. Examples and illustrations draw on more than the case studies for which in-depth information was collected and analysed. Case studies and additional information from other single EGTCs illustrate practical applications and findings, i.e. they make the abstract EGTC instrument more concrete. Case studies or information from other individual EGTCs was also used to fill in information gaps at the general level. Furthermore, interviews with representatives from EGTCs, Managing Authorities (MA) or other relevant institutions involved in the set-up or running of EGTCs provided in-depth information. Summaries of in-depth case study reports are provided in the Annex.

Figure 1: Methodological overview of the study approach



Source: Author.

1.2.1. Conceptual overview

The conceptual overview was the backbone of the study. It included an overall in-depth literature review to produce a descriptive overview on the evolution of the EGTC instrument and its use in practice. It covered academic literature, the EGTC regulation and other relevant policy documents. Furthermore, based on official EGTC-related documents and reports, an overview of existing EGTCs was produced to develop a basis for the case study selection.

Telephone interviews were conducted and additional information was requested from representatives of various institutions involved in setting-up and further developing the EGTC instrument and EGTCs. This also included interviews with representatives who could inform about the use of EGTCs in the context of neighbourhood countries and in outermost regions.

1.2.2. Case studies

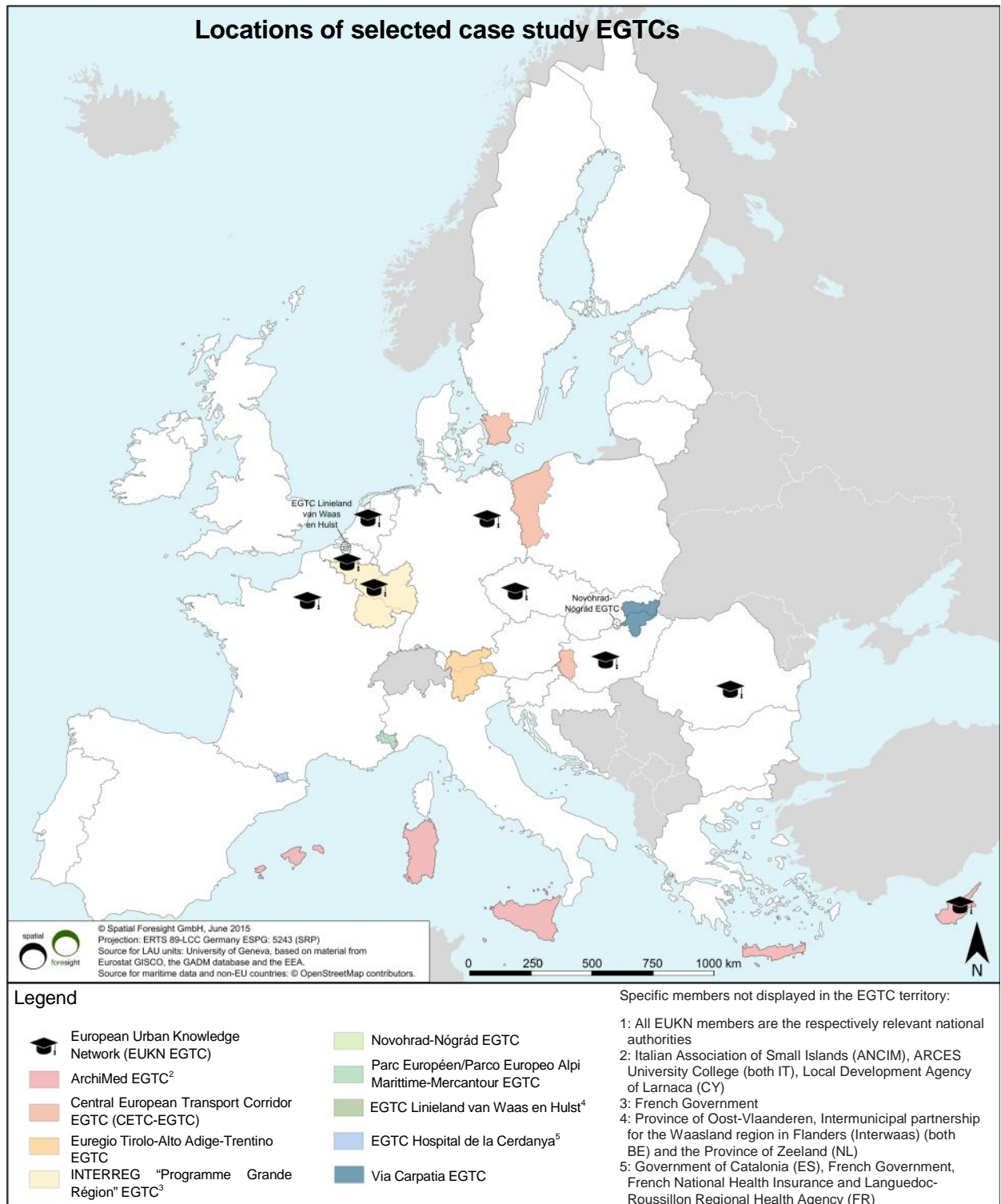
Ten case studies were conducted to obtain in-depth insights on the application of the EGTC instrument. Although the findings and conclusions of this study are generally based on more than the ten case studies, for some aspects, such as EU Cohesion Policy contributions in the past and expected for the future, the main achievements and rationales for the chosen legal forms could only be analysed in the context of in-depth case studies rather than for all EGTCs. In order to obtain an overview of possibly different motivations and objectives, challenges, successes and the future role in Cohesion Policy, different “types” of EGTC were identified from the overall sample of 50 EGTCs that were established at the end of 2014 (Committee of the Regions, 2015), when the study started.¹ The EGTCs were distinguished according to characteristics relevant for the study’s objectives in as far as they were accessible by literature review and were differentiated according to the following critical aspects and characteristics:

- (1) territorial coverage (cross-border, transnational, interregional),
- (2) use of EU Cohesion Policy Funds in the past,
- (3) role in EU-financed Territorial Cooperation,
- (4) theme specific vs. cross-thematic objectives and actions,
- (5) involved Member States and national seat incl. geographical location,
- (6) types of members according to the EGTC regulation,
- (7) legal framework with regard to liability and application of public or private law.

A review of all EGTCs regarding these characteristics was made in order to select a sample of EGTCs that covered all potentially relevant types. The following map indicates the territories covered by the selected case study EGTCs, and the table provides a corresponding overview of these case studies with respect to the above-mentioned characteristics.

¹ According to the latest list of the Committee of the Regions (CoR) list of registered EGTCs, currently 53 EGTCs are registered (as of March 24, 2015). At least one further EGTC was founded afterwards, on 24 April 2015. For an overview of EGTCs see Annex A.2.

Figure 2: Locations of selected case study EGTCs



Source: Spatial Foresight 2015.

Table 1: Main characteristics of selected case studies²

EGTC name	Currently involved MS	Founda-tion year	Role in EU Cohesion Policy	Scope	Current no. & types of mem-bers	Legal framework
Europaregion Tirol-Südtirol-Trentino	IT/AT	2011	IVA Project	Cross-border/cross-thematic	3 – regional au-thorities	Unlimited/public
Linieland van Waas en Hulst EGTC Ltd.	BE/NL	2011	IVA Projects	Cross-border/cross-thematic	7 – local & re-gional authorities	Limited/public
Novohrad – Nógrád' EGTC Ltd.	HU/SK	2011	IIIA Project	Cross-border/cross-thematic	2 – local authori-ties	Limited/public
Via Carpatia Ltd.	SK/HU	2013	Programming Process	Cross-border/cross-thematic	2 – regional au-thorities	Limited/public
Grande Région EGTC	FR/DE/LU/BE	2010	Managing Authority	Cross-border/theme specific	11 – Member States, regional & local authorities & minority com-munities	Unlimited/public
EGTC Parco Europeo/Parc Européen Alpi Marit-time – Mercan-tour	FR/IT	2013	IVA funding before EGTC creation	Cross-border/theme specific	2 – national & nature parks	Unlimited/public
Central European Transport Corri-dor EGTC Ltd.	SE/PL/HU	2014	none	Transnational/theme specific	5 – regional au-thorities	Limited/(public) as-sociation
EGTC ArchiMed	IT/ES/CY/G R	2011	none	Interregional/cross-thematic	10 – regional & local authorities & NGOs	Unlimited/public
EUKN – Euro-pean Urban Knowledge Net-work Ltd.	BE/CY/CZ/F R/DE/HU/L U/NL/RO	2012	none	Interregional/theme specific	9 – Member States	Limited/public
Hospital de la Cerdanya/Hôpital de Cerdagne EGTC	ES/FR	2010	IVA Project	Cross-border/theme specific	4 – Member State, regional authority, health agency & insur-ance	Unlimited/public

Source: Author.

Specifically relevant documents were analysed for all case studies. This included statutes and conventions, web pages and other EGTC specific literature or information. For all case studies, phone interviews with EGTC representatives were conducted based on interview and reporting guidance. To ensure that sufficient information was provided on critical aspects that could not be grasped at the general level, the draft case study reports were reviewed before finalisation.

² For each of the case studies an unpublished case study report has been drafted. These reports contain precise information on the used references. If not otherwise mentioned, any information on these case studies draws on the references used for the specific case study. The bibliography lists the references per case study if they were exclusively used for the case study work.

1.2.3. Overall analysis

The overall analysis was based on both the conceptual overview and case study results. Cross-analysis was carried out with particular emphasis on a) highlighting typical EGTC characteristics and b) identifying the spectrum or variation of selected EGTC characteristics that were of particular interest in the study.

The conclusions provide advice on how EGTCs may contribute to the successful implementation of EU Cohesion Policy and support ETC. They aim to contribute to future debates on the efficiency and effectiveness of EGTCs by outlining lessons concerning the motivations, objectives, challenges, achievements and legal set-ups of EGTCs. In addition to the general lessons, some forward-looking conclusions are formulated as potential future contributions of EGTCs to EU Cohesion Policy and more generally on the inclusion of players from non-EU countries and outermost regions. Finally, some recommendations for possible future improvements of the EGTC instrument are considered.

2. THE NATURE OF EGTCS

KEY FINDINGS

- The EGTC instrument is the only legal instrument which offers the possibility to establish legal entities across borders anywhere in the EU and even under inclusion of neighbourhood countries.
- Every EGTC structure is individual. It depends on the EGTC location, territory, objectives and tasks, etc.
- New EGTCs have been established since 2008. In 2014 only a few new EGTCs were founded, since several EGTCs waited for the amended EGTC regulation to come into force.
- The variety of EGTCs has considerably increased recently as regards membership structures, objectives and tasks.
- The EGTC instrument is rarely used for its initial purpose – the management and implementation of ETC programmes. It is more frequently used for general territorial cooperation.

The EGTC instrument was created to further support European territorial cooperation that facilitates cooperation activities without additional financial instruments. European territorial cooperation, also known as Interreg, has been an element of EU Cohesion Policy since 1990. It was established to solve problems that do not stop at borders and require common action. Thus, European territorial cooperation is about sharing knowledge and local assets and helps to promote integration across borders and to improve the quality of life by finding better solutions through cooperation (European Commission, 2011a). ETC is built around three strands of cooperation: cross-border, transnational and interregional. In the programming period 2014-2020, for the first time it has a separate regulation (Regulation (EU) No 1299/2013) but is still supported by the European Regional Development Fund (ERDF). Given this context, the EGTC instrument is a specific opportunity to promote integration (of public authorities) across borders.

2.1. A new legal instrument

The European Grouping for Territorial Cooperation legal instrument was created with the adoption of the Regulation (EC) No 1082/2006 on 5 July 2006. During 2011-2013, this regulation was revised in order to clarify and improve the establishment of EGTCs. The amended Regulation (EU) No 1302/2013 was adopted in December 2013 and came into force on 22 June 2014. The EGTC regulation aims to create an instrument that allows institutions under public law to cooperate across Member State borders and to act with one name. This has been realised by providing EGTCs with an extensive legal capacity including a legal personality (Art. 1 par. 3, Regulation (EC) No 1082/2006). The introduction of this new Cohesion Policy instrument was based on the aim of fostering harmonious development of the EU and at overcoming handicaps for territorial cooperation (Regulation (EC) No 1082/2006). Therefore, the legal instrument aims to facilitate and promote territorial cooperation between the members of the respective EGTC and should strengthen economic, social and territorial cohesion of the EU (Regulation (EC) No 1082/2006; Art. 1 par. 2, Regulation (EC) No 1082/2006 as amended)³.

³ To simplify the citation, in the following the amended EGTC Regulation is always cited as "Regulation (EC) No 1082/2006 as amended" rather than "Regulation (EC) No 1082/2006 amended by Regulation (EU) No 1302/2013".

Based on this regulation, the use of an EGTC is optional, since no region is bound to join an EGTC if it does not have a specific scope for doing so. In other words, public authorities of the Member States (MS) of the EU are free to choose the instrument with which they want to facilitate their cooperation across borders. Unlike older, existing agreements on cross-border cooperation that are bound to certain border regions,⁴ an EGTC may be applied anywhere in the EU.

Before taking a closer look at the EGTC legal instrument it is necessary to clarify a number of basic definitions and concepts. Following the principal idea of the EGTC regulation and its amendment in 2013, different types of EGTCs may be differentiated according to the four following perspectives.

- (1) Financial differentiation. An EGTC may be founded for cooperation that is co-financed particularly by European Territorial Cooperation (Interreg) as well as for general cooperation without financial contributions from the EU.⁵
- (2) Territorial differentiation. The EGTC regulation includes all three types of territorial cooperation – cross-border, transnational and interregional. They may either be supported by the EU or be part of the general cooperation.
- (3) Institutional differentiation. Within the territorial cooperation supported by the EU, the EGTC regulation explicitly differentiates between EGTCs dealing with programmes and projects. EU programme cooperation usually occurs across themes and has a medium and strategic orientation (e.g. management of programme, project approval, and financial management). In contrast, project cooperation is often more theme specific and often also limited to implementing a plan or other undertaking.
- (4) Thematic focus. This goes along with different degrees of thematic specifications. The EGTC regulation is rather unspecific when it comes to the general cooperation referring to “actions”. In practice, however, general cooperation occurs as cross-thematic cooperation (e.g. strategic long-term cooperation on cross-border structures) as well as theme-specific cooperation.

Further differentiations may be applied to other characteristics such as the legal forms of the EGTC. The different types of EGTC are created by combining the different characteristics of these perspectives. For example, an EGTC may be founded for strategic long-term cooperation in the frame of different projects in a cross-border region relying on EU and non-EU funds. This cooperation may either consider territorial development of the members’ territory as such or may focus on one theme only, such as the preservation of nature parks. EGTCs may also be established to manage funds for territorial cooperation. In this case an EGTC acts as Management Authority that covers the territory and themes subject to the Territorial Cooperation Programme under question.

⁴ Examples of such agreements bound to the cooperation of specific border regions are the Karlsruhe agreement (1997), Mainz agreement (1998), Isselburg-Anholt agreement (1991) and the Benelux agreement (1986). The first agreement in relation to cross-border cooperation is from 1986. The Protocol of 1998 made cooperation similar to that of EGTCs possible and a new 2014 agreement is not yet in force. This shall extend the previous agreement to border regions outside the external borders of the Benelux.

⁵ These types of cooperation (according to financing) may be named ‘EU supported territorial cooperation’ and ‘general cooperation’. The latter also refers to territorial cooperation in line with the EGTC regulation, thereby distinguishing this cooperation from private law and other forms of international cooperation.

2.2. The EGTC legal instrument in EU Cohesion Policy

The EGTC legal instrument was introduced simultaneously with the Structural Funds for the 2007-2013 period. It was part of the Structural Funds regulation package adopted in July 2006. The package included the General Regulation, the three regulations for ERDF, the European Social Fund (ESF) and Cohesion Fund and the EGTC regulation. Reference to the newly introduced EGTC instrument was solely made in the ERDF regulation (Regulation (EC) No 1080/2006).

Art. 18, Regulation (EC) No 1080/2006 – ERDF regulation 2007-2013

European grouping of territorial cooperation

Member States participating in an operational programme under the European territorial cooperation objective may make use of the European grouping of territorial cooperation under Regulation (EC) No 1082/2006 of the European Parliament and of the Council of 5 July 2006 on a European grouping of territorial cooperation (EGTC) with a view to making that grouping responsible for managing the operational programme by conferring on it the responsibilities of the Managing Authority and of the joint technical secretariat. In this context, each Member State shall continue to assume financial responsibility.

Based on this article the Grande Région EGTC was founded to act as MA for the cross-border programme of the Greater Region funded under the European territorial cooperation objective. This is the only EGTC founded for this purpose so far.

With the European Structural and Investment Funds (ESIF) 2014-2020 package the European territorial cooperation objective was strengthened. For the first time, it is not regulated as part of the ERDF regulation, but is subject to a separate regulation. Legal links between the EGTC regulation and EU Cohesion Policy regulations were strengthened. References to the EGTC instrument can now be found in both the Common Provisions Regulation (CPR)⁶ and the ETC Regulation⁷. The CPR clarifies the rules under which EGTCs may be represented in the monitoring committee (MC) of programmes established under the European territorial objective.

Art. 48 par. 1 (second subparagraph), CPR

Composition of the monitoring committee

The composition of the monitoring committee of a programme under the European territorial goal shall be agreed by the Member States participating in the programme and by third countries in the event that they have accepted the invitation to participate in the cooperation programme. The monitoring committee shall include relevant representatives of those Member States and third countries. The monitoring committee may include representatives of the EGTC carrying out activities related to the programme within the programme area.

So far, no corresponding MC compositions are known. Many ETC programmes have, however, not yet been adopted for the 2014-2020 period. Thus, it remains to be seen whether EGTCs may become representatives in MCs of ETC programmes. This may only be comprehensively analysed once all ETC programmes will be adopted and have finalised their provisions.

⁶ Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006 (OJ L 347, 20.12.2013, p. 320).

⁷ Regulation (EU) No 1299/2013 of the European Parliament and of the Council of 17 December 2013 on specific provisions for the support from the European Regional Development Fund to the European territorial cooperation goal (OJ L 347, 20.12.2013, p. 259).

The ETC regulation puts down the rules under which EGTCs may participate in ETC programmes for 2014-2020. In particular, the role of EGTCs as MA, which was previously laid down in the General Regulation, is now clarified in the ETC regulation. Furthermore, in the recitals of the ETC regulation it is pointed out that MS should actively pursue to assign MA responsibilities to EGTCs. In addition, the regulation now also clarifies specifics of EGTCs that act as MA as regards the financial management and control of operational programmes.

Relevant provisions in the ETC regulation

Recital (32) – Member States should be encouraged to assign the functions of the managing authority to an EGTC or to make such a grouping responsible for managing the part of a cooperation programme that relates to the territory covered by that EGTC.

Art. 22 – European grouping of territorial cooperation

Member States participating in a cooperation programme may make use of an EGTC for the purposes of making it responsible for managing that cooperation programme or part thereof, in particular by conferring on it the responsibilities of a managing authority.

Art. 23 – Functions of the managing authority

Par. 3 – Where the managing authority is an EGTC, verifications under point (a) of Article 125(4) of Regulation (EU) No 1303/2013 shall be carried out by or under the responsibility of the managing authority at least for those Member States and third countries or territories from which there are members participating in the EGTC.

Par. 4 (first subparagraph) – Where the managing authority does not carry out verifications under point (a) of Article 125(4) of Regulation (EU) No 1303/2013 throughout the whole programme area, or where the verifications are not carried out by or under the responsibility of the managing authority for those Member States and third countries or territories from which there are members participating in the EGTC in accordance with paragraph 3, each Member State or, where it has accepted the invitation to participate in the cooperation programme, each third country or territory shall designate the body or person responsible for carrying out such verifications in relation to beneficiaries on its territory (the 'controller(s)').

The interregional component of ETC that principally supports the exchange of experience shall among others explicitly support the use of EGTCs.

Relevant provisions in the ETC Regulation

Art. 2 – Components of the European territorial cooperation goal

Under the European territorial cooperation goal, the ERDF shall support the following components:

(...)

Par. 3: interregional cooperation to reinforce the effectiveness of cohesion policy by promoting:

(...)

(c) exchange of experience concerning the identification, transfer and dissemination of good practices and innovative approaches in relation to the implementation of cooperation programmes and actions as well as to the use of EGTCs.

Art. 7 – Investment Priorities

Par. 1 (c): under interregional cooperation: (...)

(ii): promoting the exchange of experience in order to reinforce the effectiveness of territorial cooperation programmes and actions as well as the use of EGTCs pursuant to point (3)(c) of Article 2.

The ETC regulation furthermore clarifies how EGTCs may be involved in specific instruments of European territorial cooperation, i.e. in case an EGTC is a beneficiary of a Joint Action Plan or how to manage an ITI in a cooperation programme.

Relevant provisions in the ETC regulation

Art. 9 – Joint Action Plan

Where a joint action plan referred to in Article 104(1) of Regulation (EU) No 1303/2013 is carried out under the responsibility of an EGTC as beneficiary, staff of the joint secretariat of the cooperation programme and members of the assembly of the EGTC may become members of the steering committee referred to in Article 108(1) of Regulation (EU) No 1303/2013. The members of the assembly of the EGTC shall not form the majority within that steering committee.

Art. 11 – Integrated territorial investment

For cooperation programmes, the intermediate body for carrying out the management and implementation of an integrated territorial investment as referred to in Article 36(3) of Regulation (EU) No 1303/2013 shall be either a legal body established under the laws of one of the participating countries provided that it is set up by public authorities or bodies from at least two participating countries, or an EGTC.

Finally, the ETC regulation also points out the role of EGTCs when it comes to the selection of operations.

Art. 12 par. 3 (first subparagraph), ETC regulation

Selection of Operations

Notwithstanding paragraph 2, an EGTC or other legal body established under the laws of one of the participating countries may be the sole beneficiary of an operation provided that it is set up by public authorities or bodies from at least two participating countries, in the case of cross-border and transnational cooperation, and from at least three participating countries, in the case of interregional cooperation.

The ESPON Programme 2014-2020 makes use of this rule. The ESPON EGTC does not act as MA, but as sole beneficiary of the ESPON Programme 2014-2020. It was founded with four members only: Luxembourg and three Belgian regions. The programme area, however, covers all MS plus Switzerland, Norway, Iceland and Liechtenstein. All countries participating in the ESPON Programme 2014-2020 have representatives in the MC.

All these provisions specify how EGTCs may support the implementation of EU Cohesion Policy 2014-2020. In the recitals of the ETC regulation it is furthermore clarified that EGTCs should be used for strengthening an integrated and inclusive approach for enhancing local development whenever appropriate.

Recital (22), Regulation (EU) No 1299/2013 – ETC regulation

In line with the Union strategy for smart, sustainable and inclusive growth, the European Structural and Investment Funds should provide a more integrated and inclusive approach to tackling local problems. In order to strengthen such an approach, support from the ERDF in border regions should be coordinated with support from the EAFRD and the EMFF and should, where appropriate, involve European groupings of territorial cooperation (EGTCs) set up under Regulation (EC) No 1082/2006 as amended of the European Parliament and of the Council (1) where local development is one of their objectives.

These provisions are complemented by the provisions of the Common Strategic Framework. They encourage the use of EGTCs to create synergies with the European Neighbourhood Instrument. This is furthermore considered in the Council Decision on the association of overseas countries and territories with the European Union ('Overseas Association Decision') (Art. 93 par. 1 (h), Council Decision 2013/755/EU of 25 November 2013), which points out that EGTCs are eligible for regional financing, and in the guidance on the funding of joint

projects between the European Development Fund and the ERDF (European Commission, 2014). The use of the EGTC instrument for cooperation with neighbouring countries is discussed below in section 4.2.1.

Annex I, Common Strategic Framework, section 4.9 par. 2, –CPR

To support deeper territorial integration, Member States shall seek to capitalise on synergies between territorial cooperation activities under cohesion policy and the European Neighbourhood Instruments, in particular with regard to cross border cooperation activities, taking account of the potential offered by EGTCs.

As indicated above, these provisions have not yet been fully applied since the Operational Programmes under the European territorial cooperation objective have been either adopted only recently (Spring 2015) or are still under preparation or adoption. Thus, the remaining analysis of how EGTCs are to deliver EU Cohesion Policy under the new regulations' framework is future-oriented. This is discussed further in Chapter 4.

2.3. EGTCs in practice

After the EGTC regulation was adopted in 2006 and national provisions were resolved, the first EGTC establishment processes started and resulted in the first few EGTC creations in 2008. Thereafter the foundation processes were intensified leading to the current number of 54 EGTCs (as of 24 April 2015).⁸ Since the adoption of the amended regulation few new EGTCs have been registered, but more are in the process of establishment and are expected to be founded later in 2015.

The large majority of existing EGTCs were created for cross-border cooperation. Only a few of these cross-border EGTCs cover large territories on either side of the border, and most cover relatively small areas. Corresponding examples may be found, e.g. along the Slovakian-Hungarian border. The large majority of existing EGTCs can be considered as cross-sector EGTCs that focus on more than one theme of regional development and build on general cooperation. This is also mirrored by the fact that many EGTCs, at least in the past, did not make use of the resources available for European Territorial Cooperation co-financed by the ERDF.

EGTCs with such a cross-thematic approach often deal with political development, strategy development as well as specific actions – with or without financial support from ETC. They also take new approaches of governance and tackle cohesion issues in a future-oriented way. Such approaches are characterised by political debate between stakeholders that did not meet regularly in the past. Implicitly they aim to overcome purely local interests and to contribute to a broader regional development strategy (Committee of the Regions, 2011, p. 8). Over the past eight years, such EGTCs have been established in various border regions across the EU.

The focus of most EGTCs is relatively broad although there are a few exceptions with a narrower focus. One example is the Grande Région EGTC that was established as a Managing Authority for a cross-border programme and the EGTC TATRY Ltd. as an agency for managing the cross-border Small Project Fund (SPF).⁹ Thus, these EGTCs were set up for conducting specific tasks.¹⁰ The EGTCs Secrétariat du Sommet de la Grande Région, Parco

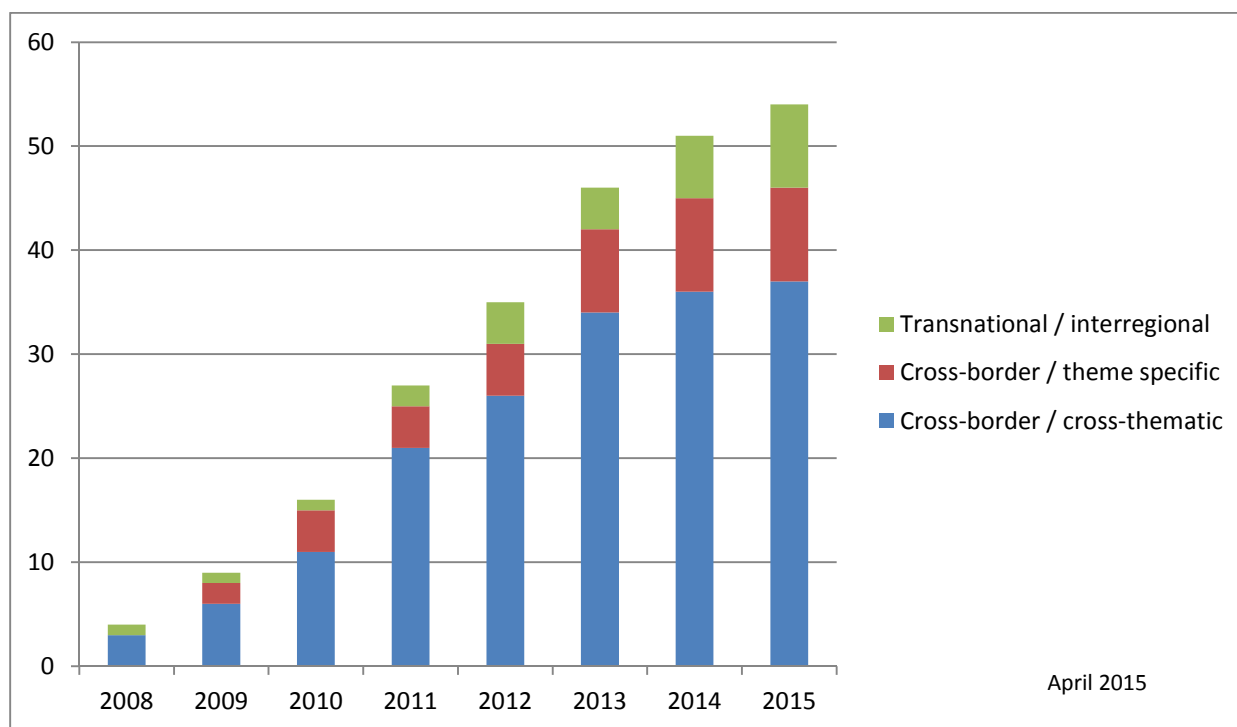
⁸ This includes all EGTCs of the latest update of the EGTC list of the Committee of the Regions and one additional EGTC founded on 24 April 2015.

⁹ Despite this originally intended role of the EGTC TATRY Ltd., it will not manage the SPF but may only act as potential beneficiary (c.f. convention of EGTC TATRY Ltd.).

¹⁰ Their actual role and perspectives in EU Cohesion Policy are discussed further below.

Europeo/Parc Européen Alpi Marittime – Mercantour and Hospital de la Cerdanya are the most prominent examples of EGTCs with a thematic focus. They were founded for very different reasons, but all aim to foster territorial cooperation in their specific field, i.e. the organisation and management of the regional summit, nature park management and nature conservation and the set-up and running of a cross-border hospital.

Figure 3: Evolvement of total number of EGTCs by selected types of EGTC



Source: Author.

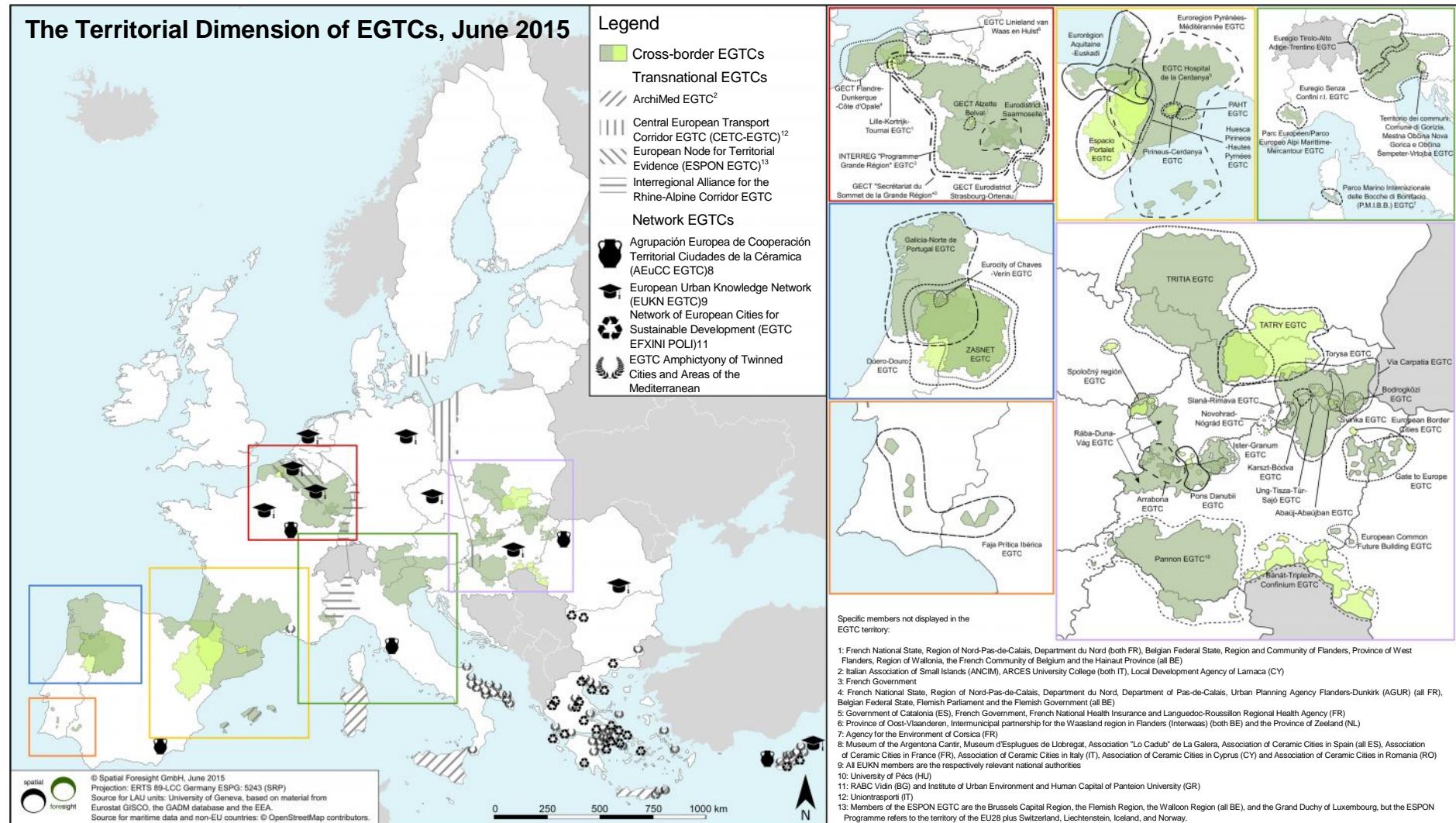
In recent years, EGTCs have increasingly been established beyond cross-border cooperation in the context of transnational or interregional cooperation. However, they are still a minority of EGTCs. So far, just one of these EGTCs is only constituted by Member States, i.e. the European Urban Knowledge Network (EUKN). Other theme-specific EGTCs with a larger territorial coverage beyond cross-border cooperation focus on specific sectors, such as transport or ceramics. Regional and local authorities and national associations constitute the members of the EGTCs. The latest EGTC, the Interregional Alliance for the Rhine-Alpine Corridor EVTZ (CODE24) also represents this type of theme-specific EGTC in a transnational context. It is one of the first EGTCs that was founded according to the amended EGTC regulation and has a considerable variety of members that include a harbour, an association of chambers of commerce as well as regional and local authorities (Art. 7, Statutes CODE24 2015). These examples show that not only have the variations in applying the EGTC instrument increased over time, but also the extent to which different types of players, which may become members according to the amended EGTC regulation (Art. 3, Regulation (EC) No 1082/2006 as amended), has recently increased.

Despite the increasing territorial coverage of EGTCs in the EU, they are used to very different extents in different parts of the EU. While the EGTC instrument is widely used along Hungarian, Slovakian, French, Spanish and Portuguese borders there are hardly any or no EGTC memberships in most northern countries, Ireland, the UK and the Baltic countries. At least for Scandinavian countries, this may be the result of established cooperation structures, which are considered to be sufficient for facilitating territorial cooperation. In such cases, no added value is seen in setting up EGTCs (Dizdarevic, 2011, p.

22ff.). In addition, as a result of Nordic governance and administration structures, administrations in these countries could gain more influence from EGTCs. As this is not intended and should be avoided, EGTCs in these countries are not perceived to be an appropriate instrument for themes that represent considerable political challenges (Nordregio, 2011). In other border areas a low level of use of the EGTC instrument can be linked to the availability of other strong institutions in terms of organisational capacity and a long history of cross-border cooperation. In these cases, an EGTC may only be established if the other instruments do not provide similar advantages as the EGTC legal instrument.

Apart from the imbalanced territorial distribution of EGTCs, the aforementioned outline of typical EGTC tasks indicates that the instrument is very rarely used for some of the originally envisaged objectives and tasks, especially in terms of the management and implementation of ETC programmes. In contrast, general territorial cooperation not explicitly focusing on the use of European ETC funds is found rather frequently. The box below the map highlights a few examples of EGTCs to illustrate the wide variety of members and tasks of EGTCs as they currently exist.

Figure 4: Location and distribution of EGTCs in Europe, June 2015



Source: Spatial Foresight 2015.

Variety of EGTC members, objectives and tasks¹¹

Based on about two decades of institutionalised inter-communal cross-border cooperation, the Eurométropole Lille-Kortrijk-Tournai (FR/BE) was the first established EGTC. With 14 founding members representing the Member States, regional authorities and inter-communal authorities the EGTC covers the territory of altogether 147 municipalities in the French-Belgium border region. It is built on a strategy that aims to promote integrated territorial development in relation to socio-economic development, mobility and the living environment. (www.eurometropolis.eu)

The Eurodistrict Saar Moselle (FR/DE) was institutionalised in 2010 with eight members who represent one German region and seven French municipalities. It aims to support the sustainable development of the border area in particular by developing cross-border networks, conducting citizen relevant projects and representing the Eurodistrict's interests. Corresponding projects are realised in the fields of transport, research and innovation, health, education, bilingualism and tourism. (www.saarmoselle.org)

The Novohrad-Nógrád EGTC Ltd. has two member cities that are located in the area of the cross-border geopark with the same name. It was established around the idea of institutionalizing pre-existing forms of cooperation between the two municipalities in Hungary and Slovakia and focuses on integrated geopark management, sustainable development and the stimulation of economic activities to reduce unemployment. (<http://nnegtc.eu>)

The EUKN EGTC Ltd. is the institutionalised form of a previously informally organised network of currently nine Member States. It is the sole EGTC that is an intergovernmental network of countries represented by their national ministries responsible for urban policy with the aim of supporting sustainable urban development by stimulating the European exchange of urban knowledge and experiences. (www.eukn.eu)

The EGTC Interreg "Programme Grande Région" was founded by eleven members representing national and regional authorities of the corresponding Interreg IVA programme. It is responsible for the management and monitoring of the programme and expenditure control.

The EGTC Parc Marin International des Bouches de Bonifacio (IT/FR) was constituted in 2013 by two members – the environmental agency of Corsica and the neighbouring Sardinian national park. It focuses on the maritime development of the strait of Bonifacio and the protected areas neighbouring it. (www.pmibb.com)

The EGTC Hospital de la Cerdanya is so far the only EGTC established for providing services of general interest. The EGTC was created in 2010 to allow the joint construction of the hospital and its further management; in September 2014 it was opened to the public. This EGTC is a legal solution and binational governance tool for operating a cross-border hospital providing health care to both the Spanish and French population in a remote area of the Pyrenees. The EGTC members are the French government, the Catalan region and the corresponding health and insurance agencies. (www.hcerdanya.eu)

¹¹ For a better overview, in those examples that draw on EGTCs not covered in the selected case studies, the abbreviations of the involved countries are provided in brackets. The first country always represents the seat country of these EGTCs. For the country involvement of the case study EGTCs see table 1.

The EGTC Secrétariat du Sommet de la Grande Région (LU/DE/BE/FR) was founded in 2013 with the sole aim to establish a permanent office for coordinating the summit of the region. This office ensures continuity of the summit's working groups and between presidencies of the summit, and is furthermore the main contact for players and citizens interested in summit activities. Its members are the national and regional authorities that are part of the Grande Région in general. (www.granderegion.net)

One of the most recently founded EGTCs is the EGTC Ciudades de la Cerámica Ltd. (ES/FR/IT/RO) which is composed of four national associations that represent municipalities with ancient ceramic traditions, covering 97 ceramic-producing cities in Italy, France, Spain and Romania. The aim of the EGTC is to develop projects and services for the stakeholders of the ceramic sector. (www.aeucc.eu)

The ESPON EGTC (LU/BE) acts as sole beneficiary of the ESPON Programme 2014-2020. While only three Belgian regions and Luxembourg are the members of the EGTC, all other Member States and countries participating in ESPON are members of the MC. (www.espon.eu)

The Interregional Alliance for the Rhine-Alpine Corridor EGTC (CODE24) (DE/NL) was the first EGTC founded under the rules of the amended EGTC regulation. It is based on a transnational Interreg IVB project and has aimed from the very beginning at ensuring a long-term cooperation beyond the limited project period by establishing an EGTC. It is constituted by several different types of members relevant for transport corridor development and is the first EGTC resulting directly from a transnational cooperation project (Interreg B). (<http://egtc-rhine-alpine.eu/>)

3. GENERAL LESSONS FROM PRACTICAL EXPERIENCES

KEY FINDINGS

- While there is a wide variety of potential motivations and benefits for founding an EGTC, in practice a few motivations seem to dominate the decision for establishing EGTCs. These include: (a) creating an integrated strategic approach, (b) stabilising cooperation structures and continuity of actions, (c) improving transparency and visibility of cooperation and (d) improved possibility to participate in EU programmes as a single beneficiary.
- Despite several years of general experience with the EGTC instrument, administrative procedures still contribute to delays resulting from national implementation rules, uncertainties or missing knowledge.
- Despite the creation of the EU-wide legal instrument EGTC, national legal systems still have a large influence on the design of an EGTC, namely in all aspects that are not controlled by the regulation.
- Typical tasks of EGTCs are conducting joint projects, communication, facilitating exchange and learning, developing and managing mutual infrastructure and developing thematic plans, strategies or visions. These tasks are conducted for different thematic fields, foremost in the areas of spatial development, transport, tourism, environment and culture. Few EGTCs focus on a single sector or field of activity.
- Legal links between the EGTC regulation and EU Cohesion Policy regulations were strengthened with the adoption of the ESIF regulations 2014-2020. The role of EGTCs is now clarified in the Common Provisions Regulation and the ETC regulation.
- The relevance of EU Cohesion Policy for the EGTC is not related to the EGTC's size, neither in terms of members nor in terms of covered population or territory. Instead, other factors such as the EGTC's own resources or availability of EU project calls are decisive for the use of EU Cohesion Policy resources by the EGTC.
- EGTCs contribute to economic, social and territorial cohesion also by using resources other than EU Cohesion Policy funds. The provision of services of general interest does not yet play an important role for EGTCs.
- Despite the theoretical option of EGTCs to be private entities, they are (nearly) all public entities. Liability decisions are often influenced by national rules of the seat country rather than the result of a decision of the EGTC members.
- Location decisions are mostly the result of assessments of selected criteria or are based on one player's commitment or particularly strong role in the initiation process.

3.1. Main motivations and factors facilitating the creation of EGTCs

The EGTC legal instrument is widely used for consolidating and/or deepening general cross-thematic cross-border cooperation. Mainly local and regional authorities make use of it; stakeholders from the national level are involved in only a few cases. EGTCs are, on the other side, rarely used for consolidating and/or deepening general theme-specific cross-border cooperation. Even though the potential for future foundations is considerable, only a few EGTCs exist for providing specific public services or solving specific problems. This fact is also underlined by experiences from general cross-border cooperation. General cross-border cooperation is often based on other legal instruments deriving from bilateral and

multilateral agreements. In these cases, cooperative structures were and are established successfully for the joint provision of local public services. This includes fire control, civil protection, drinking water supply, waste water management, flood protection, promotion of culture and tourism, management of protected areas and business parks, etc.

Apart from cross-border cooperation, the EGTC legal instrument is increasingly used for the establishment and consolidation of general (non EU-funded) interregional cooperation. This approach is based on motivations linked to “thematic proximity”, in contrast to cross-border cooperation which is rather based on the principle of geographical proximity. Despite (partially) great geographical distances, partners share the same interests or deal with problems that commonly occur in their areas.

The ambition behind the foundation of an EGTC is often to establish a visible and permanent structure of territorial cooperation, to develop joint growth strategies, to use public funds more efficiently and to manage joint projects, infrastructures or environmental resources. The fundamental decision for or against a foundation often depends on the history of cooperation between the partners. The partners emphasised that EGTCs were founded in order to better cope with the challenges of cooperation. Thus, reaching an agreement on the role and tasks of an EGTC is an important step in the process. As some of the existing EGTCs planned to increase the number of their members, the EGTC’s creation may not be a single event, but a step within a continuous process (European Commission, 2011b).

The following box provides an overview of the factors that may facilitate the foundation of an EGTC. In-depth analyses support the validity of these arguments that were collected by the Mission Opérationnelle Transfrontalière in 2008, at a time when only a few EGTCs had been founded. The now wider basis of practical examples shows that some of the arguments may be based on slightly different rationales. For instance, the mobilisation of regions through a bottom-up process of the EGTC creation (e.g. EGTC Via Carpatia Ltd.) or the creation of a “critical mass” for action and increased influence (e.g. CETC-EGTC Ltd., Novohrad-Nógrád EGTC Ltd.) are arguments of EGTCs to improve their visibility at the European level. The practical level argument according to which an EGTC shall ensure continuity of the cooperation can for instance be seen in a lower vulnerability to political changes (e.g. Europaregion Tirol-Südtirol-Trentino) or the support in creating trust (e.g. Novohrad-Nógrád EGTC Ltd.). In this context, practical and legal arguments are interlinked since a continued cooperation and formalised commitment appear together.

Arguments for the creation of a cross-border EGTC

Why establish an EGTC? The EGTC is an optional instrument included in a set of instruments derived from different legal sources, each having advantages and drawbacks. The establishment of an EGTC must be motivated by the determination to set up a joint structure enabling the members to speak with one voice and act together.

Recourse to an EGTC, in political terms:

- ensures equal and democratic representation of the members through the EGTC organs;
- establishes a structure which is the sole interface with national and European levels (European visibility).

On the practical level of moving forward with a cooperation project, an EGTC:

- provides continuity of functioning and of the decision-making process;
- coordinates members and activities, in particular through the tasks of the director;
- promotes the common objectives and encourages the emergence and implementation of projects;
- ensures the continuity of the cooperation.

In legal terms, recourse to an EGTC:

- formalises the commitment of the partners through the functioning of the organs and the voting of the budget;
- facilitates the articulation between the legal framework of each member;
- provides legal guarantees for the joint actions: the EGTC, legally autonomous, can be the lead partner of projects co-financed (or not) by Community funds, enter into contracts with third parties, issue calls for tenders on behalf of its members and conduct cooperation projects or implement operational programmes.

The EGTC, as a governance or operational structure, can carry out very diverse actions, including:

- coordination of all actions on the territory;
- development and implementation of a strategy on the basis of a shared diagnosis;
- implementation of projects with different levels of ambition (from management of services and facilities to projects for the benefit of the citizens);
- guidance for territorial cooperation project stakeholders;
- possibility to enter into agreements with private sector entities, which also enables the initiation of a horizontal dialogue and the implementation of actions which can be based on additional expert assessments;
- implementation of lobbying actions at international and European levels.

Source: Mission Opérationnelle Transfrontalière (2008).

Additional arguments may lie in raising awareness at local and regional levels for the cross-border context (e.g. Europaregion Tirol-Südtirol-Trentino). In addition, at least for many cross-border EGTCs, this instrument offers an opportunity to overcome disadvantages connected with their border location that is often very peripheral in the region's national context (e.g. Europaregion Tirol-Südtirol-Trentino, EGTC Hospital de la Cerdanya). Finally, and more generally, many EGTCs are built on long cooperation histories and aim to deepen their cooperation – qualitatively and/or quantitatively.

Based on these factors facilitating EGTC creations, the EGTC legal instrument has been created to realise the following benefits that may not be realised anywhere in the EU by other legal instruments (Janssen, 2012):

- (1) creating a strategic approach for integrating several actions under the framework of mutual policy;
- (2) stabilising cooperation structures and continuity of actions;
- (3) legally binding decisions and long-term engagement of the partners;
- (4) participation of the partners in decision-making processes and creating ownership;
- (5) transparency and visibility of the structure;
- (6) improving the efficiency when using public funds;
- (7) better democratic legitimation due to the general assembly;
- (8) easier access to tendering and acquisition procedures;
- (9) improved possibility to participate in EU programmes as single beneficiary;
- (10) possibility to employ staff directly.

The relevance of different benefits differs between single EGTCs. This applies to both different "types" of EGTC (territorial reference, thematic focus, involvement in an ETC programme or project etc.) and to its specific tasks.

Selected main motivations in practice

The EGTC ArchiMed was primarily founded to create a stable cooperation platform among Mediterranean islands and to promote the common interests of its members within the European Union. It is an example of an EGTC that was established to stabilise cooperation and to contribute to visibility.

The Central European Transport Corridor (CETC) EGTC Ltd. was founded for enhancing a strategic approach to spatial planning as it in particular aims to develop a common spatial planning area along the transport corridor. It supports operational efficiency by creating a "critical mass" to obtain support and public development funds.

The EGTC Interreg "Programme Grande Région" was ultimately founded to improve the efficiency of public funds use when the previously three cross-border cooperation programmes were merged into one programme covering the territory of all three previous programmes.

The foundation of the Linieland van Waas en Hulst EGTC Ltd. was partially driven by the participating authorities' urge to strongly commit themselves to implement projects important for the cross-border area, thereby ensuring legally binding decisions with long-term engagement.

Improved possibilities to participate in EU programmes as a single beneficiary and to apply for UNESCO World Heritage status as a single body were important drivers for the foundation of the EGTC Parc Européen Alpi Marittime – Mercantour.

The Novohrad-Nógrád EGTC Ltd. provides an argument for the choice of the EGTC instrument rather than another international legal form. It can obtain higher co-financing rates from EU Cohesion Policy than European private companies (SPE) or European cooperative societies (SCE), for example.

3.2. Typical challenges during the foundation of EGTCs

With regard to the main difficulties for the creation of an EGTC, one has to distinguish between difficulties that resulted in cancelling the whole process and those that may have prolonged the process or significantly increased the effort. The following paragraphs summarise some frequent difficulties (Zillmer et al., 2013, p. 36ff.). The box gives specific examples of practical challenges.

- (1) The added value of creating an EGTC is not immediately visible for all potential members. However, without their involvement the total benefit for the EGTC as such decreases. The concrete assessment of the benefit of a certain EGTC would require a cost-benefit analysis. If such an analysis is conducted and indicates a positive assessment, previously critical stakeholders may be convinced.
- (2) Some national regulations and provisions on the implementation of an EGTC are either in conflict with each other or make the coordination process more difficult (this especially applies to questions concerning the liability). Many questions can be solved by legal advisors. This, however, often requires extensive coordination processes both between EGTC members and with relevant approving authorities.
- (3) Insufficient knowledge about how to solve the questions arising during the foundation process often poses a significant obstacle for the stakeholders. Staff solely focussing on the foundation of an EGTC is not always available. If regional and local institutions are really convinced to found an EGTC, they may have to make the necessary resources available for this process, at least for a limited period of time.

- (4) Insufficient knowledge and uncertainties can also be found among approval authorities. Not all approval authorities, for instance in federal countries, are yet experienced with establishing and controlling EGTCs. This may occasionally give rise to possible misgivings about transferring tasks to a legal personality outside the home country.
- (5) Sometimes long approval procedures may test the endurance and commitment of the EGTC members. Depending on the national implementation rules this may involve several authorities.
- (6) The experience of recent EGTC creations shows that the coordination between the stakeholders on some questions regarding the structure of the EGTC is time-consuming and problematic. Different notions about specific tasks can often be identified for cross-thematic EGTCs. Different notions about the financial structure can mainly be found in (border) areas with considerable intraregional socio-economic disparities.
- (7) Similarly, the identification of the priorities that are equally important to all members of the EGTC can produce challenges during the foundation and may lengthen the process.
- (8) The possibility to employ staff directly is often mentioned to be one expected benefit arising from the EGTC creation. However, practical examples show that given the amount of the staff in terms of full-time equivalents¹² it is often not advisable to hire staff by the EGTC itself. Many EGTCs choose to work with officials employed elsewhere that are delegated to and financed by the EGTC. For EGTCs with low manpower this may save administrative costs. In any case, hosting organisations have to be identified, which are often the members of the EGTC itself.¹³

Examples of challenges in practice

Although the CETC-EGTC Ltd. was recently founded in Poland in 2014, the main challenges arose from different national legal systems and insufficient knowledge about the EGTC instrument and the benefits of its use.

The EGTC Parc Européen Alpi Marittime – Mercantour reported difficulties with respect to inter-institutional cooperation across borders in general and with respect to approval and control authorities in particular.

In the case of the approval of the EGTC ArchiMed and the Europaregion Tirol-Südtirol-Trentino, opinions from four Italian Ministries (Foreign Affairs, Home Affairs, Finance and Economic Development and the Presidency of the Council of Ministers) had to be obtained. This considerably lengthened the approval procedures.

Finding agreement on priorities that are equally important to all members of the EGTC sometimes even leads to the cancellation of the foundation process, as the case of the Euroregion Neiße-Nisa-Nysa (CZ/PL/DE) illustrates. In other cases, corresponding agreements need further elaboration after the EGTC creation as evidenced by the Sajó-Rima EGTC (HU/SK).

¹² A fulltime equivalent is a unit that allows for a comparison of the workload of different persons or the available capacities. It is calculated by dividing the annual/monthly/weekly sum of all working hours of all employees by the annual/monthly/weekly working hours of a fulltime position.

¹³ In how far the related problem of hiring staff under different laws depending on the nationality and seat location has been solved by the amended EGTC regulation (recital 24, Regulation (EU) No 1302/2013) remains to be proven.

Typical challenges for transnational and interregional cooperation

Most problems occur similarly for all types of EGTC and similar questions arise during the foundation process – yet they differ in detail. Despite these similarities, additional conclusions may be drawn for transnational and interregional cooperation with regard to the challenges of the EGTC establishment process and its daily work as was pointed out in previous analyses (Zillmer et al., 2013, p. 36ff.).

- (1) Commonalities. The larger the territory covered by the respective transnational or interregional cooperation, the smaller the geographic, cultural, economic and other commonalities. However, commonalities help in formulating mutual interests that go beyond platitudes. An example is the common interests of Mediterranean islands joined in the ArchiMed EGTC. Sufficient commonalities may be assumed mostly in the context of theme-specific cooperation, since in these cases the common topic is constitutive for cooperation, like in the EGTC based on the CODE24 transnational cooperation project.
- (2) Common tasks. Closely linked with commonalities is the definition of common tasks that can only or best be handled in an EGTC. In principle, this becomes more difficult the more partners are involved from different legal, national etc. contexts. Therefore, common tasks of the EGTC may be best defined if the members have one mutual topic of their cooperation.
- (3) Diversity of partners. In particular, transnational projects of European Territorial Cooperation are usually characterised by a considerable diversity of project partners. This is in line with developing horizontally and vertically integrated governance structures. However, if an EGTC is founded for stabilising the transnational collaboration, new questions regarding the organisation arise that go far beyond those questions occurring in the context of project implementation. If partners differ strongly with regard to their competences, financial means etc., complex processes for finding agreement on a fair share, participation and integration of partners may become necessary.
- (4) Diversity of national legal frameworks. In transnational or interregional cooperation, usually more than two national legal frameworks have to be considered when designing the EGTC. This requires more comprehensive knowledge of legal room to manoeuvre as compared to bilateral cooperation.
- (5) Common competences. Although some EGTC members may not hold the responsibility for all the tasks of its EGTC, past experiences of different administrative systems indicate that the more different the distribution of competences between authorities of the participating countries is, the more difficult the hierarchical homogeneity of partners is to achieve.
- (6) Cooperation culture. Partners that are geographically closely located and that have cooperation experiences with each other often develop a common cooperation culture. The more partners from different cultural areas in Europe are involved, the more difficult it may become to develop a common cooperation culture and the more efforts the agreement processes take as a result of different communication traditions.
- (7) Geographic distance. If cooperation covers large geographic distances, this often implies comparatively high financial and time expenses for all partners to cooperate. This still holds even at times of increasing use of digital communication technologies for bridging large distances, especially if a lot of partners are involved and regular meetings are necessary.

Comparing different types of EGTCs in practice, it may be concluded that problems arising for EGTCs for cross-border cooperation tend to be an even bigger challenge for transnational or interregional EGTCs, no matter whether they are financed by European Territorial Cooperation or not.

In addition to these problems, differences in national laws of the EU Member States on the implementation of EGTCs, even if only two MS participate in the EGTC, frequently lead to further challenges during the foundation process as was indicated by the Committee of the Regions (CoR) survey in 2010. These differences have led to a complicated procedure to analyse and efficiently apply this legal instrument. The main reason for this lies in the different legal forms an EGTC may assume depending on its national seat and the national implementation of the regulation (Committee of the Regions, 2010). These differences not only lead to different characteristics of EGTCs with regards to liability (limited or unlimited) but also to problems with regards to human resource management, public tendering and, at least partially, VAT treatment.

Furthermore, a lack of coordination between the Member States when designing national regulations and administrative provisions in the context of EGTCs as well as the differences in the regulations effectively adopted by single Member States lead, at least in some cases, to substantial problems that may hamper the creation of EGTCs or have negative impacts on their work. The differences between Eastern and Western Europe that persist in the details and characteristics of legal frameworks for decentralised cross-border cooperation entail additional complexity for using the EGTC legal instrument (European Commission, 2011b).

In regards to providing services of general interest, different challenges linked to different national institutional systems may create not only the above mentioned types of challenges, but other administrative, legal, financial and cultural challenges that go beyond the mere set-up of an EGTC. The box below on the EGTC Hospital de la Cerdanya (HC) illustrates the corresponding variety of challenges.

Challenges of the EGTC Hospital de la Cerdanya

The EGTC Hospital de la Cerdanya which is running a hospital on the French – Spanish border faces several challenges:

The main administrative barriers concern employment procedures. In particular, this refers to attracting French staff, managing the French staff made available by the neighbouring Perpignan hospital and having their diplomas recognised by the Spanish authorities. French practitioners wishing to work at the EGTC HC have to follow the same procedure for recognition of diplomas as if they wanted to work anywhere in Spain. Recruitment rules also sometimes differ (e.g. a care manager in Spain has to be an educated nurse, while in France experiences in the relevant field are sufficient). As a consequence, a French applicant for a certain post may not be recruited if he does not fulfil the Spanish requirements.

Legal barriers exist because of different declarations of births and deaths and the facilitation of body transport across the border. Ambulance transports on both sides of the border are complex with regard to the law of the soil and the cost affecting the international transport of bodies.

The key financial challenge is to secure the management of public funds entrusted to the EGTC. This resulted in a specific operating system: the preparation of an operating system of two bank accounts in each country was set up by the EGTC HC members within their respective banks, which includes added security by double signature accounts, deliberations, etc. This was obtained only after eighteen months.

Cultural challenges occurred mainly with regard to the standardisation of medical practices, schedules, meals and formal/informal forms of address. These may be relatively easily solved by training the staff on cultural differences to prepare them for addressing each patient in the appropriate manner.

The overall conclusion is that despite the creation of the EU-wide legal instrument EGTC, national legal systems still have a large influence on the design of an EGTC, namely in all aspects that are not controlled by the regulation. This includes administrative procedures, legal aspects in the thematic field of the EGTC, taxation and social insurance provisions. Despite several clarifications and amendments to the EGTC regulation in 2013, the principal challenges arising from national differences have not changed. Some negative effects of national law differences could however be overcome – for instance, in contrast to the findings of the CoR in 2010 as indicated in the box below. By now, several EGTCs with French members have their seat in a country other than France.

Negative effects of differences in national law of single Member States

The rules of applicable law established in the EGTC Regulation (Art. 2, Regulation (EC) No 1082/2006 as amended) “give preference to the law of the country in which the EGTC is established. This generates problems when this legislation is applied to staff from other countries, to public procurement carried out in other countries and to a small extent to the fiscal obligations of the EGTC. The fact that the Regulation allows the Member States to take different decisions in the process of national implementation has led to differences of legal status (public or private law, limited or unlimited liability) so in two neighbouring States the regime may be radically different: Slovenian EGTCs are entities of private law, Italian ones fall under public law; the Czech Republic does not allow EGTCs with limited liability, but Poland rejects unlimited liability; France counts EGTCs as ‘syndicats mixtes’ under French law so in practice all the EGTCs set up with French partners must be established in France.”¹⁴

Source: Committee of the Regions (2010, p. 9).

3.3. Typical objectives and tasks of EGTCs

The main motivations facilitating the foundation of EGTCs may be linked to their objectives, which are in turn very strongly related to their tasks. In other words, an EGTC’s tasks are derived from its objectives.

3.3.1. Objectives

The formulation of objectives varies considerably between EGTCs according to their degree of detail. Some objective formulations remain on a rather general level, whereas other EGTCs formulate more specific objectives. According to the amended EGTC regulation (Art. 8 par. 2c, Regulation (EC) No 1082/2006 as amended), the convention of each EGTC is required to list the objectives and tasks of the EGTC. Combined with the amended EGTC regulation (Art. 1 par. 2, Regulation (EC) No 1082/2006 as amended), this clarifies the least specific level of objectives to be defined by an EGTC, as the EGTC regulation states (Art. 1, Regulation (EC) No 1082/2006 as amended) that the “objective of an EGTC shall be to facilitate and promote, in particular, territorial cooperation (...) with the aim of strengthening Union economic, social and territorial cohesion.”

In line with these prerequisites, numerous EGTCs formulate the objective to strengthen economic and social cohesion. The more recently established EGTCs more often refer

¹⁴ Syndicats mixtes are joint local authority associations.

to the territorial cohesion objective as well, and sometimes only the more general objective to contribute to cohesion or to promote sustainable development in the EGTC area is expressed. Many EGTCs combine these objectives with improved cooperation or collaboration in the area of the EGTC. Several EGTCs list the main fields within which cohesion will be promoted. These include in particular innovation, energy, infrastructure, education, tourism and environment.

Apart from these more general formulations, some EGTCs have rather specific objectives that are more adapted to their individual institutional environment and members. Specific formulations may be found for EGTCs that focus on one specific theme. The left column of the following table provides a corresponding example. In other cases, such as the UTTS EGTC, the focus is put on only one very specific aspect, i.e. in this case the creation of new workplaces for disadvantaged groups in the EGTC area (Committee of the Regions, 2014). As well, some cross-thematic EGTCs have more specific objectives which are then often directly translated into their tasks. The following example of the Europaregion Tirol-Südtirol-Trentino may highlight the degree of detail that is followed by some EGTCs. These types of objectives naturally vary considerably between different EGTCs since they are adapted to the individual situation.

Table 2: Selected examples of specific objective formulations

EGTC Ciudades de la Cerámica Ltd. (AEuCC)*	EGTC Europaregion Tirol-Südtirol-Trentino**
<p>The main objectives are the development and enhancement of:</p> <ul style="list-style-type: none"> a) projects and joint actions; b) cultural, artistic, ethnographic heritage; c) tourism based on ceramics; d) ceramic craft (new products, design, processes, new materials, marketing); e) vocational training and competitiveness; f) international events (conferences, exhibitions, fairs, etc.) to enhance knowledge and good practices; g) promotion activities on a territorial scale even greater than the European one; h) production processes, energy efficiency and saving, environment and quality of life, pollution reduction; i) analyse, study and research economic development and employment, innovation, new technologies, business practices, internationalization, clustering, patents and intellectual properties; j) new national association of ceramics cities; k) European identity. 	<p>The EGTC was founded for promoting cooperation between its members and strengthening of economic and social cohesion.</p> <p>In accordance with the Alpine Convention it supports the following objectives:</p> <ul style="list-style-type: none"> a) strengthening of economic, social and cultural relations between the populations of its members; b) promoting territorial development in particular in the fields of education, culture, energy, mobility, health, research and innovation, economy, alpine agriculture and environment; c) strengthening the coordination for the participation in EU programmes, e.g. ETC; d) representation of interests of the EGTC at common and national institutions; e) Carrying out other matters of territorial cooperation.

Source: Author (based on AEuCC Brochure 2014¹⁵ (*); Art. 5, Statutes Europaregion Tirol-Südtirol-Trentino 2011 (**))

¹⁵ http://en.argilla-italia.it/wp-content/uploads/sites/3/2014/06/Brochure-for-foundation-Assembly_ENG-final.pdf

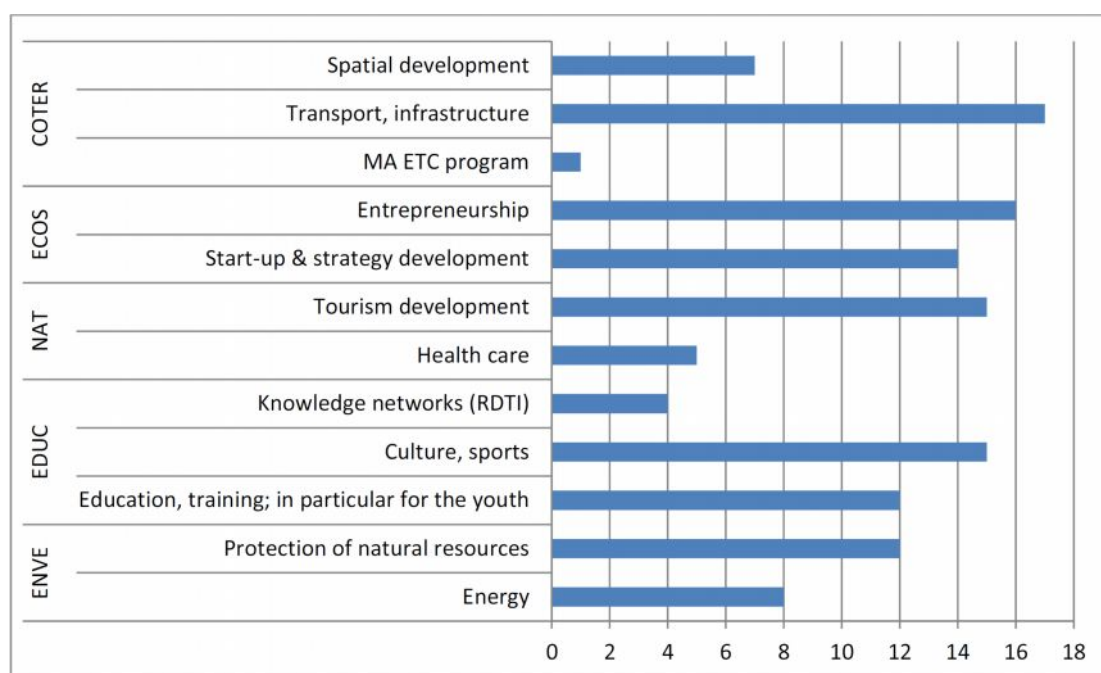
3.3.2. Tasks

Tasks are also formulated differently, and the degree of detail varies between them. In some cases, the formulation is very general, stating for example that they intend to implement projects or actions that contribute to the objectives of the EGTC. Such limited task specifications are particularly common among EGTCs located in Hungarian-Slovakian border areas. However, similar examples from elsewhere can be found (e.g. the Italian-Slovenian EGTC Rába-Duna-Vág and the Linieland van Waas en Hulst EGTC Ltd. in the border areas of Belgium and The Netherlands). Usually, this type of task formulation goes hand in hand with rather general formulation of objectives.

Many EGTCs name similar tasks though the wording may differ. Typical examples of tasks are:

- (1) identifying, defining, managing and implementing joint projects (with or without EU funding);
- (2) coordinating, communication and networking in the EGTC area;
- (3) facilitating exchange and learning;
- (4) developing and managing mutual infrastructure;
- (5) defining and developing thematic plans, strategies or visions.

Figure 5: Grouped fields of activity of EGTCs according to CoR Commissions



COTER – Commission for Territorial Cohesion Policy and EU Budget; ECOS – Commission for Economic and Social Policy; NAT – Commission for Natural Resources; EDUC – Commission for Education, Youth, Culture and Research; ENVE – Commission for the Environment, Climate Change and Energy

Source: Committee of the Regions (2014, p. 6).

Most EGTCs have rather detailed lists of tasks in which they either translate specific objectives into activities that contribute to the achievement of these objectives or they break down overall objectives into more detailed tasks. For instance, the Europaregion Tirol-Südtirol-Trentino translates its objective to represent the EGTC's interest at common and national institutions into two tasks, namely the support of EGTC interests and the accession to organisations, associations and networks. Other EGTCs break down the general task

of implementing joint projects according to key areas or thematic fields in which they are active. Thereby they specify the more general objectives with regard to the thematic fields they are tackling. Corresponding examples are the Slovakian-Czech EGTC Spoločný región and the EGTC Parc Européen Alpes Maritimes – Mercantour that conduct and manage projects in the fields of biodiversity protection, restoration of natural and cultural landscapes, awareness raising and education as well as sustainable mobility, agriculture and tourism. As can be seen from the following figure, these are fields of activity in which many other EGTCs are active as well. Most EGTCs have interventions and activities in more than one of the listed fields of activity.

Details about the implementation of tasks are often limited. For instance, the EGTC TATRY Ltd. states that it aims to support the integration between rural and urban areas, improve access to networks and services and support entrepreneurship. This may be done by means of different European funds and projects not funded by the EU. Nevertheless, the actual potential project activities for this kind of support and improvement are not specified. This occurs more often in later stages of the EGTCs when they turn their tasks and objectives into actual projects and activities.

Some theme-specific EGTCs, however, already define more specific tasks in their statutes and conventions respectively. Examples are the EUKN EGTC Ltd. and the EGTC Ciudades de la Cerámica Ltd. as illustrated in the following table.

Table 3: Selected examples of specific task formulations

EUKN EGTC Ltd.*	EGTC Ciudades de la Cerámica Ltd.** (ES/FR/IT/RO)
<p>The specific tasks of the EUKN EGTC Ltd. are to optimise the functioning and output of the EUKN EGTC Ltd. network by:</p> <ul style="list-style-type: none"> – collecting, creating and making accessible knowledge documents in the EUKN EGTC Ltd. database, generated by the National Focal Points and the Secretariat; – enhancing European knowledge exchange by connecting urban professionals, with the involvement of National Focal Points; – strengthening the position of the EUKN EGTC Ltd. within Europe through active liaisons with other European networks and programmes; – ongoing support and maintenance of the information and communication technology (ICT) infrastructure of the knowledge network (including the hosting and maintenance of the central website and National Focal Point sub-sites); – developing and implementing effective communication strategies for raising awareness of the network and providing a deeper insight into how its functionalities can be used; – organising an annual dissemination conference and possibly other European events. 	<p>The functions of the AEuCC include among others:</p> <ul style="list-style-type: none"> – identification, promotion and implementation of joint projects in the field of ceramics; – promotion, protection and dissemination of cultural, artistic etc. heritage of European ceramics; – tourist and cultural development around ceramics; – improvement of ceramic crafts on products, processes, materials, marketing; – promotion of corresponding vocational training; – organisation of international events such as conferences, exhibitions, fairs; – improving production processes to boost energy efficiency, reduce pollution etc.; – analysis, research and studies for support of the economic development of the sector; – promotion of creation of new national associations of cities of ceramics.

Source: Art. 4, EUKN Statutes (*); AEuCC Brochure 2014¹⁶ (**).

¹⁶ http://en.argilla-italia.it/wp-content/uploads/sites/3/2014/06/Brochure-for-foundation-Assembly_ENG-final.pdf

3.4. Main achievements of EGTCs

Motivations for the foundation of an EGTC and the formulation of objectives and tasks during the EGTC set-up process are future-oriented and refer to expected benefits. Whether these benefits actually materialise may only be assessed after the EGTC has been established for a while. Experiences of various EGTCs show that not necessarily all envisaged benefits may materialise, and some take longer than originally expected. The realisation of main achievements and benefits while the EGTC is running furthermore depends on the challenges that occur during daily work.

Given that EGTCs principally contribute to economic, social and territorial cohesion of the European territory, the main achievements may be differentiated according to benefits for the EGTC as such and achievements in relation to EU Cohesion Policy.

3.4.1. Materialised benefits

A typical challenge in the context of daily work is the time needed to establish the EGTC as an accepted player in its institutional environment. This tends to be more time-consuming than often anticipated, especially if the cooperation structure was previously not visible or if the EGTC is considered as a competitor. Thus, EGTCs founded in the course of 2013 or later find it often difficult to name materialised benefits so far, especially those that go beyond some project results. In addition to the time period for which an EGTC has existed, its budget also seems to be crucial for realising the expected benefits. It is only possible to manage the EGTC, to conduct its tasks and, in particular, to apply for projects if the EGTC has sufficient staff resources.

The role of resources for realising EGTC benefits

Despite the strategic profile and a large partnership, the staff of the EGTC ArchiMed is comparatively limited (two Italian municipal employees dedicated only part time to the EGTC) and the budget is very modest. Combined with a lack of a strong political leadership of the EGTC, the consequence is that the results have been modest so far.

The EUKN EGTC Ltd. existed before the EGTC creation in 2012. It has a membership budget sufficient for operational costs and providing the services of the EUKN. This is complemented with project specific funds from different sources, e.g. related to research on demand. The new status has significantly contributed to the performance of the network in terms of becoming more robust and effective. Main materialized benefits that are considered to be the result of the change of structure from a network to an EGTC are the recognition as a valuable and influential network whose messages tend to be taken seriously and the ability to represent Member States in situations where knowledge of urban issues is required.

For the Novohrad – Nógrád EGTC Ltd. membership fees and a national Hungarian financial contribution are sufficient to operate the EGTC with three staff members. Their funds were complemented in the past by project funds. An anticipated benefit of the EGTC was that it can better absorb external funds from Cohesion Policy than the two individual parks. One important step in this direction was the role attributed to the EGTC in the management of a Slovakian-Hungarian cross-border cooperation (CBC) project for a geo-touristic micro-region along the border. Thus, though only founded late in the 2007-2013 programming period, the EGTC could already make use of CBC funds.

Aside from timing issues and the availability of funding, the materialisation of benefits or main achievements also depends on the chosen focus of the EGTC. In some cases the benefits are expected to materialise in terms of very specific project implementations close to

the citizens, whereas in other EGTCs main achievements refer to more general objectives. Thus, depending on the EGTC's perspective, quite different aspects may be considered to be a main achievement.

Specific and general main achievements of EGTCs in practice

The Linieland van Waas en Hulst EGTC Ltd. aimed to create a more robust administrative structure for carrying out cross-border projects on the left bank of the Scheldt river that could not be implemented as efficiently by the informal cross-border intermunicipal cooperative organ that previously existed. The EGTC was founded to carry out 11 pre-defined cross-border projects that contribute to a shared vision for the area. Some of these projects include quite practical actions that are close to the citizens. The pre-defined projects started to be implemented about one year after the EGTC creation and were realised in the fields of transport, harbour, economy, nature and leisure, and quality of life. Many of them have already been accomplished. They include new bus connections for optimizing public transport, the removing of infrastructure bottlenecks, leisure and tourist networks with new cycling routes and better information points and better public service cooperation structures with respect to libraries, childcare and joint cultural programmes.

Various achievements of the Eurodistrict Saarmoselle (FR/DE) are specific project results close to the citizens. For instance, the EGTC's activity report 2013 (Saarmoselle Eurodistrict, 2014) mentions a concept for the maintenance of the bus connection Moselle Saar, the development of an internet-based leisure guide for the region and the coordination of activities within the project "Blue Belt" which supports the upgrading of the local river landscape.

As well as conducting projects for managing the parks' area, one explicit objective of the EGTC Parc Européen Alpi Marittime – Mercantour lies in the promotion of the area to become recognised on the UNESCO World Heritage List. Although only founded in 2013, the EGTC is leading the activities for nomination as a UNESCO World Heritage Site. Due to its legal entity, the EGTC has the capacity to represent the cross-border territory and to sign agreements with other entities. At present, agreements have been signed with four other Italian natural protected areas.

All of the so far illustrated achievements are closely linked to the original objectives, tasks and expectations of benefits when the EGTCs were founded. In some cases however, the EGTC turned out to be either an instrument that may also be used for additional tasks that support ETC or it became a vehicle for intensifying territorial cooperation among other players (than the EGTC members). These examples may illustrate that when founding the EGTC it is important to have a common understanding of expected benefits, but also to be open to unexpected benefits as these may also become main achievements of the EGTC.

Examples of unexpected EGTC benefits

The Europaregion Tirol-Südtirol-Trentino has not only managed to achieve several of the originally anticipated benefits, but also some unintended benefits arose. Firstly, cooperation between the state authorities and other stakeholders has intensified over the past years and has become more continuous than before. In many cases the EGTC is not even directly involved. The willingness to establish and/or intensify cross-border cooperation structures has significantly increased in fields such as transport and research that are beyond the originally targeted cooperation of ministries, authorities and administrations. Secondly, the Europaregion's corporate design is also used for cross-border cooperation projects in which the Europaregion is not directly involved. Using the corporate design helps

to increase the visibility of joint activities and thus the recognition of all projects aiming to promote cross-border cooperation whether or not they are conducted in the frame of the Europaregion.

The EGTC Via Carpatia Ltd. has gained importance beyond its original objectives when it was appointed to become the managing body of a SPF in the context of the Hungarian-Slovakian CBC Programme. While the financial responsibility lies within the Slovak ministry acting as MA for the CBC Programme, the EGTC will administer all SPF applications. It has mostly an intermediary and administrative role and receives 15% of the SPF for technical assistance, thus increasing the financial budget of the EGTC considerably. This benefit occurred after the EGTC Via Carpatia Ltd. was involved in the preparation of the corresponding Operational Programme 2014-2020 contributing to workshops related to the programme's preparation in general and the SPF.

Finally, the example of the EGTC HC illustrates how the use of the EGTC instrument may have benefits in terms of the realised level or quality of cross-border cooperation.

Principal benefit of the EGTC instrument at the example of the EGTC HC

The EGTC allows unprecedented cooperation between a State and a regional authority, on matters where the two levels have similar responsibilities with regard to health. This is why the EGTC was chosen as a legal tool. The issue of applying a legal tool was treated at a higher level. Spanish and French administrations on both sides of the border have worked together on the medical project on cross-border territory. The project to build a cross-border hospital in Cerdanya and ensure a truly cross-border management of this establishment predates the adoption of the EGTC Regulation. Until 2006, the project was stuck because of legal difficulties, which the introduction of the EGTC solved.

3.4.2. Use of and contributions to EU Cohesion Policy

In addition to the legally identified different options on how EGTCs may contribute to the implementation of EU Cohesion Policy (see Chapter 2.2), their contribution also depends on the use of funds and the thematic linkages between EGTC objectives and the objectives of EU Cohesion Policy. The former is discussed below for the previous funding period and in Chapter 4.1 for the 2014-2020 programme period.

According to the amended EGTC regulation (Art. 7 par. 2 and 3, Regulation (EC) No 1082/2006 as amended), EGTCs can be used to facilitate and promote territorial cooperation in support of EU economic, social and territorial cohesion. The corresponding actions may be carried out with or without financial support from the EU. Regarding the role of EU Cohesion Policy the amended EGTC regulation (Art. 7 par. 3, Regulation (EC) No 1082/2006 as amended) furthermore specifies "Primarily, the tasks of an EGTC may concern the implementation of cooperation programmes, or parts thereof, or the implementation of operations supported by the Union through the European Regional Development Fund, the European Social Fund and/or the Cohesion Fund." Any tasks of EGTCs financed through these instruments may not be limited by the MS. In light of this specific role of EU Cohesion Policy for EGTC activities, the following paragraphs discuss the role EU Cohesion Policy has had for EGTCs to the present. Given the delayed start of ETC 2014-2020 programmes, this discussion only considers the use of funds in the 2007-2013 programming period.

Some EGTCs that were analysed in-depth obtained EU funding, while others have not yet managed. In some cases the lack of past EU funding, in particular from ETC programmes, is linked to the EGTC foundation date. The three EGTCs in the sample that were founded in

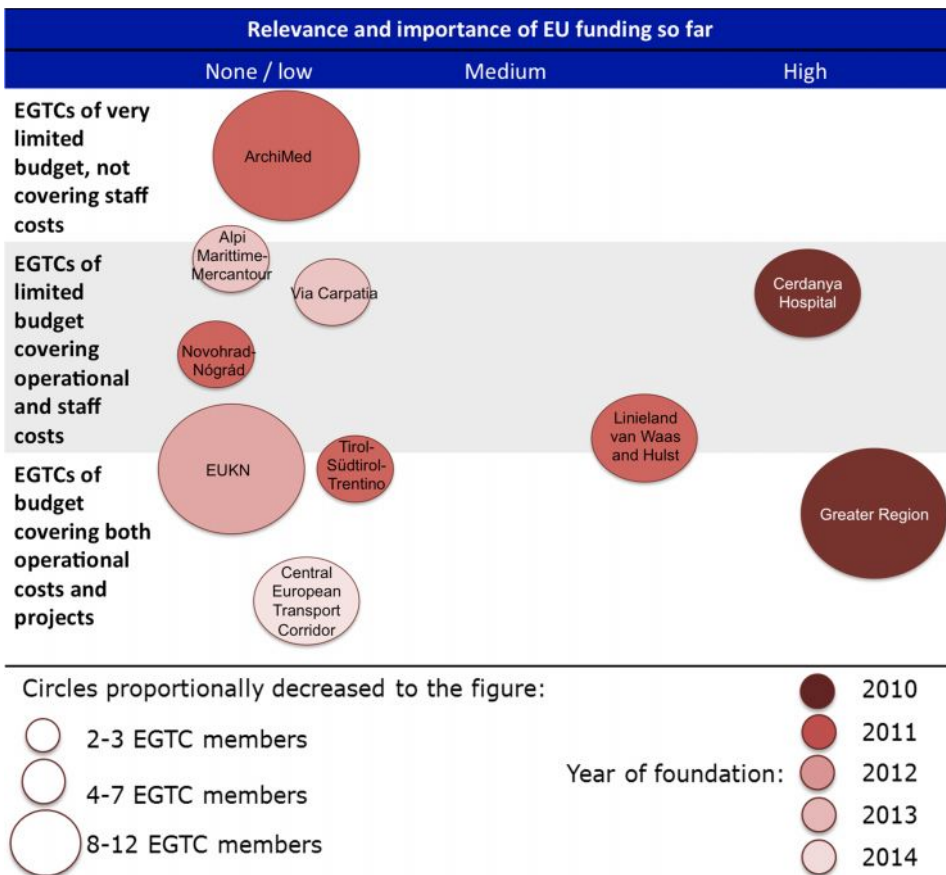
2013 and 2014 respectively (CETC, Parc Européen Alpi Marittime – Mercantour, Via Carpatia) could not make use of the 2007-2013 programmes anymore as no more relevant calls were open to them. Nevertheless, some of these EGTCs' members previously used EU Cohesion Policy funds, partly also combining different sources as highlighted in the following box for the members of the Parc Européen Alpi Marittime – Mercantour.

Past use of EU funds by the members of the EGTC Parc Européen Alpi Marittime – Mercantour

The EGTC Parc Européen Alpi Marittime – Mercantour is constituted by two parks. They have cooperated before as project participants in cross-border cooperation (Alcotra), transnational cooperation (Alpine Space) and also in programmes directly managed by the European Commission (LIFE). So far, the two parks have implemented together 21 projects for the total value of EUR 30 million.

As pointed out in figure 6 below, EU funding played no role or was of minor importance for both these recently founded EGTCs and for more established ones. For example, no EU funds were raised in the past by the EUKN EGTC Ltd. and the EGTC ArchiMed, although some of their members participated in cooperation programmes. At least in part this was also attributed to the establishment of the EGTCs at a late stage of the 2007-2013 programming period. Nevertheless, for the EUKN EGTC Ltd., contributions to EU Cohesion Policy could be observed in the past since its very rationale relates to the EU Urban Agenda.

Figure 6: Previous use and importance of EU funding in selected EGTCs



Source: Author.

Several other EGTCs had already made use of EU funding, although many of the EGTCs analysed in-depth were founded in 2010 or later. As can be seen from figure 6, the role these funds play in running the EGTCs differ considerably. For some of the EGTCs, the financial contribution from EU Cohesion Funds, mostly ETC, has been low when either the EGTCs own funding from membership contributions was comparatively high or when the EGTC received funds from other additional sources. This could be either national contributions from other public resources that support the EGTC in general or other funds for projects. Resources from EU Cohesion Policy played a much more important role for the EGTCs that either had a special focus on EU funding from the very beginning or have a managing role to fulfil in the framework of EU Cohesion Policy.

Examples for external funding outside EU Cohesion Policy

In 2013, membership fees for the Novohrad – Nógrád EGTC Ltd. were complemented with Hungarian national support to ensure sufficient resources for staff and diverse promotional activities. Like other EGTCs and institutions in central-eastern Europe, the EGTC could gain additional project resources from the International Visegrad Fund. It also received Interreg funding through its involvement in the management of a CBC project on geo-touristic activities. However, in relation to the overall budget, the EU contribution was of relatively low importance.

The Europaregion Tirol-Südtirol-Trentino is an example of an EGTC that was involved in different Interreg IVA projects in the past. So far, the EGTC however is mostly involved as an associated member, because it was not instructed to acquire Interreg funding to cover its expenses. In addition, the EGTC often supports the initial phase of setting-up projects and coordinating their activities, but has less expertise in specific content-related project activities. In consequence, compared to its own funds, ETC funding only played a minor role in the past.

For all projects of the Linieland van Waas en Hulst EGTC Ltd. it is first screened whether they are eligible for EU programmes such as Interreg IV, EURES, LIFE or any other that may be appropriate. Only when no corresponding eligibility can be identified are other sources utilised, in particular the Euregio Scheldemond Fund.

The Grande Région EGTC, as the MA of the cross-border cooperation programme “Grande Région/Großregion”, uses EU Cohesion Policy funds. It is funded by the Technical Assistance of the programme with a 50% contribution from ERDF funds and 50% from national funds. The EGTC is only responsible for the cooperation programme and did not undertake any other tasks. Thus, Cohesion Policy Funds are the only financial resource.

When comparing these different uses of EU Cohesion Policy in the past, it becomes apparent that under the precondition that the EGTC has sufficient financial and personal resources to apply principally for EU Cohesion Policy funds it does not matter whether the EGTC is constituted by few or many members. Differences lie more strongly in the applied programmes, e.g. smaller EGTCs in cross-border regions usually limit their funding sources to the corresponding CBC programme and other regionally available sources, whereas EGTCs that cover larger territories may find it easier to also implement transnational projects.

3.5. Role of EGTCs as a legal instrument beyond EU Cohesion Policy

In accordance with the initial EGTC regulation (Art. 1 and Art. 7, Regulation (EC) No 1082/2006) the instrument was originally designed to facilitate and promote territorial cooperation between its members, thereby primarily implementing programmes and projects co-financed by the ERDF, ESF or Cohesion Fund (CF). This restriction has been somewhat relaxed with the amendment of the EGTC regulation as it now states that an “EGTC may carry out specific actions of territorial cooperation between its members in pursuit of the objective (...) with or without financial support from the Union” (Art. 7 par. 3, Regulation (EC) No 1082/2006 as amended). Despite the continued preference for carrying out actions co-financed by the EU, this formulation opened the use of the EGTC instrument for actions without financial support from ESIF. However, Member States may limit the tasks of EGTCs without ESIF support to the investment priorities defined for ETC for the 2014-2020 programming period (for instance, Art. 16, National implementation act of Poland 2008). In other words, any task listed in the EGTC’s convention that can be aligned to these investment priorities can be carried out with or without ESIF.

Other tasks may be permitted by the respective Member States as long as they do not oppose public interest. In particular, the management of infrastructure and provision of services of general interest may be transferred to an EGTC, thereby further widening the possible scope of tasks of EGTCs. Nevertheless, such a widened scope should not contradict the principal objective stated in the amended EGTC regulation (Art. 1 par. 2, Regulation (EC) No 1082/2006 as amended) according to which an EGTC should act “with the aim of strengthening Union economic, social and territorial cohesion”. The use of EGTCs as an instrument beyond EU Cohesion Policy may thus be discussed from two perspectives, firstly the use of EGTCs for the management of infrastructures and the provision of services of general interest and secondly the use of financial support outside EU Cohesion Policy.

As indicated in the previous section, many existing EGTCs financed all or most of their tasks without ESIF support in the past. This was indirectly highlighted in figure 6, when pointing out that EU funds played either no or a small role in running the EGTC. This does however not imply that the EGTCs do not contribute to EU Cohesion Policy objectives as such. In fact, this would contradict the aim of the EGTC regulation.

The actual sources used outside EU Cohesion Policy vary strongly depending on the location and objectives of the EGTC under consideration as well as on the availability of regionally alternative funding sources. In some cases, membership fees are complemented by national contributions. However, these often represent support for the operational costs of the EGTC rather than conducting projects in support of economic, social and territorial cohesion.

For many EGTCs in central Eastern Europe, the International Visegrad Fund provides a corresponding alternative for raising project resources. It covers the four countries of the Visegrad Group: the Czech Republic, Hungary, Poland and Slovakia. The Fund aims to develop closer cooperation among these countries and to strengthen the ties among the people in the region. The Fund supports “common cultural, scientific, research and educational projects, youth exchanges, promotion of tourism and cross-border cooperation. Most of the grant recipients are non-governmental organizations, municipalities and local governments, universities, schools and other public institutions and also individual citizens.”¹⁷

¹⁷ <http://visegradfund.org/about/basic-facts/>

The fund is widely used by different EGTCs located in any of the four countries of the Visegrad Group. All relevant EGTCs that were analysed in-depth (CETC, Novohrad – Nógrád and Via Carpatia) have either already made use of the fund or plan to do so.

Another example of a fund that is available for beneficiaries across borders is the Dutch-Belgian Scheldemond Fund. It provides autonomous subsidies that are complementary to EU Cohesion Policy and is, for example, utilised by the Linieland van Waas en Hulst EGTC Ltd. For instance, projects within the Euroregion Scheldemond which are too small for European support or not aligning to EU rules may be supported by the Scheldemond Fund. The fund promotes cross-border projects of public institutions (and private entities) within the Euroregion Scheldemond.¹⁸

Additionally, the management of cross-border programmes outside ETC may be transferred to an EGTC as the example of the Europaregion Tirol-Südtirol-Trentino shows. A research cooperation programme was set-up to stimulate collaborative research between all research locations within the Europaregion.

Thus, for many EGTCs access to financial support for conducting projects often depends on the availability of funding that is explicitly made available to beneficiaries from more than one country. All above illustrated examples foresee a corresponding involvement of partners. Nevertheless, as may be illustrated by the EUKN EGTC Ltd., the nature of an EGTC may allow for raising other funds as well. Next to the operational budget, EUKN participates and carries out individual projects. These projects are externally funded by a member or non-member and apart from EU programmes may come from, for example, individual ministries.

Finally, the management of infrastructures and the provision of services of general interest may also be subject of EGTCs and financed outside EU Cohesion Policy support. The only available example so far is the EGTC HC. While its set-up was co-financed by EU Cohesion Policy, the running of the hospital, and thus the provision of health services, is realised without EU Cohesion Policy funds.

3.6. Different legal forms of EGTCs in light of their costs and benefits

Looking at the territorial distribution of EGTCs (see figure 4) reveals a rather unbalanced picture of EGTCs and the distribution of their national seats. Some countries have several EGTC seats, while others have none and some are not even involved in an EGTC at all. This imbalance is largely the result of different cooperation histories, different needs for the EGTC instrument and different national implementation rules for the EGTC.

In some border regions, there is no perceived need for establishing EGTCs, since other already existing cooperation structures are sufficient. They may be based on national legal forms (e.g. associations) in which partners from different countries participate, or the cooperation applies in the form of a bilateral agreement valid for their border region.¹⁹ The transfer of the legal entity into an EGTC is then only considered if this may induce further benefits in terms of political visibility or easier access to EU funding.

¹⁸ www.euregioscheldemond.be/detail.phtml?infotreeid=2

¹⁹ See footnote 4.

Legal forms of EGTCs may be principally differentiated according to two aspects. The first differentiation is the law that is to be applied, usually public or private law. Secondly, EGTCs differ regarding their liability; they may have either limited or unlimited liability.

3.6.1. EGTCs as public entities

For most countries, national implementation provisions or the responsible authorities specify the national law that applies to the EGTC. According to the EGTC Monitoring Report 2012, only few countries' implementation rules do not make any corresponding reference, such as those of the German Länder. The majority of countries consider EGTCs as public entities (Committee of the Regions, 2013, p. 12ff.). This may be either directly specified in the national provisions or is shown by the practical implementation of EGTCs in different MS.

In some cases, other more specific rules were defined. For instance, the Dutch national provision specifies that the law applicable to natural persons applies with respect to property rights (Art. 9, National implementation act of the Netherlands 2009). The Polish national provision specifies that the association law applies to EGTCs with their seat in Poland (Art. 3, National implementation act of Poland 2008). This provision, however, does not automatically specify EGTCs falling under Polish law to be public entities as stated in the EGTC Monitoring Report 2012, although, for example, the recently founded CETC-EGTC Ltd. considers itself to be an entity under public law.²⁰ Countries in which EGTCs may be considered either as private or public entities do not have any EGTC seats so far (Committee of the Regions, 2013, p. 12ff.).

These examples illustrate that difficulties for properly understanding the application of the EGTC legal instrument persist – the way in which the EGTC regulation is implemented through national provisions differs considerably. This has not significantly changed since the amendment of the EGTC regulation. For many countries it has still not been clarified whether national provisions need to be or shall be renewed. These differences repeatedly lead to confusion not only among potential EGTC founders, but also for approval authorities.

In-depth analyses of selected case studies indicated that in most cases the law applicable in the seat country was decisive for the form of the legal entity. All analysed EGTCs are subject to public law, with the possible exception of the CETC-EGTC Ltd., which is subject to Polish association law. Therefore, it was not so much the choice of the members, but rather occurred naturally due to the public nature of the EGTC members or as a result of the legal situation in the seat country. In consequence, despite the theoretical option to establish EGTCs as being subject to private law, this does not appear to be an option in practice – at least not in those countries where EGTCs have been located in the past. In other words, for public or quasi-public entities that are members of EGTCs it is usually a logical consequence to establish the EGTC as a public entity.

²⁰ When analysing the case studies, the research team identified a few deviations from the Monitoring Report 2012. With regard to Germany, for instance, the Monitoring Report 2012 states that general information is not available (Committee of the Regions, 2013, p. 14f.). The implementation provisions are available, yet they do not specify whether public or private law is applicable, and whether EGTCs have limited or unlimited liability. With regard to Austria, the Monitoring Report 2012 states that public law is applicable to EGTCs with an Austrian seat (*ibid.*, p. 12). This may be deducted from the role of public authorities for EGTCs, however, the implementation provisions of the Austrian Länder do not explicitly specify whether private or public law is applicable. For Italy, the Monitoring Report states that EGTCs are founded with limited liability (*ibid.*, p. 16). The EGTC Tirol-Südtirol-Trentino has its seat in Italy, and was founded with unlimited liability (Art. 26 par. 1, Statutes Europaregion Tirol-Südtirol-Trentino 2011). In the case of Ireland, the national provision specifies that an application to establish an EGTC may be refused if a member has limited liability (art. 13, National implementation act of Ireland 2009), whereas the Monitoring Report states that EGTCs with a seat in Ireland have limited liability (Committee of the Regions, 2013, p. 16).

3.6.2. Opting for limited or unlimited liability

In EGTCs with unlimited liability the members are liable to the EGTC's commitment beyond their (financial) contribution to the EGTC. According to the amended EGTC regulation (Art. 12 par. 2a, Regulation (EC) No 1082/2006 as amended), EGTCs with limited liability may only be established if "the liability of at least one member of the EGTC from a Member State is limited as a result of the national law under which it is established". Despite this restriction of limiting liability only in cases where at least one EGTC member has limited liability, many national provisions generally define not only under which law EGTCs are considered, but also whether an EGTC with a seat in their country may have limited or unlimited liability. In several provisions, however, this is not conclusively defined. A reference to the limitation of liabilities is often provided, indicating that an EGTC may not be approved if their members have limited liability (Art. 18a par. 2, National implementation act of the Czech Republic 2009, before amending EGTC regulation).

Nevertheless, national law and approval authorities tend to play a crucial role in the decision for either of the liability options. For most in-depth analyses it was pointed out that the seat country was decisive for the EGTC's limited or unlimited liability. Only in a few cases were liability decisions explicitly taken by the EGTC members. These often aim to avoid uncontrolled financial and economic risks for the members. In some cases, the legal form of the members mattered.

Examples of influences on liability decisions

The EUKN EGTC Ltd. operates under public law as a non-profit public legal entity with limited liability (Art. 7, Convention EUKN, Art. 12.4, Statutes EUKN [Liability of EGTC members]). The members limited their liability to the amount of their contribution to the EGTC, since the MS do not want to be made responsible for problems they have no control over. As this option seemed the best solution to each member, no alternatives were considered. At the time of the foundation of the EUKN EGTC Ltd., this solution could be chosen if one of the members opted for limited liability.

The main reason for opting for limiting liability of the Linieland van Waas en Hulst EGTC Ltd. refers back to the legal position of Flemish and Dutch politicians and executives.

For the Europaregion Tirol-Südtirol-Trentino its members' situation was crucial. It is part of the state governments, which cannot limit their liability. Thus, it was clear from the beginning that the EGTC would not limit its liability either. Currently, the EGTC does not manage infrastructures. If the EGTC enlarged its fields of activities, e.g. including the management of infrastructures like streets and hospitals etc., the decision would have to be reconsidered.

The members of the Interregional Alliance for the Rhine-Alpine Corridor EGTC (DE/NL/IT) founded in April 2015 originally opted for limited liability. However, the responsible approval authority in the German state of Baden-Württemberg insisted on an unlimited liability to ensure the commitment of all EGTC members and to reduce the financial risks for the future EGTC staff as well. In consequence, all members of the EGTC are liable for the same share of the EGTC's debts if its assets are not sufficient.

Summarising these considerations on alternative legal forms of EGTCs leads to the conclusion that the legal form in most cases is strongly influenced by national legislations of the seat country or other external influences not subject to decision by the EGTC members. In consequence, the question arises how the seat country is chosen.

3.6.3. Rationales for seat location decisions

Turning to the distribution of EGTCs, a certain dominance of seats in Hungary, Spain and France is apparent. In part, this mirrors the concentration of cross-border EGTCs involving one or more of these countries. This is also the result of practical considerations, political aspects, national implementation rules and specific perceptions of the authorities responsible for the approval of EGTCs in their territory. In some cases, especially in Hungary, past experiences of national authorities also supported the decision for yet another EGTC seat in Hungary rather than locating it in the respective neighbouring country. Depending on the different combinations of members from different countries or in different border regions, one or more of these aspects may affect the decision for the EGTC seat location.

In some countries the responsible authorities prefer to have the EGTC seat in their own country. This is justified by national implementation rules that allow only for certain legal forms or by lack of information on the legal status in another participating country. The latter has for instance been reported by members of EGTCs under preparation at the German-Polish border. There Polish approval authorities are concerned about the lack of clarification in the implementation rules on the German side as regards the relevant law under which EGTCs may be considered. Consequently, only EGTCs with a seat in Poland may be currently approved in this area.

Apart from such external influences that are not subject to the decision of the EGTC members, two lines of decision-making seem to dominate regarding the seat country and location. The first line is linked to the players that initiated the EGTC foundation process and/or are those with the strongest commitment. If there is a strong leadership with commitment during the set-up process, it is often unanimously agreed that the seat should be located at the corresponding player's institution. Often this is also mirrored in the willingness of the respective institution to provide additional resources in kind (office spaces, etc.) to the EGTC.

The second line of decision-making creates a rationale for the decision based on assessment criteria or practical considerations of the EGTC members. In these cases, the EGTC members agree on one or more criteria important for running their EGTC. Important criteria rather frequently refer to the geographical location and legal aspects, however, other criteria may also be applied if they are important for the members.

Rationales for seat location decisions of selected EGTCs

The CETC-EGTC Ltd. seat decision for Poland was based on five evenly weighted evaluation criteria: the legal background, the strategic position of the country, the geographical location, experiences with EGTCs and the financial reasons. Since the seat was chosen to be in the north of the corridor area, for geographical balance an additional office will be located in Hungary.

The EGTC Parc Européen Alpi Marittime – Mercantour seat was established in France after the recommendations of preliminary studies carried out by the two parks. These revealed that French legislation was better for facilitating the management and allowed for easier staff recruitment. The establishment of the EGTC seat in Tende was a symbolic matter.

Bolzano in the Italian autonomous province of South Tyrol was chosen for the seat of the Europaregion Tirol-Südtirol-Trentino, because the majority of the population is fluent in both working languages in this region, and can therefore easily communicate with stakeholders from both other regions. Furthermore, Bolzano is geographically located in the centre of the Europaregion.

The Novohrad – Nógrád EGTC Ltd. is seated in Salgótarján in Hungary. The decision in favour of the Hungarian seat was made because of the leading role the Hungarian side played in the cooperation and the availability of financial support for operational activities on behalf of the Hungarian government, which were not similarly available on the Slovak side.

4. FUTURE ROLES FOR EGTCs IN EU COHESION POLICY

KEY FINDINGS

- The EGTC is an instrument contributing to European Cohesion Policy goals.
- The existing EGTCs strongly contribute to Cohesion Policy objectives of 2014-2020, especially as regards innovation, ICT, environmental protection, resource efficiency, protection of the natural and cultural heritage, sustainable transport, education and vocational training.
- Other objectives of the existing EGTCs aim to promote tourism, sustainable agriculture, links between rural and urban areas, and several activities in infrastructure.
- To date, a relatively limited number of both ETC and regional/national OPs clearly refer to EGTCs. However, EU funding assistance seems to be of high relevance for the instrument. So far, few discussions have taken place in EGTCs regarding the use of the CLLD and ITI.
- Currently no third country is a full member of an EGTC, and there is little information as regards their involvement. However, there have been ideas and discussions about possible involvement of third countries in already existing EGTCs.
- Regarding the outermost regions, so far the option to found an EGTC has only been discussed for Saint Martin/Sint Maarten. This has not yet materialised, but an EGTC is under preparation.

In line with Regulation (EC) No 1082/2006, the EGTC instrument contributes to the harmonious development of the European Union and economic, social and territorial cohesion of its regions. In addition, EGTCs contribute to the objectives of the Europe 2020 Strategy for smart, sustainable and inclusive growth (recital 4, Regulation (EU) No 1302/2013). EGTCs can also contribute to strengthening the territorial cooperation between regions suffering from severe and permanent natural demographic handicaps, including the outermost regions, and can be an instrument for strengthening the cooperation between third countries, overseas countries and territories (OCT) and Union border regions, including the use of Union external cooperation programmes (ibid.).

Thus, several access points exist for the future role of EGTCs within EU Cohesion Policy. The following sections focus on two perspectives, namely a thematic and a territorial perspective. The thematic perspective reviews the potential roles of EGTC within ETC and other EU Cohesion Policy programmes. The territorial perspective investigates the potential to include neighbourhood countries in EGTCs and possible opportunities for outermost regions.

4.1. Potential contributions to EU Cohesion Policy objectives 2014-2020

Given the timing of the study and the state of implementation of EU Cohesion Policy programmes 2014-2020, this section looks at references to the EGTC instrument in a number of available national and regional OPs of the 2014-2020 programming period. To achieve an overview, primarily the national and regional OPs were considered in regions where a case study was conducted. This section also discusses the interest of EGTCs in using the newly introduced territorial instruments Community-led Local Development (CLLD) and Integrated Territorial Investment (ITI), as no past experiences exist for the use of these instruments yet.

4.1.1. ETC and EGTC objectives in relation

European Territorial Cooperation is “one of the two goals of Cohesion Policy and provides a framework for the implementation of joint actions and policy exchanges between national, regional and local players from different Member States”²¹. Interreg started as a Community Initiative in 1990, focusing mainly on cross-border cooperation. For the programming period 2014-2020, the programmes covered by European Territorial Cooperation are cross-border (60 programmes), transnational (15 programmes), the interregional cooperation programme INTERREG EUROPE and the three networking programmes, Urbact III, Interact III and ESPON.²²

The CPR defines eleven Thematic Objectives which aim to contribute to deliver smart, sustainable and inclusive growth for the period 2014-2020. All these TO can be addressed in ETC programmes. The eleven TO are (Art. 9, Regulation (EU) No 1303/2013):

- (1) Strengthening research, technological development and innovation;
- (2) Enhancing access to, and use and quality of, ICT;
- (3) Enhancing the competitiveness of SMEs, of the agricultural sector (for the EAFRD) and of the fishery and aquaculture sector (for the EMFF);
- (4) Supporting the shift towards a low-carbon economy in all sectors;
- (5) Promoting climate change adaptation, risk prevention and management;
- (6) Preserving and protecting the environment and promoting resource efficiency;
- (7) Promoting sustainable transport and removing bottlenecks in key network infrastructures;
- (8) Promoting sustainable and quality employment and supporting labour mobility;
- (9) Promoting social inclusion, combating poverty and any discrimination;
- (10) Investing in education, training and vocational training for skills and lifelong learning;
- (11) Enhancing institutional capacity of public authorities and stakeholders and efficient public administration.

EGTC objectives in statutes and conventions

According to EGTC regulation, the main and overarching objective of EGTCs are to contribute to the economic, social and territorial cohesion of the European Union. Within this scope, EGTCs set their own objectives and tasks in line with the priorities and needs of their region. However, even when the objectives are not directly rooted in the eleven TO and although many EGTCs were founded before the finalisation of these TO, those EGTCs which have formulated more specific objectives and tasks show high consistency with them. Nevertheless, not all objectives of all EGTCs can be aligned to the EU Cohesion Policy Thematic Objectives.

Based on a number of EGTC statutes and conventions²³, table 4 presents some examples of objectives of different EGTCs and their level of their alignment with the eleven TO of Cohesion Policy. Most EGTCs' objectives can be aligned to the Cohesion Policy 2014-2020 objectives. A high level of application of these objectives is observed for TO 1, 6, 7

²¹ http://ec.europa.eu/regional_policy/index.cfm/en/policy/cooperation/european-territorial/

²² *ibid.*

²³ All publicly available statutes and conventions of EGTCs were included in the review. It however does not provide a full or representative assessment of all EGTCs' objectives.

and 10 (see table 4). This means that the objectives of a large number of EGTCs are clearly linked to these objectives. A medium application level can be observed for TO 2, 4, 3, 8 and 9. The lowest level of alignment was observed for TO 5 and 11 to which only very few EGTCs' objectives are linked. Thus, the table shows on one hand the extent of coherence of the EGTC objectives with those of EU Cohesion Policy, and on the other, the level of application of these objectives by EGTCs. It illustrates that the EGTC is actually an instrument contributing to EU Cohesion Policy.

Table 4: Level of application of EGTC objectives aligned to the EU Cohesion Policy 2014-2020 objectives

Application level by the EGTCs of aligned objectives	Cohesion Policy 2014-2020 Thematic Objectives	EGTC relevant themes
High	TO 1 Strengthening research, technological development and innovation	Research, knowledge and innovation
	TO 6 Preserving and protecting the environment and promoting resource efficiency	Environment/resource efficiency Preserving natural and cultural heritage
	TO 7 Promoting sustainable transport and removing bottlenecks in key network infrastructures	Transport/Accessibility
	TO 10 Investing in education, training and vocational training for skills and lifelong learning	Education
Medium	TO 2 Enhancing access to, and use and quality of, ICT	Improving access to communication/information/telecommunications/communication networks
	TO 4 Supporting the shift towards a low-carbon economy in all sectors	Environment/renewable energies
	TO 3 Enhancing the competitiveness of SMEs	Support to SMEs
	TO 8 Promoting sustainable and quality employment and supporting labour mobility	Employment/training/tackling unemployment
	TO 9 Promoting social inclusion, combating poverty and any discrimination	Health
Low	TO 5 Promoting climate change adaptation, risk prevention and management	Maritime security
	TO 11 Enhancing institutional capacity of public authorities and stakeholders and efficient public administration	Institutional capacity

Source: Author.

Looking at examples regarding the highest application level, research and innovation is an objective of a large number of EGTCs. This objective can be aligned with TO 1 "Enhancing access to and use of information and communication technologies". Examples are the EGTCs Norte, Pyrénées-Méditerranée, Chaves-Verín, EFXINI POLI, Alzette-Belval and others. Many EGTCs have objectives and tasks related to environmental protection, the promotion of renewable energies and waste or water management. Such objectives can be aligned with TO 4 "Supporting the shift towards a low-carbon economy" (e.g. the EGTCs Tritia, Eurorégion Aquitaine-Euskadi and others) and TO 6 "Preserving and protecting the environment and promoting resource efficiency" (e.g. the EGTCs TATRY Ltd., ZASNET, Abauj-Abaujban, Pons

Danubii, Spolocny region and others). Transport and accessibility constitutes an objective for many EGTCs as well. This objective can be aligned with TO 7 “Promoting sustainable transport and improving network infrastructures” (e.g. the EGTCs Via Carpatia, Pons Danubii, Eurodistrikt Strasbourg-Ortenau). Education is another objective for many EGTCs, which can also be aligned with the Thematic Objective 10, “Investing in education, training and lifelong learning” (e.g. the EGTCs Ciudades de la Cerámica, Banat-Triplex Confinium, Raba-Duna-Vag). Some other TO are only addressed by few EGTCs. The fewest were observed regarding TO 11 (e.g. Hospital de la Cerdanya EGTC) and TO 5 (e.g. Parc Marin International des Bouches de Bonifacio EGTC).

The alignment of EGTC objectives with the Thematic Objectives of EU Cohesion Policy 2014-2020 is, however, not always straightforward. Some EGTCs, for example, have broader objectives, such as the strengthening of economic, social and cultural relations between the populations of its members (Art. 5 par. 1, Statutes Europaregion Tirol-Südtirol-Trentino 2011) or ensuring the inter-institutional dialogue and promoting political debate in the case of the EGTC Eurométropole Lille-Kortrijk-Tournai (Committee of the Regions, 2014, p. 71ff.). Such objectives, however, may be aligned to the specific investment priority (IP) for cross-border cooperation “promoting legal and administrative cooperation and cooperation between citizens and institutions” that is related to TO 11.

Expected contributions of selected EGTCs

A similar picture can be seen when looking at the ten EGTCs that were analysed in-depth – in this case specifically reflecting on the EGTCs’ future actions (figure 7).²⁴ The majority of the EGTCs particularly aim to contribute to TO 5, 6 and 7 and a little less to TO 1, 3 and 4. In total, seven of the EGTCs analysed in-depth (Tirol-Südtirol-Trentino, Linieland van Waas en Hulst, Novohrad-Nógrád, Via Carpatia, Parc Européen Alpi Marittime – Mercantour, EUKN and ArchiMed) aim to contribute to the TO 6 “Preserving and protecting the environment and promoting resource efficiency”. This represents a very prominent objective of EGTC activities and is also in line with the more general findings of table 4, which indicated that different EGTC objectives tend to contribute to this EU Cohesion Objective.

The EGTCs Tirol-Südtirol-Trentino, Linieland van Waas en Hulst, Novohrad-Nógrád, EUKN and Parc Européen Alpi Marittime – Mercantour envisage also contributing to TO 5 “Promoting climate change adaptation, risk prevention and management”, which may be considered to be a traditional field of intervention in cross-border areas and cooperation. The promotion of sustainable transport (TO 7) seems to be particularly important for EGTCs in Central and Eastern Europe, since it is mentioned by the EGTCs CETC, Novohrad – Nógrád and Via Carpatia. EUKN EGTC Ltd. and ArchiMed also refer to urban development.

²⁴ The EGTC of the Greater Region Programme is not depicted in the figure since the OP of this programme has not yet been finalised and therefore, the TO to which it will contribute are still unknown.

Figure 7: Expected thematic contributions of EGTC case studies to EU Cohesion Policy objectives 2014-2020

Name of EGTC case study	Thematic Objectives of EU Cohesion Policy 2014-2020										
	TO 1 Strengthening research, technological development and innovation	TO 2 Enhancing access to, and use and quality of, ICT	TO 3 Enhancing the competitiveness of SMEs	TO 4 Supporting the shift towards a low-carbon economy in all sectors	TO 5 Promoting climate change adaptation, risk prevention and management	TO 6 Preserving and protecting the environment and promoting resource efficiency	TO 7 Promoting sustainable transport and removing bottlenecks in key network infrastructures	TO 8 Promoting sustainable and quality employment and supporting labour mobility	TO 9 Promoting social inclusion, combating poverty and any discrimination	TO 10 Investing in education, training and vocational training for skills and lifelong learning	TO 11 Enhancing institutional capacity of public authorities and stakeholders and efficient public administration
ArchiMed											
Europaregion Tirol-Südtirol-Trentino											
Central European Transport Corridor											
European Urban Knowledge Network											
Hospital de la Cerdanya											
Linieland van Waas en Hulst											
Novohrad – Nóhrád											
Parc Européen Alpi Marittime – Mercantour											
Via Carpatia											

Source: Author.

Four EGTCs (Linieland van Waas en Hulst, Parc Européen Alpi Marittime – Mercantour, the CETC and the EGTC HC) aim to contribute to TO 1 “Strengthening research, technological development and innovation”. TO 3 “Enhancing the competitiveness of SMEs” is mostly referred to by other EGTCs than those listed for TO 1. Many EGTCs analysed in-depth, however, considered contributions to TO 1 or TO 3 together with contributions to the sustainable objectives (i.e. TO 4, 5 and 6). This may hint at integrated approaches in these EGTC territories that approach environmental, energy and climate change issues together, and often this may either include research activities or shall enhance competitiveness.

Only the EGTC HC explicitly aims to contribute to TO 11 “Enhancing institutional capacity of public authorities and stakeholders and efficient public administration” – although not by using ETC funds as explained above. The promotion of employment and labour mobility, the promotion of social inclusion, training and vocational training are relevant Thematic Objectives for a number of EGTCs. Nevertheless, the extent to which different TO are addressed by EGTCs seems to differ considerably. Some focus on a few TO, others follow a broader perspective. Within the sample analysed in-depth, the widest perspective may be indicated by the EUKN EGTC, which envisages some themes to be more important for their work on urban development than others, but sees the potential to principally contribute to the other TO too.

Thus, generally speaking, contributions to all EU Cohesion Policy objectives can be expected. At the same time, the combinations of Thematic Objectives differ considerably between different EGTCs as is highlighted in the following box.

Variations in the combination of TO within selected EGTCs

The Linieland van Waas en Hulst EGTC Ltd. aims to contribute to six objectives, being one of the EGTCs with the widest fields of objectives of all case studies. These vary from support to research and innovation, enhancing SMEs’ (small and medium-sized enterprises) competitiveness, and environmental-related TO, such as low carbon economy promotion, climate change adaptation and environmental and resource efficiency.

EUKN EGTC Ltd. has quite a variety of TOs to which it may contribute, and it refers to six TO. This is due to the fact that EUKN contributes to issues which are highly relevant in cities and are related to its activities. More specifically, it aims to contribute to a low carbon economy, the promotion of climate change adaptation, preservation and protection of the environment and also to the promotion of sustainable transport. In addition it aims to enhance employment and labour mobility as well as social inclusion and further poverty reduction.

The Europaregion Tirol-Südtirol-Trentino aims to contribute to four TO, three of which are specifically related to sustainable environment, TO 4, 5 and 6.

SMEs’ competitiveness, climate change adaptation, environment and resource efficiency and sustainable transport are the objectives of the Novohrad-Nógrád EGTC Ltd.

The ArchiMed EGTC has a very diverse portfolio of TO, covering very different topics. It aims to contribute to the enhancement of SMEs’ competitiveness, environmental and resource efficiency, sustainable transport as well as employment, labour mobility and education and training.

The CETC-EGTC Ltd. aims to strengthen research, technological development and innovation reflecting TO 1, and also to promote sustainable transport and remove bottlenecks in key network infrastructures.

EGTC objectives beyond EU Cohesion Policy objectives 2014-2020

Moreover, a large number of EGTCs have additional objectives which cannot be directly aligned to any of the eleven Thematic Objectives of EU Cohesion Policy 2014-2020, although they may support economic, social and territorial cohesion in the EU. Based on the objectives mentioned in their respective statutes and conventions, some examples of EGTCs with other objectives are presented in table 5.

A large number of EGTCs, for instance, have the promotion of tourism in their cooperation area as an objective. A smaller number of EGTCs focus on the development of sustainable agriculture, sustainable agricultural practices or the support of agricultural production. A few examples are the Eurégion Aquitaine-Euskadi, the EGTC Bánát-Triplex Confinium and the Rába-Duna-Vág EGTC Ltd. Supporting links and integration between urban and rural areas, as well as assisting partnerships between urban and rural areas is another EGTC objective, which cannot be directly aligned with the eleven Thematic Objectives. Examples are the EGTC Tritia Ltd., the EGTC TATRY Ltd., the Karst Bodva and the Pons Danubii EGTC. Last but not least, a number of EGTCs focus on activities, management, modernisation, maintenance and improvement of infrastructure. Relevant examples are the EGTC TATRY Ltd., the Bánát-Triplex Confinium and the Douero-Douro EGTC. Although some of the infrastructure-related objectives may be linked to TO 2 or 7, the EGTCs aim to contribute to more than the activities under these Thematic Objectives.

Table 5: EGTC objectives indirectly related to EU Cohesion Policy 2014-2020 objectives

EGTC Objective	EGTC name
Tourism	<ul style="list-style-type: none"> – EGTC Pirineus – Cerdanya – EGTC ArchiMed – EGTC TRITIA Ltd. – ZASNET EGTC – Territorio dei comuni: Comune di Gorizia, Mestna Ob ina Nova Gorica e Ob ina Šempeter-Vrtojba – EGTC “Espacio Portalet” – EGTC Spolo ný region Ltd. – EGTC “Euregio Senza Confini r.l. – Euregio Ohne Grenzen mbH” – Karst-Bodva EGTC – ABAÜJ-ABAÜJBAN EGTC Ltd. – EGTC Pons Danubii – Rába-Duna-Vág EGTC Ltd. – EGTC Gate to Europe Ltd. – BODROGKÖZI EGTC Ltd. – Eurocity of Chaves-Verín EGTC – EGTC Parc européen/Parco europeo Alpi Marittime – Mercantour
Development of sustainable agriculture/sustainable agricultural practices/support of agricultural production/agricultural innovation	<ul style="list-style-type: none"> – EGTC Eurorégion Aquitaine-Euskadi – EGTC “Euregio Senza Confini r.l. – Euregio Ohne Grenzen mbH” – Bánát-Triplex Confinium Ltd. EGTC – Rába-Duna-Vág EGTC Ltd.
Supporting links between urban and rural areas/support of integration between urban and rural areas/assist partnerships between urban and rural areas	<ul style="list-style-type: none"> – EGTC TRITIA Ltd. – EGTC TATRY Ltd. – EGTC Spolo ný region Ltd. – EGTC Karst-Bodva – Pons Danubii EGTC
Enhance economic and social cohesion through activities in infrastructure/management of infrastructure/develop actions in	<ul style="list-style-type: none"> – EGTC TRITIA Ltd. – EGTC Hospital de la Cerdanya – Karst-Bodva EGTC – Territorio dei comuni: Comune di Gorizia, Mestna Ob ina

EGTC Objective	EGTC name
infrastructure/modernisation of infrastructure/maintenance of infrastructure/improvement of infrastructure	Nova Gorica e Ob ina Šempeter-Vrtojba – EGTC “Espacio Portalet” – Arrabona EGTC Ltd. – Bánát-Triplex Confinium Ltd. EGTC – Douero-Douro EGTC – EGTC Parc européen/Parco europeo Alpi Marittime – Mercantour

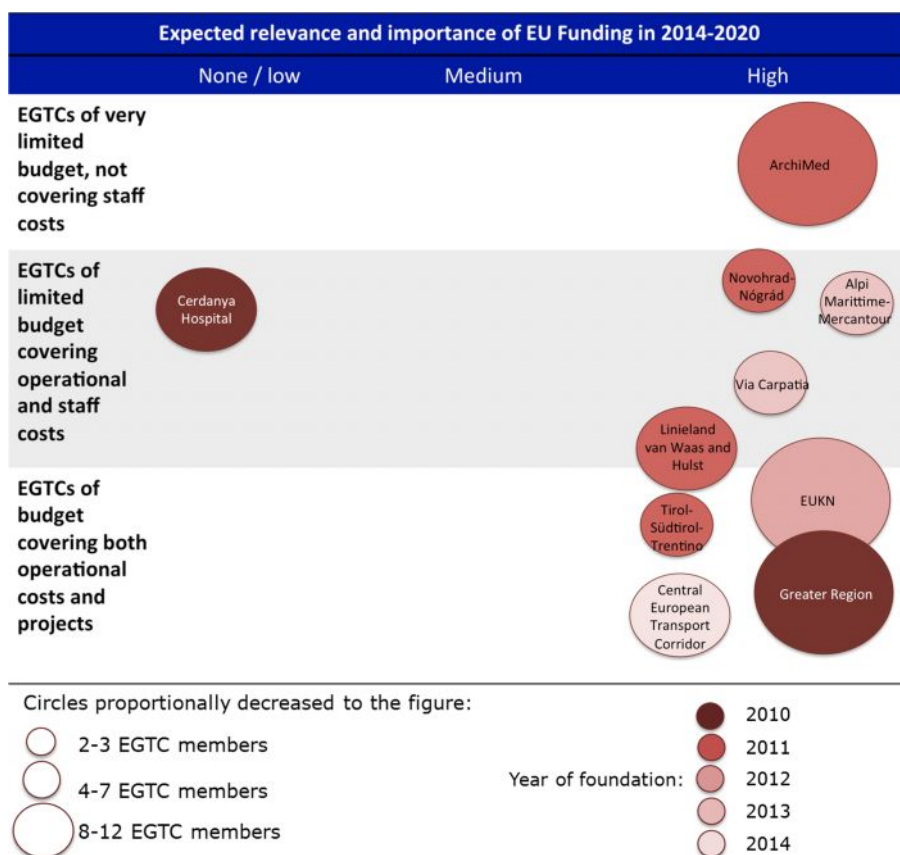
Source: Author.

Some of the EGTC objectives presented in table 5 were, however, coherent with the thematic priorities of the programming period 2007-2013. Tourism, for example, was one of the priority themes of the convergence objective of ERDF. In addition, the promotion of supporting links between urban and rural areas was one of the ERDF priorities under the European Territorial Cooperation objective.

4.1.2. The role of ETC funds for EGTCs

In the past, ETC funding was of different importance for the EGTCs analysed in the case studies. However, this perspective is not sufficient for assessing the EGTCs’ future capacities to utilising ETC and to contributing to EU Cohesion Policy objectives. Figure 8 shows the expected future utilisation of EU funding in the 2014-2020 period in relation to other EGTC resources. It indicates that ETC funding is expected to be of medium to high relevance and importance for all EGTCs analysed in-depth, with the exception of the EGTC Hospital de la Cerdanya.

Figure 8: Expected utilisation of EU funding in 2014-2020 in relation to other EGTC financial resources



Source: Author.

The degree to which the expectation towards the use of ETC funds is specified varies between the EGTCs analysed in-depth. The Via Carpatia EGTC Ltd. has set up a list of planned major projects for the funding period 2014-2020 for which the EGTC aims to be the sole beneficiary. The main funding stream of these projects is EU Cohesion Policy Funds, including both CBC and transnational programmes.

Although the EGTCs ArchiMed, Via Carpatia, CECT, EUKN and the Parc Européen Alpi Marittime – Mercantour EGTC have not used any ETC funding so far, they envisage doing so in the future. Thus, with the exception of the EGTC HC, all analysed EGTCs aim to utilise ETC funds in the future and are awaiting the first calls of the 2014-2020 ETC programmes. This illustrates a particularly high expected alignment between EGTC tasks and future EU Cohesion Policy. The exception of the EGTC HC can be primarily explained by its specific situation. After the hospital has been established, it is to be financed by health insurance, patients' fees etc. rather than ETC funds. Thus, it represents a case for which Interreg has supported the set-up and development phase and has succeeded in becoming sustainable with other resources.

Looking at the available funding and the size of the EGTCs, it becomes obvious that ETC funding is important irrespective of their size. Small EGTCs with relatively low budgets, which cover staff and operational costs, have made use of and aim to use ETC funds in the future, with the exception of the EGTC HC. Similarly, bigger EGTCs with more members all aim to utilise ETC in the future, no matter what their budget situation is. For instance, both the EGTC ArchiMed with a very limited budget and EUKN EGTC Ltd. with a considerable budget, which allows the EGTC to fulfil its services, aim to use ETC funding in the future. Thus, ETC funds seem to be an important means for EGTCs that may otherwise find it difficult to conduct the foreseen projects.

4.1.3. The involvement of ETGCs in drafting and implementing OPs

The involvement of the EGTCs in EU Cohesion Policy preparation and management differs. EGTCs may either be beneficiaries of a programme or be involved in the OP drafting and procedures.

Several EGTCs have been consulted during the OP drafting period. Although, for instance, the Linieland van Waas en Hulst EGTC Ltd. has not yet been an active player in EU Cohesion Policy, it is now being consulted by governmental bodies in the context of mid-term evaluations and the development of OPs, while a stronger cooperation between the EGTC and central governments in terms of preparing and supporting EU programmes is emerging. The Novohrad-Nógrád EGTC Ltd. was involved in the preparation of the programming of the SK-HU Interreg programme, mainly by attending focus-group interviews and workshops. The Via Carpatia EGTC Ltd. was involved in the OP SK-HU 2014-2020 preparation and its representatives attended all the Task Force meetings and workshops. It will become even more directly involved since it is expected to administer parts of the SK-HU CBC Small Project Funds. The Parc Européen Alpi Marittime – Mercantour was indirectly involved in the programme preparation and it was considered as a reference point for the consultations regarding the preparation. In any case, the extent to which these contributions will materialise will have to be seen once the programmes will start running.

The Europaregion Tirol-Südtirol-Trentino previously participated as an associate partner in Interreg projects and was involved in the OP drafting of the IT-AT CBC programme 2014-2020. Based on these experiences, it aims to strengthen its future involvement as an advisor to interested stakeholders on application and administrative procedures, or as a beneficiary of projects under the IT-AT CBC programme.

The Grande Région EGTC is a special case in this context. As MA of the “Großregion/Grande Région” cross-border cooperation programme, it is automatically intensively involved in the drafting of the OP and its later implementation.

The ArchiMed EGTC is another interesting example, as it has neither received any EU funds thus far, nor was it consulted during the OP drafting period. However, it envisages being more actively involved in the future. Given the limited financial and staff resources, it remains to be proven how successful it may be.

4.1.4. EGTCs in the ETC Operational Programmes

The reference to EGTCs in the ETC Operational Programmes is quite limited for the programming period 2014-2020. Those territorial cooperation programmes have been examined for which an OP was available. For the majority of adopted OPs, no reference to EGTCs could be identified.

The majority of the remaining OPs refer to EGTCs as potential beneficiaries of projects taking part under specific IPs, as for example the OPs of the CBC programmes France-Switzerland, Hungary-Croatia, Romania-Bulgaria, Spain-Portugal and Saxony-Czech Republic. Specific EGTCs are mentioned in only a few OPs. The cases that could be identified to the present are outlined in the box below.

Examples of OPs with clear reference to EGTCs

The cross-border cooperation programme Belgium-The Netherlands (Vlaanderen-Nederland) refers to the Linieland van Waas en Hulst EGTC Ltd. The EGTC has been involved as a partner in the preparation of the cooperation programme.

The interregional cooperation programme URBACT names the EUKN EGTC Ltd., which was also involved in the preparation of the URBACT Operational Programme.

The cross-border cooperation programme France-Italy Alcotra refers to the EGTC Parc Européen Alpi Marittime – Mercantour, which was the result of a long cooperation tradition in the region. It highlights it as one example for consolidated institutions for cross-border cooperation. Moreover, the OP mentions that EGTCs or other intermediaries could coordinate the management of funds and interventions in the case of ITI and may therefore enhance the implementation of cross-border integrated development policies (Italian-French Programme ALCOTRA, 2014, p.65).

The EGTC Parco Marino Internazionale delle Bocche di Bonifacio (IT/FR) is mentioned in the OP Italy-France Marittimo. The EGTC was developed under Priority Axis 3 on natural and cultural resources of the 2007-2013 cross-border programme and has the aim of “strengthening the surveillance of the maritime traffic” in the region (Italian-French Programme Marittimo, 2014, p. 25).

So far only one EGTC holds the function of an MA of an ETC programme. This is the EGTC of the cross-border programme of the Greater Region, i.e. between Luxembourg and its neighbouring Belgian, French and German regions (Zillmer & Toptsidou, 2014, p. 6). As an MA of the “Großregion/Grande Région” cross-border cooperation programme, Interreg funding was and is vital for its existence in the 2007-2013 programming period. There will be a new EGTC responsible for managing the 2014-2020 programme of the Greater Region and the previously responsible EGTC will be dissolved after the finalisation of its 2007-2013

programme. The new EGTC will replace it.²⁵ The members of the new EGTC will be the Grand Duchy of Luxembourg and the Regional Council of Lorraine (in France), and its seat will be in Luxembourg. The new set-up was chosen to overcome previous management problems resulting, among others, from the inclusion of all regions from the programme area as members of the EGTC.

In the 2014-2020 programming period, the ESPON interregional programme will also be implemented within an EGTC that was founded in January 2015. In this case, however, the EGTC does not act as the MA but will be the single beneficiary of the programme.

In some cases, EGTCs have been assigned furthermore to administer SPF of CBC programmes as was highlighted as an unintended and main benefit of the EGTC Via Carpatia Ltd. Similarly, the Rába–Duna–Vág EGTC was assigned to administer the western part of the same HU-SK CBC programme's SPF. In this case, however, financial responsibility etc. will remain with the Slovak Ministry of Agriculture that acts as the MA of the corresponding CBC programme.

4.1.5. Potential role of EGTCs for other EU Cohesion Policy programmes and CLLD and ITI

A review of a large number of regional and national ERDF Operational Programmes of the 2014-2020 programming period, which correspond to the regions covered by the EGTCs that were subjects of the case studies, shows that most of these OPs do not refer to the EGTC instrument. Although some regions are members of an EGTC or the EGTC is mentioned in their cross-border programme, it is not mentioned in the corresponding regional or national OP.²⁶ Only the Luxembourg OP refers to the EGTC Alzette-Belval, mentioning that complementarities between funds and also with the ETC programmes and the EGTCs, especially the EGTC Alzette-Belval²⁷, have been discussed. Generally speaking, it is not expected that EGTCs will use regional and national EU Cohesion Policy programmes to a significant extent. At least partly this may be due to the different territorial delimitations of EGTCs and these programmes.

The CPR introduces two new instruments in order to achieve the objective of territorial cohesion: CLLD and ITI. The regulation defines CLLD as “a coherent set of operations the purpose of which is to meet local objectives and needs, and which contributes to achieving the Union strategy for smart, sustainable and inclusive growth, and which is designed and implemented by a local action group” (Art. 2.(19), Regulation (EU) No 1303/2013). The CLLD is based on the LEADER experience, which has been an instrument for delivering development policies in the framework of rural development in past funding periods. It is a bottom-up tool, aiming to strengthen the synergies between local players. The CPR specifies that “where an urban development strategy or other territorial strategy, or a territorial pact referred to in the ESF Regulation (Art. 12 par. 1, Regulation (EU) No 1304/2013), requires an integrated approach involving investments from the ESF, ERDF or CF under more than one priority axis of one or more operational programmes, actions may be carried out as an

²⁵ Figures 6 and 8 do not differentiate between the correspondingly responsible EGTCs.

²⁶ No Hungarian OP is available at the time of writing. Therefore the review of OPs could not be completed for the Hungarian-Slovakian cross-border region, in which a large number of EGTCs are located.

²⁷ “The committee discusses and analyses possible complementarities between funds, and also with the territorial cooperation programs (ETC) and European Groupings of Territorial Cooperation (EGTC), especially with the EGTC Alzette-Belval. However, although very open to such projects, the ERDF digestion authority must take account of its limited budget. Thus the actions envisaged will need to demonstrate real value in terms of territorial development or cooperation.” (simple translation) (ERDF Operational Programme for Luxembourg, 2014, p. 95)

integrated territorial investment (an 'ITI')" (Art. 36, Regulation (EU) No 1303/2013). ITI can be applied in any geographical area with similar territorial features.²⁸

According to the ETC Regulation, an EGTC can function as an intermediate body for implementing ITI (Art. 11, Regulation (EU) No 1299/2013). A survey among EGTCs conducted for the CoR Monitoring Report 2013 shows that in total 9 EGTCs mentioned an interest for using the CLLD instrument and 15 EGTCs were interested in using the ITI instrument (Committee of the Regions, 2014, p. 154). Most EGTCs included in the in-depth analyses of this study were either not included in the survey or did not answer it. Only two EGTCs of the in-depth analyses which answered the survey, Via Carpatia and EUKN, showed interest in these two instruments.

The conducted case studies demonstrate a rather variable picture. Four EGTC case studies aim to or are wishing to use the CLLD and/or ITI instruments. These are the future EGTC managing the CBC programme of the Greater Region, the EGTC Parc Européen Alpi Marittime – Mercantour, the Europaregion Tirol-Südtirol-Trentino and the EUKN EGTC Ltd. Given the very different roles, structures and objectives of these four EGTCs, their possible involvement and use in CLLD and/or ITI may indicate the variety of potential EGTC roles in this context. At the same time it also highlights the limitations for EGTCs if these instruments are not foreseen in the OPs that are relevant for their territory.

The new upcoming Greater Region EGTC considers including the CLLD and ITI instruments in its Operational Programme, which is currently being drafted. The EGTC Parc Européen Alpi Marittime – Mercantour has some preliminary experience of cross-border integrated plans in the framework of the Interreg IVA Italy-France Alcotra programme through the so-called Marittime – Mercantour cross-border space. The plan is very similar to the ITI instrument. Taking into account that the ITI instrument has been considered for implementation in the Interreg IVA Alcotra programme with the opportunity to use the EGTC as an intermediary, the EGTC Parc Européen Alpi Marittime – Mercantour is expected to contribute further to EU Cohesion Policy 2014-2020 by making use of this instrument.

To a lesser extent and in terms of the ITI instrument, the EUKN EGTC Ltd. could play a supporting role based on knowledge dissemination and collection. However, due to the limited number of existing ITI, the role has not yet been materialised. A case where an EGTC can be involved in the CLLD instrument is the example of the Europaregion Tirol-Südtirol-Trentino. According to the Operational Programme for Italian-Austrian cross-border cooperation (draft pending approval from February 2015), the EGTC will have observer status in all areas using CLLD in order to promote cooperation between local and regional stakeholders. In addition, the coherence with strategies of EGTCs and other superordinate levels is defined as one quality criterion based on which CLLD strategies will be selected. The EGTC is already involved as an interface between so-called "INTERREG-Räte" (regional Interreg councils), whose main task is to promote cross-border cooperation on local and regional level, and on the level of the state authorities of the three states. The regional management involves the EGTC in strategic development for these "INTERREG-Räte", for example. This underlines the relevance of the EGTC for functioning cross-border and multilevel structures.

²⁸ <http://epthinktank.eu/2014/07/09/new-territorial-instruments-on-cohesion-policy-clld-and-iti/>

Examples for reasons for not applying ITI and CLLD instruments

The Linieland van Waas en Hulst EGTC Ltd. is one of the EGTCs which do not plan on using either the ITI or the CLLD territorial instrument. Neither instrument is well known by the partners and therefore have not yet been considered by this EGTC.

The case studies on the Novohrad-Nógrád EGTC Ltd. and the Via Carpatia EGTC Ltd. show a special example that may indicate the complexity of negotiations during the programming process. In Hungary there has been an expression of interest for using ITI and the topic has been investigated in the framework of the preparation for the SK-HU CBC programme 2014-2020. The cross-border ITI has been incorporated in the first version of the Hungarian Partnership Agreement (PA), and the EGTC initially developed a plan for its use within the cross-border region, but the EC requested for further clarification on the procedures to follow with neighbouring countries when applying the new tool. Hungary would have had to start negotiations on the issue with its five neighbouring countries and to agree on details of the measurements. Instead, the representatives of the Hungarian government decided to withdraw the tool from the PA. While there would have been the option to use ITI exclusively within the SK-HU CBC programme, the two Prime Ministers signed an agreement to finance 21 new road connections between the two countries from the SK-HU CBC programme which corresponds to 40% of the total allocation. This move left no sufficient resources for larger integrated investments and thus made the instrument dispensable.

4.2. EGTCs and the EU external cooperation

Territorial cooperation of the European Union is not restricted to its borders. The EU has developed cooperation between its MS and third neighbouring countries as well as accession countries. As for both cases different policies apply, these are shortly reviewed in the following before moving on to the role EGTCs may have in the context of external cooperation.

4.2.1. Neighbouring countries

The European Neighbourhood Policy (ENP) was developed in 2004 in order to “strengthen the prosperity, stability and security”²⁹ between the European Union and its neighbours. The ENP includes 16 countries: Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, Palestine, Syria, Tunisia and Ukraine. It is enriched and complemented by regional and multilateral co-operation initiatives: these are the Eastern Partnership (launched in May 2009), the Euro-Mediterranean Partnership (the former Barcelona Process, which was re-launched in 2008) and the Black Sea Synergy (launched in 2008). The neighbouring partner countries “agree with the EU an ENP action plan, which demonstrates their commitment to democracy, human rights, rule of law, good governance, market economy principles and sustainable development”³⁰, which the EU supports. The ENP is financed by the European Neighbourhood Instrument (ENI), which for 2014-2020 has a budget of EUR 15.4 billion.³¹ Under the ENI, four types of programme are supported:

- (1) bilateral programmes for the Neighbourhood countries;
- (2) regional programmes for the East and the South;
- (3) an ENP-wide programme mainly funding Erasmus for All, the Neighbourhood Investment Facility and the Umbrella programmes;

²⁹ http://eeas.europa.eu/enp/about-us/index_en.htm

³⁰ http://eeas.europa.eu/enp/index_en.htm

³¹ http://eeas.europa.eu/enp/how-is-it-financed/index_en.htm

- (4) cross-border co-operation programmes between Member States and neighbourhood countries.

The EU also establishes cooperation with countries that fall under its Enlargement Policy. Currently there are six candidate countries (Albania, Iceland, FYROM, Montenegro, Serbia and Turkey) and two potential candidate countries (Bosnia Herzegovina and Kosovo³²). Rule of law, freedom of expression and media, civil society and regional cooperation are among the policy cross-cutting issues concerning the countries aspiring to enter the EU³³. Reforms in these “enlargement countries” are financially supported by the Instrument for Pre-accession Assistance (IPA), building on the countries’ capacities in order to result in positive development. The Country Strategy Papers are the specific strategic planning documents made for each beneficiary for the 2014-2020 seven-year period. These will provide for a stronger ownership by the beneficiaries through integrating their own reform and development agendas. A Multi-Country Strategy Paper addresses the priorities for regional cooperation or territorial cooperation. For the 2014-2020 programming period, IPA II has a budget of EUR 11.7 billion.³⁴

The IPA instrument supports a number of cross-border cooperation programmes between EU Member States and candidate and potential candidate countries. A number of these programmes address the following borders:

- Adriatic IPA programme (Greece, Italy, Slovenia, Croatia, Albania, Bosnia Herzegovina, Montenegro)
- Greece-Albania
- Bulgaria-Turkey
- Bulgaria-Serbia
- Bulgaria-FYROM
- Greece-FYROM
- Romania-Serbia
- Hungary-Serbia
- Croatia-Bosnia
- Croatia-Serbia
- Italy-Albania-Montenegro

In addition to the above, the IPA supports cross-border cooperation programmes between candidate and potential candidate countries, such as the IPA cross-border programme between Albania and FYROM.

The amended EGTC regulation (Regulation (EC) No 1082/2006 as amended) clarifies previous uncertainties and specifies that EU neighbouring third countries can also be part of an EGTC, together with EU Member States. So far no third country has a full partnership in an EGTC, and there is little information available on the potential use of EGTCs in

³² This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence. (http://ec.europa.eu/enlargement/countries/detailed-country-information/kosovo/index_en.htm)

³³ http://ec.europa.eu/enlargement/policy/policy-highlights/index_en.htm

³⁴ http://ec.europa.eu/enlargement/instruments/overview/index_en.htm

these regions. The possibility of such an involvement will take some time to further materialise in EGTC creations.

Nevertheless, a few examples of EGTCs involving third neighbouring countries can be identified. In the EGTC Bánát-Triplex Confinium, between Hungary and Romania, some Serbian municipalities have an “observer” membership status³⁵. Moreover, according to the CoR Monitoring Report 2013, there is an idea of creating the “Euroregion Corridor VIII”, having as members Italy, Greece, Bulgaria, Albania and FYROM, where the non-EU Member States will participate as full members (Committee of the Regions, 2014, p. 9). The not yet founded “Donauhanse” EGTC also aims to involve two non-EU Member States, Serbia and Ukraine (ibid.). However, neither of the last two mentioned EGTCs exist yet, nor are they far developed in their foundation processes.

The ten conducted case studies provide some interesting insights on approaches to involve third countries. However, in most cases the discussions and ideas have not been materialised.

Case study examples on involvement of third countries in their EGTC

At the very beginning of the EGTC Via Carpatia Ltd. creation process the Ukrainian region Transcarpathian Ruthenia was supposed to become involved as an associate member. The idea was based on the initial cooperation between this region and the Kosice self-governing region. Due to the geopolitical situation in Ukraine, the idea did not flourish and was not materialised.

Another example is the EGTC Parc Européen Alpi Marittime – Mercantour. This EGTC envisaged to involve the Principality of Monaco in the EGTC. The initial idea did not continue, as the members realised the difficulties of enlarging the size of an EGTC which already has two members. Moreover, Monaco does not contain any of the park territory and is a predominantly urban territory. This could raise issues, regarding urban-rural imbalances, i.e. between Monaco’s urban territory and the two natural parks. The cooperation between the parties can be reinforced through the EGTC’s ability to sign conventions. At the moment a framework agreement, signed separately by both EGTC members and the Principality of Monaco, aims to enhance the common strong biodiversity protection objective.

For the CETC-EGTC Ltd., the situation was simpler. The only relevant third country to be included as a member was Croatia, which by entering the European Union was no longer considered as a third country. However, the accession of the Croatian region is still under way.

The EUKN EGTC Ltd. has limited experience in cooperating with neighbouring third countries, so EUKN partners carry out projects for the UN Habitat. According to the UN Habitat annual report of 2014, the EUKN is involved in the “UN Habitat “New Urban Agenda” as a member of the Advisory Board for the State of the European Cities report and as a partner for the Habitat III Strategy. The EUKN will represent its members in the European report and the preparation of the Habitat III New Urban Agenda” (pg. 14). In addition, the membership of Turkey has also been considered. Although these ideas have not yet been put into effect, the EGTC demonstrates a rather positive attitude to the cooperation with third countries.

³⁵ www.btc-egtc.eu/en/localgovernments/serbian-observer-members

Last but not least, the ArchiMed EGTC has also examined the idea of involving third countries. There has been a recent focus on discussions for admission of Marmara Island in Turkey and Kerkennah Island in Tunisia. According to the “Joint Programme Activities”, it is foreseen to establish relations and partnerships with islands outside of the Mediterranean area, but more in terms of networks and experience exchange than full membership. However, given the past difficulties in achieving the results and benefits expected when the EGTC was founded in 2011, these extensions to non-EU countries and corresponding memberships may take considerably more time.

While the above investigations on the inclusion of stakeholders from neighbourhood countries focused mostly on the potential involvement in the context of ENP and the ENI instrument, other countries could also participate in EGTCs such as Norway or Switzerland. They also fulfil the necessary preconditions to be accepted under the conditions of the amended EGTC regulation (Art. 3a, Regulation (EC) No 1082/2006 as amended), since they have a common border with MS and participate in CBC and transnational cooperation programmes of the EU.

An example of this cooperation is the newly founded Interregional Alliance for the Rhine-Alpine Corridor EGTC, which is intended to involve different Swiss partners such as chambers and regional authorities (Kantone). In the case of chambers of commerce, they could not join the EGTC due to their status as private entities. In general, two possibilities exist for involving members from third countries as regular members. Either the MS where the seat is located confirms that the conditions and procedures applied in the third country are in accordance with the provisions of the EGTC regulation, or at least one EU Member State of a prospective member and the third country concerned conclude a corresponding agreement. With regard to the involvement of Swiss partners in the abovementioned EGTC, the first alternative is currently more likely to be applied, because developing and approving a bi- or even multilateral agreement is a comprehensive and time-consuming task.

Another attempt to include a third country is currently being undertaken by the European Campus Universities of the Upper Rhine area (EUCOR). The application was recently submitted to the responsible approval authority. If approved, it would be the first EGTC not only including a member from a third country, but it would also be the first EGTC whose members are only universities, i.e. five universities from Germany, France and Switzerland.³⁶

All in all there have been several ideas and discussions about possible involvements of members from third countries. They have not been realised for different reasons. Although the amended regulation clarifies some uncertainties regarding the participation of third countries and outermost regions in EGTCs, other difficulties remain. These may be geopolitical uncertainties, governance imbalances, the increasing complexity and institutional incoherence. In Switzerland, chambers of commerce are private entities and could therefore not join an EGTC, for example.

4.2.2. Outermost regions

According to the Treaty on the Functioning of the European Union (Art. 355, TFEU), the outermost regions are part of the EU territory and EU law applies to them.³⁷ The outermost

³⁶ For more information on the planned EGTC see www.eucor-uni.org/de/node/609

³⁷ More information on the outermost regions can be found here: http://europa.eu/legislation_summaries/glossary/outermost_regions_en.htm

regions are far from continental Europe, but are part of the EU Member States. Currently there are nine outermost regions³⁸:

- 5 French overseas departments — Martinique, Mayotte, Guadeloupe, French Guyana and Réunion;
- 1 French overseas community — Saint Martin (since 2009);
- 2 Portuguese autonomous regions — Madeira and the Azores;
- 1 Spanish autonomous community — the Canary Islands.

These regions should, however, not be confused with the OCT that are also referred to in the amended EGTC regulation. They total 21 and depend constitutionally on four Member States of the European Union (Denmark, France, the Netherlands and the United Kingdom)³⁹. Their citizens are EU citizens, but do not form part of the EU territory and therefore they are not directly subject to EU law⁴⁰.

The amended EGTC Regulation clarifies the possibility of the outermost regions to be part of an EGTC. So far there is no EGTC with the involvement of an outermost region, nor is there much information on the potential establishment of an EGTC which would have an outermost region as a member.

Neither the French,⁴¹ nor the Portuguese Operational Programmes refer to the EGTC instrument, with the exception of the French OP “Saint Martin – Sint Maarten”, which envisages the creation of an EGTC between an outermost region (the French Saint Martin) and an overseas country and territory (the Dutch Sint-Maarten).

The EGTC on the Sint Martin/Saint Maarten island

The Operational Programme “Saint-Martin/Sint Maarten European territorial cooperation Programme 2014-2020” makes a reference to an EGTC between the local French authorities of Saint Martin island and the Dutch part of the island, Sint Maarten, which is an overseas country of the Kingdom of the Netherlands (thus not EU territory). For the first time there will be an Interreg CBC programme on this island (EUR 10 million ERDF), and one of the larger projects will be a water sewage plant on the Dutch side. Therefore, there have been some discussions on the creation of an EGTC that may either act as a body managing the infrastructure or as a cooperation platform in a broader sense. More specifically, when describing the procedure of setting up a joint secretariat, it is mentioned that the “overarching remit of the JTS is to strengthen the synergy and partnership between the island’s two administrations with specific objectives. It will need to be clearly mandated by the French central government, by the Government of Sint Maarten and by the COM of Saint-Martin, in order to have the legitimacy it needs to draw on their technical departments, and become the nucleus of a future European Grouping of Territorial Cooperation (EGTC)” (Saint Martin/Sint Maarten Cooperation Programme, 2014, p. 55). Initial misunderstandings between the different governance levels and political problems have been overcome and the creation of the EGTC is under preparation and shall serve as a cooperation platform of the local level rather than being the MA. The two local authorities will show high commitment in the Operational Programme projects and activities, so that

³⁸ www.europarl.europa.eu/aboutparliament/en/displayFtu.html?ftuid=FTU_5.1.7.html

³⁹ More information on the overseas countries and territories can be found here: http://eeas.europa.eu/oct/index_en.htm

⁴⁰ http://europa.eu/legislation_summaries/development/overseas_countries_territories/index_en.htm

⁴¹ The checked Operational Programmes are the following: OP Martinique, OP Guadeloupe, OP French Guiana, OP Réunion and OP Mayotte.

this can serve as a first example and proof of demonstrating the importance of this cooperation for the two parts of the island.

Overall, the cooperation between the French Saint Martin and the Dutch Sint Maarten is intense and dates back many years. For example, as regards services of general interest such as treatment in hospitals, borders seem to be inexistent and patients may be treated on any part of the island. Although the abovementioned Operational Programme covers a number of important cross-border issues, such as sewage and water treatment, environmental issues and waste management, it does not focus on other relevant issues such as drinking water and electricity access, road networks and infrastructure. Therefore, solutions have been searched for to commonly address these issues, which are of high importance for the whole island. As the EGTC has its own legal personality, it gives the opportunity to the French and Dutch local authorities to formalise their long cooperation and work jointly on local issues. Such issues would otherwise have been more difficult to address administratively due to the different governance structures of the two parts of the island. Therefore, the idea of creating an EGTC between the local governments of the French Saint Martin and the Dutch Sint Maarten came naturally as a result of their common needs and cooperation history and is under preparation. So far, the seat and other administrative details have not been decided, however the idea is to locate the seat of the EGTC on the island's border. In addition, some discussions have also begun with the island of Anguilla, which is a neighbouring British overseas territory, investigating in which way this island can be a partner in the EGTC in the future.⁴²

4.2.3. Findings

A number of factors can explain the limited involvement of outermost regions in EGTCs. Although the EGTC instrument counts some years on the ETC scene, its possibilities are still not very widely known in all EU and non-EU regions. While the EGTC regulation and its amendment offer more opportunities for third countries and outermost regions to participate in an EGTC, it seems that these opportunities are also not widely known. In addition, institutional capacity is vital for an appropriate establishment and functioning of an EGTC. The lack of institutional capacity often leads to misunderstandings and difficulties in cooperating and finding a common ground. An important element observed through the case studies is the long cooperation history of regions and countries, which was an added value for the creation of an EGTC and enhanced their cooperation structures. This cooperation history is often missing between third countries and EU Member States and needs to be strengthened. Taking all these factors into account, the future might be more promising for these regions to capitalise on the benefits of an EGTC.

⁴² Information based on an interview conducted by the research team with Alex Richards (Director of European Affairs and External Actions, Office of the President), 18 May 2015.

5. CONCLUSIONS

KEY FINDINGS

- Founding an EGTC is often complex and should only be pursued if a real need for an EGTC can be identified.
- Institutional capacity, sufficient financial and staff resources, legal knowledge, commitment and political support are important ingredients for a successful foundation and running of an EGTC.
- No closing conclusions can yet be made on the effects of the amendment of the EGTC regulation. While it has removed some obstacles it may also give rise to new difficulties. Different national legal systems remain a major difficulty.
- Nevertheless, the EGTC instrument entails quantitative and qualitative changes of territorial cooperation in Europe.
- While principally contributing to EU Cohesion Policy objectives, many EGTCs hope to make more use of its funds in the future than in the past. Depending on their capacities and other influential factors several EGTCs were involved in the preparation of ETC programmes 2014-2020.
- The participation of members from non-EU countries and outermost regions has become easier after amending the EGTC regulation. However, future experience has to prove in how far the anticipated potential actually exists.
- Possible future further development of the EGTC instrument may be a difficult balancing act. To remove further obstacles while keeping the instrument's flexibility and avoiding additional complexity may prove rather challenging.
- Communication, awareness raising, continuous exchange of information and coordinated actions, which involve not only relevant EU institutions and EGTC representatives but approval authorities etc., are important tools to further develop the EGTC legal instrument.

The study focused on two major themes: lessons learned from the already existing and planned EGTCs and perspectives for the future role of EGTCs in EU Cohesion Policy (incl. European Territorial Cooperation). These dimensions of the study are reflected in the following conclusions which start with general findings (section 5.1) and trends that could be observed (section 5.2) and then point to potential future roles of EGTCs in EU Cohesion Policy (section 5.3). Based on these lessons and findings, different types of recommendations have been developed. These indicate firstly some key success factors for establishing and running an EGTC (section 5.4), before turning to some recommendations for the future of the EGTC instrument (section 5.5) and final conclusions (section 5.6). This way, the last two sections provide input for the future debate on how to improve the EGTC instrument for prospective funding periods, whereas section 5.4 may also be useful for potential EGTC founders.

5.1. General findings

The EGTC instrument is a voluntary tool – no municipality or region is compelled to join an EGTC. Furthermore, the EGTC instrument may be applied anywhere in the EU. It is, however, essential to identify a need for an EGTC and to make sure that founding an EGTC is more appropriate for the specific purpose than other instruments available for cross-border, transnational or interregional cooperation (such as a registered association, a European Economic Interest Grouping (EEIG)⁴³ or a limited liability company).

The case studies show that the fundamental decision for or against a foundation as well as the EGTC's general success often depend on common experiences and a strong cooperation history between partners. Cooperation usually results from a shared challenge or vision, which stems from mutual interests and makes it easier for all involved stakeholders to formulate precise targets and define joint tasks. Smaller territories generally share more commonalities (cultural, economic, geographic) and challenges, whereas larger territories are characterised by more diversity. Defining a joint task becomes consequently more difficult, yet also more important in order to find a common ground for the EGTC. It is therefore essential to identify the purpose and focus of the EGTC and what shall and can realistically be achieved both short and long term. This is also useful for identifying the value added of an EGTC. It makes the benefit visible for all potential members.

If more than two countries are involved in an EGTC, as can be expected for most transnational and network EGTCs, the number of national legal frameworks to be considered for the foundation process increases. The more frameworks which have to be considered, the more complex the finding of a common understanding becomes. Whereas in theory an in-depth analysis of the implications of different national legal frameworks may be suitable, evidence from the case studies shows that often few aspects prove to be crucial for the final decision for or against one or another seat country. It is therefore necessary to find a pragmatic approach for deciding on the seat of the EGTC, the law to be applied and to avoid political conflicts about the location of the seat and the applicable law that might result in evitable complexity. The decision-making can be supported, for instance, by applying rather simple criteria related to pragmatic aspects such as the players' commitment.

National legal frameworks are not only important during the foundation process. Depending on the role of the EGTC, different standards and regulations can also affect an operating EGTC. This is best highlighted by the EGTC Hospital de la Cerdanya, which has to deal with differences in the health systems of two countries. Even though the regulations for many sectors are increasingly harmonised, they are still subject-specific and cultural differences persist. This can lead to new challenges, especially when non-EU countries (third countries) are involved, because the mechanisms of legal harmonisation within the EU are only binding for EU Member States. It can thus be helpful to proceed pragmatically and solve only the existing and most urgent problems in steps instead of solving all problems at once. It is, however, recommendable to ask for legal advice.

The original and the amended EGTC regulations have been implemented differently in the various EU Member States. Contradicting formalities resulted in different uncertainties and prevented potential benefits from being realised. One example for this is the direct employment of staff, which was one main objectives of establishing the EGTC instrument.

⁴³ For more information on its legal basis created in 1985 see EUR-LEX: [Council Regulation \(EEC\) No 2137/85 of 25 July 1985 on the European Economic Interest Grouping \(EEIG\)](#)

The legal status of employees was, however, often not clear so that up to now many EGTCs have delegated personnel from their members instead of directly employing their own staff. The new regulation allows for different options for applicable law. These options have to be defined in the convention. Future analyses should keep track in how far this new flexibility will lead to an increase in direct employment of staff and how the employment could be simplified and further improved in order to promote the realisation of envisaged benefits.

5.2. Observable trends

The analysis of the case studies allows for identifying different trends. So far, it is not yet possible to assess whether or not these trends will reinforce, modify or dissolve in the next years. They sometimes even cover two opposing developments and can generally be distinguished by qualitative and quantitative changes. A more detailed assessment is provided for each trend in the next paragraphs.

The EGTC has proved a suitable instrument for promoting territorial cooperation and its legal embeddedness in EU Cohesion Policy has been strengthened. However, a number of obstacles encountered during its foundation procedure still exist. The question of whether or not the amended EGTC regulation successfully removed the reasons for these obstacles cannot clearly be answered. The amended regulation did not succeed in solving all problems. Instead, some problems remain or were further triggered and new problems were caused. For instance, although several players recently opted for establishing an EGTC, some foundation processes failed because of persisting differences regarding, for example, different liability schemes in different MS, which could not be overcome. In addition, at least in some countries, there may still be some reluctance towards using the EGTC instrument, which can hamper local and regional players' initiatives.

Another observation regards cross-border cooperation and the question of whether or not an increase in the number of cooperation relations can be observed due to the introduction of the EGTC instrument. On the one hand, several EGTCs were established either as an additional (beside a Euroregion, for example) or a new body. This leads to the conclusion that the EGTC instrument, compared to other available instruments, implies a significant added value for cross-border cooperation. On the other hand, there are many European border regions where EGTCs are still not used for cross-border cooperation. This often reflects that the existing instruments are sufficient and that no significant need for new instruments exists or the EGTC instrument is not yet that well known. The quantitative impact of the amended regulation cannot yet be analysed. However, in some cases, it has affected the timing of EGTC foundation processes. Different EGTCs, which have recently been founded or whose foundation processes were cancelled for other reasons, reported that they postponed their foundation because they expected easier and more straightforward procedures under the amended regulation.

The added value of the EGTC instrument can also be identified by analysing qualitative changes in cooperation. In several cases, the legal status was transformed from another form (e.g. Euroregion) to an EGTC. This implies that some legal forms are not as suitable for the achievement of objectives or the execution of tasks as an EGTC. The qualitative change furthermore refers to the type of tasks and objectives. Evidence from the case studies allows for the conclusion that most cooperation fields have not changed over time and that they generally refer to joint initiatives rather than conjointly operating infrastructures (a student exchange instead of a joint school in the field of education, for example). As such initiatives were also conducted before the introduction of the EGTC instrument, one may doubt whether they really rely on an EGTC. However, the Hospital de la

Cerdanya, open to the public since September 2014, is the first EGTC offering health care and thus operating in the field of services of general interest. It remains to be seen whether more EGTCs referring to the joint management of (critical) infrastructures will be founded in the coming years or whether this hospital remains an exception. Considering the Hospital de la Cerdanya, the potential for applying the instrument for such purposes is evident and needs to be further developed and exploited.

Usually, the territory of an EGTC is consistent with the territory covered by its members. However, the Linieland van Waas en Hulst EGTC Ltd. illustrates that this does not need to be so, and sometimes a widened inclusion of stakeholders beyond the EGTC territory may be not only beneficial for achieving the EGTC objectives but necessary. In this case, the EGTC territory only includes the territory of the four involved municipalities, although additionally two provinces and an intermunicipal body are members of the EGTC. The territory of these last three members is considerably larger and covers many more municipalities. Thus, this EGTC is an example for a legal set-up in which players with specific competences were integrated for supporting cross-border cooperation in the four municipalities. The intermunicipal body is needed for its formal competences in the field of land use planning, urban development and renewal, and infrastructure and transport, which were transferred from the municipalities on the Flemish side to this body. The inclusion of the provinces is additionally helpful for generating political and financial support. This might serve as an example for future EGTCs that it is useful to involve additional members that provide support, despite the fact that their territory is not included in the EGTC's territory.

Only a few cases show the involvement of non-EU members in EGTCs. The newly founded Interregional Alliance for the Rhine-Alpine Corridor EGTC envisages including Swiss partners as future members. In other cases, pre-accession countries such as Serbia have the "observer" membership status. However, there have been ideas and discussions about possible involvements of members from third countries. Nevertheless, the participation of members from non-EU countries is easier under the amended regulation, so that future experience has to prove in how far the anticipated potential actually exists, what obstacles have to be overcome, and how it can be exploited in the best possible way.

No outermost regions are currently members of EGTCs. The example of Saint Martin/Sint Maarten shows that only in the case of a strong cooperation history, may the EGTC instrument be the right instrument to reinforce territorial cooperation in the outermost regions. Nevertheless, it is essential to build up institutional capacity by establishing links between the outermost regions and institutions that are more experienced with the instrument. This way, learning and awareness raising processes might be initiated in other outermost regions. For the time being, many outermost regions may focus on improving general cooperation with their neighbouring regions in order to develop potentialities for future cooperation.

5.3. Potential future roles of EGTCs in Cohesion Policy

The in-depth analyses show that, at least in the past, many EGTCs did not make use of the possibilities to be actively involved in EU Cohesion Policy. Although nearly all EGTCs want to use ETC or other EU Cohesion Policy funding, only a few EGTCs were either directly involved in the development of ESIF programmes for 2014-2020 or contributed in some way to the development. In general, a more active involvement of EGTCs also mirrors to which extent the EGTC is considered a valid player in the corresponding region or field. It is therefore necessary to express interest in participation and to underline it repeatedly in order to be taken into consideration in the development of the ESIF programmes. Prior to

that, EGTCs have to clarify their role for EU Cohesion Policy, e.g. whether they prefer to be involved in the full policy cycle or focus on a specific phase, and to represent its members in the drafting process or implement measures on their behalf.

In contrast to the development phase for Operational Programmes (OP), which has been mainly finalised, EGTCs can still participate in EU Cohesion Policy as potential beneficiaries. So far, a relatively limited number of OPs clearly refer to EGTCs. Those programmes that refer to EGTCs are all in the frame of ETC. This does, however, not imply that EGTCs may not be accepted as sole beneficiaries by programmes not explicitly referring to EGTCs. Due to their rather general objectives, EGTCs can be adjusted to the objectives of EU Cohesion Policy. The lack of mentioning EGTCs may instead be interpreted as either a lack of relevance (e.g. no EGTCs currently exist in the corresponding territory) or a lack of awareness (e.g. EGTCs are not active or not yet established as important players). Thus, it is again decisive to make the EGTC's voice heard. It is furthermore essential to analyse whether EU Cohesion Policy and its objectives fit with the needs of the EGTC and its members, and which thematic fields of EU Cohesion Policy are relevant for the development of the EGTC and its members, respectively. Vice versa, it has to be assessed whether an EGTC is necessary to improve the work conducted within the thematic fields of EU Cohesion Policy, for example, or whether the objectives could be achieved (more easily) without an EGTC.

Regarding the use of the CLLD and ITI, very few discussions have taken place. In some cases, EGTCs would be interested in using either of these instruments in order to support their cross-thematic objectives. However, CLLD and ITI are not readily available or foreseen in all programmes where EGTCs would be interested. This finding may at least partly indicate the limited inclusion of EGTC interests in the programmes' development (see section 4.1.3). Thus, a trade-off regarding CLLD and ITI is visible between their complexity (regarding their development and implementation) and the actual interest in their application. Different reasons might be relevant for the limited relevance of the instruments in operational programmes. First of all, as the instruments were only recently introduced, it is possible that many MA could not yet obtain sufficient knowledge, especially with regard to potential advantages and opportunities. Thus, they do not perceive a benefit, but instead probably assume that applying the respective instrument will lead to additional administrative burden, which would then easily outweigh the (perceived) limited benefits. Besides this, the perspective on the instruments might differ between the EU level and (regional) MA. Even if the instruments as such were easy to apply, the Managing Authorities still have to integrate them in their programmes, assess for which objectives and priorities they are most suitable, and also discuss it within their partnerships, with intermediaries and line ministries. If only the introduction and integration of the instruments is so complex and time-consuming, many Managing Authorities probably prefer to avoid additional rounds in their communication or even delays in the approval procedure, i.e. they rather exclude the instruments for pragmatic reasons. As a result, the instruments cannot be made available although a need may be communicated. Consequently, a request for simplifications and a need for an in-depth analysis of actual reasons preventing the use of CLLD and ITI may be raised.

5.4. factors

Make clear whether an EGTC is the right instrument

It is pivotal for interested stakeholders to ask themselves whether or not it is necessary to establish an EGTC. Answering four key questions may help identifying the need (Zillmer et al., 2014):

- (1) Is it necessary to establish permanent cooperation structures?
- (2) Is the cooperative structure required to perform tasks for which a new legal entity is necessary?
- (3) Can the cooperative structure create (significant) added value?
- (4) Is the level of common experiences of cooperation sufficient?

Affirmative responses to at least one or possibly more of these questions could indicate that an EGTC may be the most appropriate instrument for supporting economic, social and territorial cohesion. The higher the number of affirmative responses to the above four questions, the greater is the likelihood that an EGTC may be an appropriate instrument.

Build on well-coordinated cooperation structures

A strong history of cooperation is an important factor that affects the decision for or against the foundation of an EGTC. Experience from the case studies in return shows that the existence of an EGTC affects cooperation structures and processes between the involved stakeholders. This can happen both intentionally and unintentionally and also refers to the involvement of new stakeholders from different territorial levels. An EGTC foundation can improve the cooperation between the EGTC and its members, between the EGTC and European institutions and stakeholders and foster the integration of local and regional stakeholders from other sector policies, for example. These effects should be taken into consideration as early as possible. A well-coordinated cooperation structure will be the most beneficial for all involved partners.

Involve approving authorities from the beginning

The foundation of an EGTC needs to be approved by the respective approval authority. For the creation, different steps have to be realised and different legal frameworks have to be taken into consideration. Understanding the context of certain decisions can be a complex and time-consuming process. Thus, it is advisable to involve approving authorities from the beginning. They should not only be informed about the idea of founding an EGTC, but should be constantly kept in the loop. Potentially, an intense dialogue can be set up, problems can be identified at an early stage and solved in due time. This way, both EGTC players and approval authorities ensure that their needs are sufficiently considered in the set-up of the EGTC. If experienced, the approval authority might furthermore provide additional support, which is usually appreciated. If not yet experienced, it can be a learning process from which both sides can benefit.

Gather and distribute all relevant information

Founding and operating an EGTC requires appropriate information and comprehensive knowledge of the legal preconditions. A lack of information and knowledge can lead to additional difficulties. The transfer of competences is one example for a legal key element that is often wrongly interpreted. The competences for any task remain

with the respective local and regional authorities, and only the task as such is transferred from the members to the EGTC. As the local and regional authorities are the members of the EGTC, they still have and should make use of the competence to define what tasks shall be transferred and how the different tasks are to be conducted by the EGTC. The members of an EGTC should therefore acquire extensive knowledge about the legal context relevant for executing the identified tasks in different countries.

Show the added value of an EGTC and involve different stakeholders

Sometimes the EGTC replaces an existing institution. It is, however, more common that an additional institutional layer is established, which may be perceived by the citizens as a remote and bureaucratic entity. In order to avoid this perception and reputation, it is important that the added value and benefit of an EGTC are well communicated. This can be achieved by conducting people-oriented projects or by involving players from the civil society and NGOs, for example. This way, also the democratic legitimacy of the EGTC can be strengthened and the EGTC may contribute to further developing a joint regional identity or raising awareness for a common cultural and/or natural heritage.

However, one must not forget that broader involvement of stakeholders usually leads to an increasing diversity of partners, perceptions, interests and visions. Furthermore, the diversity of competences also increases. This can result in more complex processes as regards decision-making, financing, and implementation processes. The main challenge therefore is to find a balance between a lean and pragmatic structure and the EGTC as an institution that should be people-oriented and reflect the social and territorial diversity of its members.

Clarify how long term goals can be reached and make the required resources available

Some case studies show that EGTCs tend to define ambitious long-term objectives but lack the necessary institutional capacity to manage the EGTC correspondingly. This occurs already during the foundation process and is also valid for running the EGTC. As the creation of an EGTC is no part-time job, potential members should consider already making resources available during this phase. Often, the idea is to join local and regional forces in order to become more visible and represent interests on a transnational or European level, by contributing to existing or developing new macro-regional strategies, for example. An EGTC may be considered as an approach to create a critical mass for this. At the same time, it requires an increased institutional capacity, knowledge about current processes on transnational and European levels that might fit for future involvement, experience on detailed mechanisms related to these processes, how they may be influenced, who the key players are etc. It is therefore crucial (a) to clarify how the long-term objective can be reached, i.e. a strategy including short- and mid-term milestones has to be developed, and (b) to provide additional means to increase the institutional capacity.

Enhance the commitment

The EGTC instrument is not easy to apply. It is important that the EGTC members show high commitment and that they have sufficient political support. If a strong common interest exists, one can generally expect higher commitment and better achievements in the end. However, this commitment is not only necessary during the foundation process, but needs to be continued when the EGTC starts operating. Providing sufficient financial means may help promoting the commitment, but it is also an indication for the EGTC members' conviction about the EGTC's relevance and usefulness.

5.5. Recommendations for improving the EGTC instrument

Evidence from different territorial levels (EU, national, regional, local, outermost) and different stakeholder groups (potential members, approving authorities etc.) shows that the existence of institutional capacity is paramount for founding and running an EGTC successfully. Without this capacity both the foundation process and the operation of the EGTC face significant additional challenges that could generally be avoided. Further opportunities to promote institutional capacity should be created by providing corresponding funds, underlining the need, raising awareness and initiating mutual learning and exchange processes.

Even though the amended regulation solved several problems, for certain aspects no sufficient simplification was achieved. Several obstacles remain with respect to the choice of the applicable law, legal personality, liability and the registered seat. The need to agree on the applicable law often results in political discussions (Where will the seat be located? Whose law is most suitable?) or complex compromises (seat in one country, applicable law from the other country). The fundamental problem is thus that the EGTC regulation is implemented in different ways in different MS. Because of political reasons, the EGTC regulation is of an incomplete nature rather than a final and complete regulation. In consequence, MS have considerable room to manoeuvre as regards its implementation. This may give rise to the principal question on how to keep the flexibility of the EGTC instrument, while at the same time reducing uncertainties between MS.

A better communication of the EGTC instrument and raising a stronger awareness can be essential for a more evident participation of EGTCs in EU Cohesion Policy implementation. The involvement of EGTCs in the preparation of the operational programmes of their regions may be an added value in the territorial cooperation objectives of each region, as was indicated in some case studies.

In order to improve the participation of members from third countries, additional complexity has to be avoided or at least significantly reduced. It is therefore necessary to find a solution so that institutional incoherence, i.e. the legal form (as for Swiss chambers as private entities, for example), does not prevent institutions from becoming a member in an EGTC if they are important for the EGTC's objective. The membership should also rely on the tasks that an institution carries out in a certain country or region and not only depend on its legal form governed either by public or private law. This way, also the variety with regard to the type of members could be increased, which would correspondingly reflect the variety of players in different regions.

Coordinated actions between European Institutions can also contribute to better outcomes of the EGTC instrument. In July 2015, Luxembourg will take over the EU Council Presidency for the second half of 2015. Together with Latvia and Italy, Luxembourg agreed on a joint programme in the field of territorial cohesion and urban policy. The third action of this programme refers to developing special regulations that can be applied for improving cooperation in functional cross-border areas. By the end of 2015, the Luxembourg Presidency intends (a) to reach political agreement that there is a general necessity for further developing the legal framework, and this way (b) to promote commitment in favour of cross-border cooperation and territorial cohesion.⁴⁴ The ambitious Luxembourgish agenda might also offer several opportunities and potential for the members of the

⁴⁴ Presentation given by Jean-Claude Sinner (Senior Officer for Spatial Planning, Luxembourg Ministry for Sustainable Development and Infrastructure) at the workshop "EVTZ mit deutscher Beteiligung – Erfahrungsaustausch und Perspektiven" on 27 January 2015 in Berlin.

European Parliament's REGI Committee to get involved and contribute to the debate and receive inputs for further improving the EGTC instrument. The incoming Luxembourgish EU Council Presidency is, however, only one possibility to improve the EGTC instrument. As EGTCs have been founded regularly during the past years and several players are in the process of setting up new EGTCs, additional possibilities should be identified and explored in order to create a continuous loop of information exchange. An additional opportunity for such exchange may be created by the discussions and development of indicators for the evaluation of EGTCs as foreseen for the delegated act to be adopted.

5.6. Final conclusions

A main conclusion of this study is that the EGTC is a tool that is and can be used for various purposes related to territorial cooperation. The amended regulation has solved some problems for applying the EGTC instrument. However, the EGTC instrument is not a universal remedy to overcome national differences in the EU. The previous conclusions have shown that future amendments should provide EGTC players with more specific rules regarding different aspects in order to leave less scope for misinterpretation and misunderstanding, to provide clarification and avoid differences when it comes to the implementation of the regulation in MS and regions. Despite this need for clarification, it is, on the other hand, necessary to keep the instrument's flexibility so that it can still be adjusted to different tasks, stakeholder structures, institutional contexts and other specific characteristics. Each EGTC is unique and will have to be treated as such to be embedded in its institutional and territorial framework.

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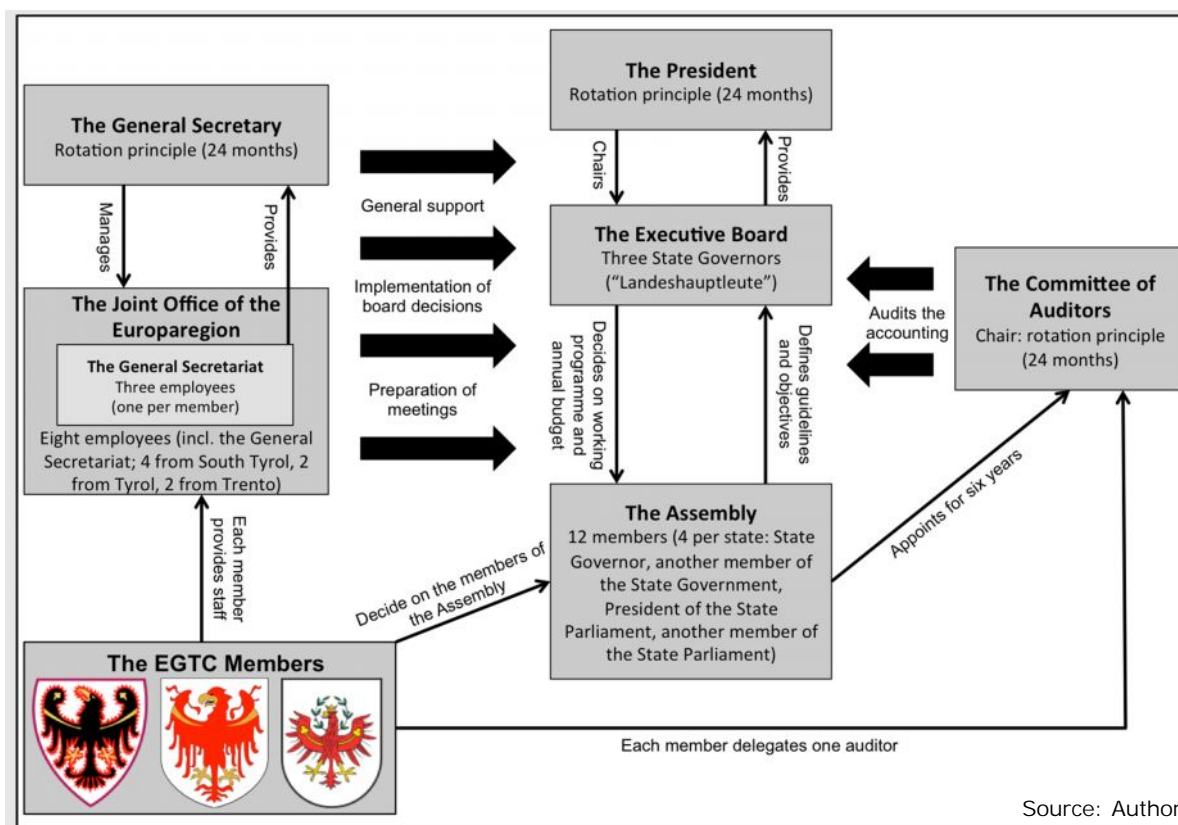
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ANNEX

A.1 Case study summaries

A.1.1 Europaregion Tirol-Südtirol-Trentino (Austria, Italy)

Foundation of the EGTC	
Date of foundation	2011, September 13
Motivations for EGTC creation	<p>The three regions and their inhabitants share close historical and cultural linkages, joint traditions and are located in the same natural Alpine setting with similar strengths and weaknesses for their development. The Alpine transport, and the Brenner Pass in particular, can be considered as a crucial element that unites the three regions in different ways.</p> <p>Besides these linkages, the regions are far away from their respective capitals and have a long history of (political) cooperation. Therefore, the EGTC foundation process was the next step in order to further intensify and institutionalise the cross-border cooperation.</p> <p>Previous attempts to establish institutionalised structures failed even though all regions declared their willingness, and cross-border cooperation was based upon informal political endorsement instead of international law for the time being. In 2009, the three state parliaments conjointly and unanimously decided to institutionalise the cooperation.</p>
Administrative details	
Members and membership structure	The EGTC has three members, namely the State of Tyrol, the Autonomous Province of Bolzano-Alto Adige and the Autonomous Province of Trent. All members are state authorities. The territory of the members is subject to the EGTC.
EGTC Duration	The EGTC was founded for a definite period of 15 years, which can always be tacitly extended for another 15 years.
Seat of EGTC & additional offices	The registered seat and office are located in Bolzano (IT). In addition, other operative seats may be established.
Legal form & rationale for choice	<p>The EGTC was founded as legal entity under Italian law with unlimited liability. The liability is divided according to the members' financial contribution, i.e. equally between the members.</p> <p>Bolzano was chosen for the seat because the majority of the population in South Tyrol is fluent in both working languages and can therefore easily communicate with stakeholders from the other two member regions. Furthermore, Bolzano is located in the centre of the Europaregion.</p> <p>The decision of the seat country determined the type of entity, as Italian Community law states that an EGTC has legal personality in Italy according to public law and that it is not profit-oriented. As the EGTC is part of the state government and state governments cannot limit their liability, it was clear from the beginning that the EGTC would not limit its liability either.</p>
Budget	For 2015, the EGTC's members decided to confer the implementation of two programmes on research cooperation and cross-border mobility to the EGTC. Together with the annual budget of EUR 600,000 (EUR 200,000 per member) and further funding, the total budget of the EGTC sums up to EUR 1.8 million.
Staff	<p>Each member provides staff for the EGTC's Joint Office. Currently, the Secretariat has eight staff members, four from South Tyrol, two from Tyrol and two from Trento. All of them are delegated from their regions. In the past, the EGTC employed its own staff only for specific projects.</p> <p>The General Secretary manages the Joint Office and rotates every 24 months between the EGTC members.</p>
Organisational structure	The organs are the President, the Executive Board, the Assembly, the Joint Office (plus the General Secretariat and the General Secretary) and the Committee of Auditors. Their roles and relations are displayed in the figure below.



Content	
Main objectives	<p>In addition to the general objective of facilitating cooperation of the members in support of economic and social cohesion, the EGTC aims at</p> <ul style="list-style-type: none"> – strengthening economic, social and cultural relations; – promoting territorial development (especially: education, culture, energy, sustainable mobility, health, research & innovation, economy, agriculture & environment); – better coordination of joint participation in ETC and other thematic EU funded programmes; – representation of the EGTC's interests to European and national institutions; – other specific matters of territorial cooperation in the field of non-EU funded cooperation.
Main tasks	<p>The Statutes define the following set of tasks for the EGTC:</p> <ul style="list-style-type: none"> – definition and implementation of projects in the field of territorial cooperation (with/without EU funding); – promotion of the EGTC's interests to European and national institutions in the field of territorial cooperation; – to join organisations and networks that are in accordance with the EGTC's objectives; – implementation of programmes in the context of ETC; – other activities to achieve its targets (territorial cooperation for strengthening economic, social and territorial cohesion). <p>In practical terms and according to available literature, the following tasks are important for daily work:</p> <ul style="list-style-type: none"> – coordination of projects supported by the EGTC's members; – project management for its own projects; – implementation of the resolutions of the joint meeting of the state parliaments; – coordination between state administrations, citizens etc.
Realised benefits & achievements	<p>The work assignment as defined in a joint declaration in 2009 (implement initiatives, advise the state authorities, serve as an interface, intensify the exchange) could be fully achieved, and the EGTC as well as the Europaregion are</p>

	<p>today well perceived by the state authorities.</p> <p>An unintended benefit of the last years lies in intensified and continuous cooperation between the state authorities and in particular other stakeholders. In many cases the EGTC is not even directly involved. The willingness to establish and/or intensify cross-border cooperation structures has significantly increased in fields such as transport and research that are beyond the originally targeted cooperation.</p> <p>Another success that developed unintentionally lies in the use of the Euroregion's corporate design for cross-border cooperation projects in which the Euroregion is not directly involved as a project partner. This underlines the Euroregion's importance for cross-border cooperation and that using the corporate design helps to increase the visibility of joint activities and thus the recognition value for all projects aiming at cross-border cooperation.</p>
Role in EU Cohesion Policy and beyond	
Past role in EU Cohesion Policy	<p>The EGTC has received Interreg funding as a beneficiary and is involved in different Interreg IVA projects, however, compared to its own funds, this plays only a minor role. The EGTC usually takes part as an associated member. When it comes to specific project activities, other project partners take over and the EGTC usually remains involved in coordination activities, but not in content-related project activities.</p> <p>The EGTC is also an interface between the so-called "INTERREG-Räte", whose main task is to promote cross-border cooperation at local and regional levels, and the state authorities of the three states.</p>
Future role in EU Cohesion Policy	<p>The EGTC will play a twofold role in EU Cohesion Policy and ETC 2014-2020, i.e. in the context of Interreg VA. The EGTC was involved in the development of the Operational Programme of Italian-Austrian cross-border cooperation. It took part in the identification of topics and definition of priorities.</p> <p>In the future, the EGTC also intends to implement their own Interreg projects as the single beneficiary of the IT-AT CBC programme in the following four fields for the funding period 2014-2020: energy, renewable energy sources, resource efficiency (TO 4 & 6), economy and competitiveness (TO 3), natural hazards (TO 5), and bilingualism (related to TO 10). As a single beneficiary, the EGTC can sub-contract other institutions, organisations etc.</p> <p>According to the Operational Programme for Italian-Austrian CBC, the EGTC shall furthermore have observer status in all areas using CLLD to promote cooperation between local and regional stakeholders.</p> <p>The EGTC will also advise interested stakeholders on application details and administrative procedure. However, the Interreg funding area and the area of the EGTC differ from each other, which is why the EGTC does not intend to implement/conduct the cross-border programme in the future.</p>
Role beyond EU Cohesion Policy	<p>The EGTC furthermore supports EU Cohesion Policy without using these funds, because it seeks to improve territorial and cross-border cooperation, which is also one of the main general objectives of EU Cohesion Policy. The way it supports thematic objectives might, however, change.</p>
Involvement of neighbourhood countries & outermost regions	<p>Not relevant</p>

A.1.2 Linieland van Waas en Hulst EGTC Limited Liability (Belgium, Netherlands)

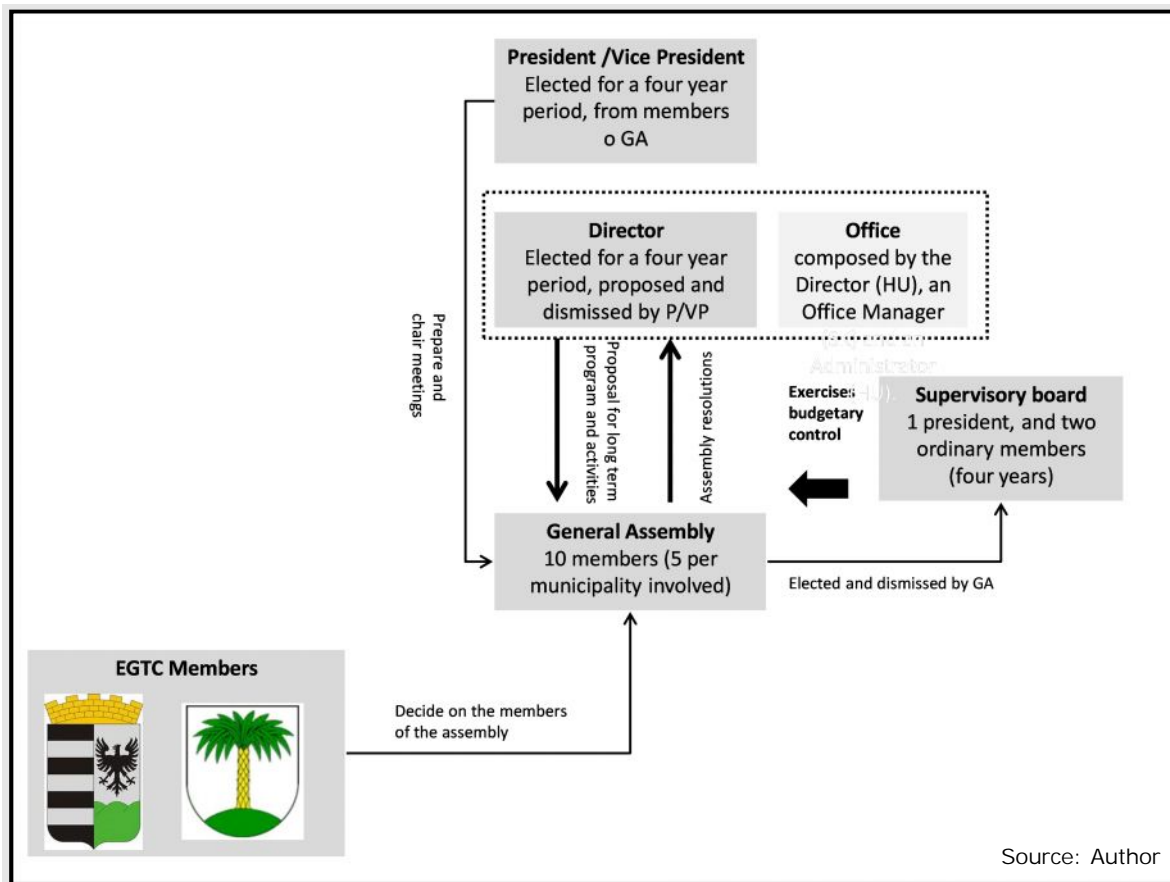
Foundation of the EGTC	
Date of foundation	2011, June 15
Motivations for EGTC creation	<p>The area has a fairly long history of cross-border cooperation that is supported by the informal cross-border intermunicipal cooperative organ (IGO), which was set up in the 1990s.</p> <p>The main reason for founding the EGTC lies in the recognition for the need of a more robust administrative structure for carrying out cross-border projects on the left bank of the Scheldt river. A study on the area developed an action plan of eleven cross-border projects that are necessary to realise the shared vision for the area. The stakeholders felt the need to strongly commit themselves to these projects and deemed the existing informal cooperation insufficient for implementing these projects.</p>
Further administrative details	
Founding & current members and membership structure	<p>The seven members consist of four municipalities (Beveren, Sint-Gillis-Waas and Stekene (all BE) and Hulst (NL)), two provinces (Oost-Vlaanderen (BE) and Zeeland (NL)) and InterWaas (a Belgium based intermunicipal cooperation body holding crucial spatial planning competences).</p> <p>The EGTC territory only covers the territory of the four municipalities that are members. Thus, the remaining territory of the provinces and the cooperation body are not part of the EGTC.</p>
EGTC Duration	The EGTC was founded for an indefinite period of time.
Seat of EGTC & additional offices	The seat of the EGTC is in the municipality of Sint-Gilles-Waas (BE), which is also the location of its office.
Legal form & rationale for choice	<p>The EGTC was founded as legal entity under Belgium law with limited liability. Under the corresponding Flemish provisions it is a public entity.</p> <p>The seat is located in the municipality of Sint-Gilles-Waas which took the leading role during the foundation of the EGTC. Given its level of involvement, this decision was taken for granted by all members. In addition, this municipality is centrally located in the cooperation area of the four municipalities.</p> <p>The decision of the seat country automatically determined the type of entity. The limited liability resulted from the legal position of Flemish and Dutch politicians and executives. Their liability is limited to the financial contribution of their respective organisations.</p>
Budget	<p>Currently annual membership fees sum up to roughly EUR 115,000. The contributions of the municipalities correspond to their inhabitants. InterWaas contributes with the same amount as the smallest municipality, and the two provinces pay lump sum contributions. These fees cover all operational costs.</p> <p>Project costs are financed on an individual basis, separate from the annual budget, based on a distribution reflecting the actual involvement of the members.</p>
Staff	<p>The (full-time) director and a part-time administrative employee (0.5 full-time-equivalents) are employed by the municipality of Sint-Gilles-Waas and are delegated to the EGTC. The EGTC covers their salaries. The staff may, however, also be employed by another member municipality.</p> <p>If Dutch staff is to be employed, they will be employed by the Dutch municipality of Hulst and delegated to the EGTC. This way, each nationality can be employed in accordance with his/her national law.</p>
Organisational structure	<p>The EGTC consists of the three organs mentioned in the European regulation, namely a general assembly, a president and a director.</p> <p>The general assembly consists of one representative of each member with one vote each. The president and vice-president are part of and appointed by the assembly for two years on the basis of a rotation principle. The director is in charge of the execution of the decisions of the general assembly and is the head of the secretariat.</p>

Contents	
Main objectives	The EGTC works cross-thematically and aims at supporting different dimensions of cross-border cohesion. Its objective is to promote and support cross-border dialogue and cooperation between its Flemish and Dutch members. It was established to reduce administrative, political and economic barriers between Flanders and the neighbouring Dutch regions. It particularly focuses on initiating and executing projects within the fields of the port and economy, mobility, nature and recreation, and living and liveability.
Main tasks	The main task of the EGTC is to initiate and carry out specific projects with a cross-border dimension in the fields mentioned in the objectives. Within this overwhelming task the more concrete tasks comprise: <ul style="list-style-type: none"> – all activities and operations that are related to the main objective of the EGTC or that can support its realisation; – to acquire and maintain funds to support cooperation; – to spend the budget in relation to cooperation; – to install permanent or ad-hoc advisory groups; – to commission or support research; – to formulate proposals and advice; – to inform relevant groups on specific issues and themes.
Realised benefits & achievements	The EGTC has proved to be an appropriate and effective vehicle to implement the foreseen cross-border projects. The eleven previously pre-defined projects have started to be implemented since 2012. Since the EGTC operates in the wider context of the Flemish-Dutch Scheldt Committee it has sufficient political support for implementing projects, which are of true cross-border nature. Examples are the overcoming of a long-time traffic bottleneck with new cross-border infrastructure and the establishment of cross-border structures for child care and education with cross-border library and cultural programmes. Overall, the executives managed to make a strong case for the commitment to the foreseen projects by founding a more powerful institutional structure than the previous informal agreement.
Role in EU Cohesion Policy and beyond	
Past role in EU Cohesion Policy	So far, the EGTC has been a project leader of two Interreg IVA projects in their cross-border area and participated in other Interreg projects. EU funding is considered to be crucial for the EGTC, since EU Cohesion Policy represents an important source for conducting the specific projects.
Future role in EU Cohesion Policy	The EGTC expects to contribute to the Cohesion Policy objectives with respect to: <ul style="list-style-type: none"> – innovation in the context of specific projects (TO 1); – assisting the economic development of SMEs (TO 3); – sustainable development (TO 4, 5, 6); – increasing employment and stimulating cross-border employment (commuting) (TO 8). Contributions to these objectives are expected to be larger than in the past because of the EGTCs maturation since 2011 and the opportunity to cover these objectives from the start of the programming period. Furthermore, the EGTC is now more widely recognized as intermediary for cross-border cooperation in the area and as an implementation body for specific projects.
Role beyond EU Cohesion Policy	In addition to EU Cohesion Policy funds, the EGTC also uses other resources for conducting specific projects. These are in particular the Euregio Scheldemond fund and subsidies from EURES (European Employment Services). The Euregio Scheldemond fund is separate from EU funding. It targets projects that are too small to be funded by the European Territorial Cooperation fund or do not fit under EU regulations and policies. EURES is a co-operation network between the European Commission and the Public Employment Services of the EEA Member States (https://ec.europa.eu/eures/page/index). In the case of the EGTC it supports the organisation of the job market in the cross-border region.

Involvement of neighbourhood countries & outermost regions	Not relevant
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A.1.3 Novohrad – Nógrád EGTC with Limited Liability (Hungary, Slovakia)

Foundation of the EGTC	
Date of foundation	2011, December 21
Motivations for EGTC creation	The EGTC is based on a twin city partnership around the Geopark Novohrad – Nógrád and institutionalises pre-existing forms of cooperation between them. The EGTC was founded to capitalize on the common natural and cultural heritage of the cross-border Geopark to better tackle the poor socio-economic situation with high unemployment in the area. Furthermore, it provided the possibility to establish a common legal basis for the management of activities in the area and for gaining the trust to possibly involve all other municipalities that are part of the Geopark area in the future.
Further administrative details	
Founding & current members and membership structure	The EGTC was founded by the city of Salgótarján (HU) and the city of Fil'akovo (SK). Thus, the EGTC encompasses only two municipalities although it has other partners that always played a crucial role in the cross-border cooperation: the Slovakian Geopark Novohrad–Nógrád Association and the Nógrád Geopark Nonprofit Ltd. in Hungary. Thus, the territory of the EGTC is currently limited to that of the two cities although the Geopark area is central to their cooperation.
EGTC Duration	The EGTC was founded for an indefinite period of time.
Seat of EGTC & additional offices	The registered seat of the EGTC is in Salgótarján (HU). The head office is located in the Geopark Educational, Research and Management Center in Salgótarján.
Legal form & rationale for choice	The EGTC was founded as public entity under Hungarian law with limited liability. According to the Hungarian national provisions for EGTCs, the liability of local governments and their partnerships may not exceed the extent of its material contribution. Thus, the EGTC's liability is limited to the members' contributions. The seat was chosen to be in Hungary for two reasons. Firstly, the Hungarian Nógrád Geopark Nonprofit Ltd. played a leading role in the cooperation and the EGTC set-up. It has not become a member for strategic reasons, as it was preferred to limit the EGTC to purely public members only. Secondly, the seat in Hungary made additional financial support for operational activities available, which would not have been the case if the seat was located in Slovakia.
Budget	The budget for 2013, stemming from Hungarian national support and membership fees proportional to the inhabitants, amounted to EUR 30,800. This represents the main part of the budget and mainly covers staff costs and diverse PR activities. Membership fees are only of symbolic size, thus the EGTC depends on national Hungarian support to ensure the running of the EGTC. Other activities are funded by project related external sources.
Staff	The EGTC is composed of the Director (HU), an Office Manager (SK) and an Administrator (HU). All of them are employed under Hungarian law by the EGTC.
Organisational structure	The organs are the General Assembly, the Director and a Supervisory Board. The President and Vice President have a distinctive role for the General Assembly which is described in the statutes as well. The roles and relations of the organs and other central players are displayed in the figure below.



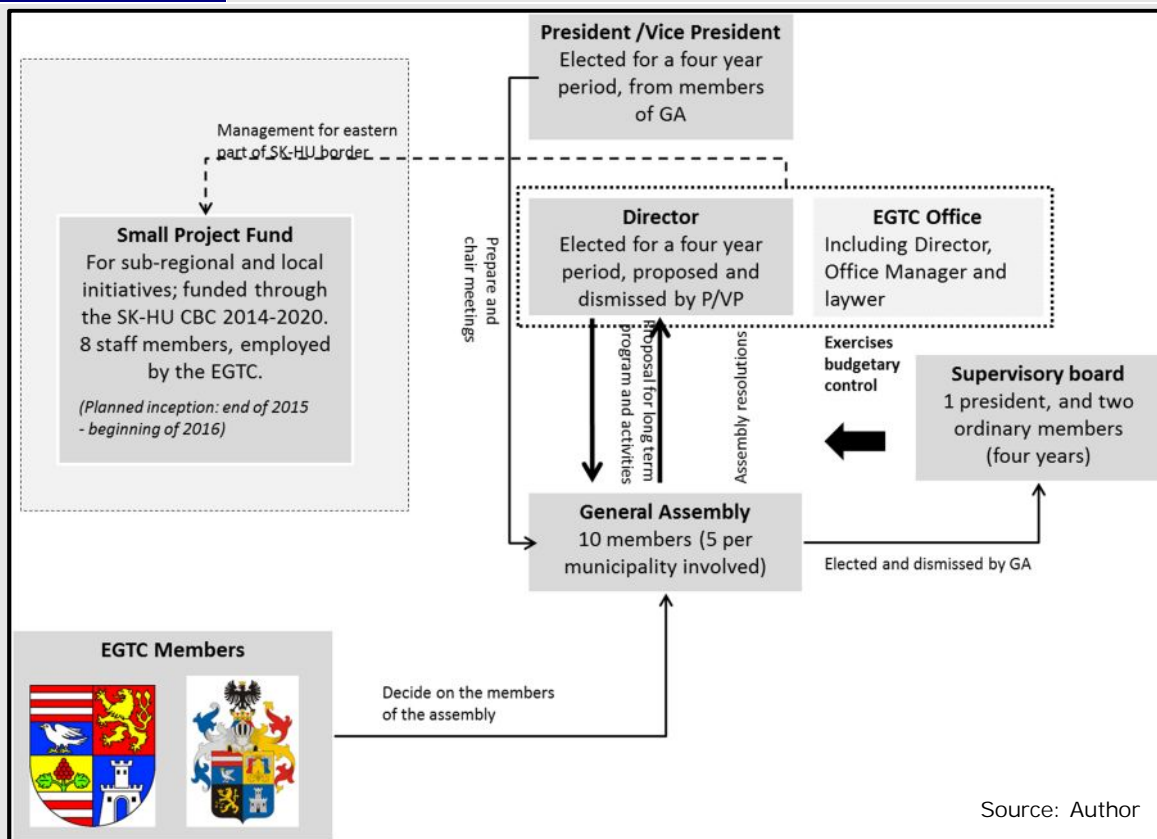
Contents	
Main objectives	<p>The overall objective of the EGTC is to strengthen economic and social cohesion and to promote cross-border cooperation in the fields of:</p> <ul style="list-style-type: none"> – integrated management of the cross-border Geopark area and utilization of natural resources; – promotion of sustainable development of the area; – reduction of the unemployment rate. <p>The corresponding specific objectives are related to different themes, including infrastructure and business development, education and research, sustainable tourism development and environmental protection.</p>
Main tasks	<p>To achieve the EGTC's objectives, two principal areas of tasks are assigned to the EGTC:</p> <ul style="list-style-type: none"> – management of projects and activities co-financed by regional cooperation programs of the European Union; – organisation of workshops, meetings and other events for establishing a network of private and public partners around the Geopark.
Realised benefits & achievements	<p>As anticipated, the EGTC creation has helped to improve the absorption of external funds from EU Cohesion Policy. This was proven by attributing the EGTC the management of a SK-HU CBC project for a geo-touristic micro-region in the border area.</p>
Role in EU Cohesion Policy and beyond	
Past role in EU Cohesion Policy	<p>The EGTC has only benefitted from Cohesion Policy funds in a limited way as pointed out in the achievements section. However, EU Cohesion Policy funds have been used for activities on the Hungarian side of the Geopark, by the tourism management organisation associated with the County Rank Town Salgótarján. Outside the EGTC some Hungarian partners involved in the management of the Geopark also utilised Hungarian EU Cohesion Policy funds that content-wise complement the EGTC activities.</p>

Future role in EU Cohesion Policy	<p>The EGTC was involved in the preparation of the future SK-HU Interreg VA programme, mainly by attending focus-group interviews and workshops and a specific ITI workshop, where the representatives of the EGTC presented their ITI plan. However, due to unsuccessful negotiations on the ITI instrument in the Hungarian Partnership Agreement it was finally decided not to make use of it in the 2014-2020 funding period.</p> <p>EGTCs in general are mentioned as beneficiaries of projects of the SK-HU CBC programme. They shall in particular support and facilitate cross-border service provision.</p> <p>The EGTC intends to use ERDF resources allocated to the ETC goal (Interreg) during 2014-2020 as a single beneficiary, in particular in fields related to waste recycling, water management and targeted interventions for the regeneration of mining sites through tourism and sustainable agriculture.</p>
Role beyond EU Cohesion Policy	<p>In addition to CBC funds in the SK-HU border area, the EGTC also utilises project specific funds from the International Visegrad Fund (founded/provided by the governments of CZ, HU, PL, SK). For instance, in 2014 a Visegrad project was conducted on a mobilization strategy to improve the involvement of partners from the private/NGO sector in activities around the Geopark.</p>
Involvement of neighbourhood countries & outermost regions	Not relevant

A.1.4 EGTC Via Carpatia Limited Liability (Hungary, Slovakia)

Foundation of the EGTC	
Date of foundation	2013, May 31
Motivations for EGTC creation	<p>The main motivation was to found an institutional structure for cross-border cooperation that is suitable to facilitate the future development of a visionary transnational transport corridor between Lithuania, Poland, Slovakia and Hungary. The European Union plans to implement this corridor only after 2050. In this context, the EGTC provided a bottom-up instrument for the mobilisation of the regions along the corridor, thereby strengthening the position of the regions and their visibility at European level.</p>
Administrative details	
Members and membership structure	<p>The two founding members are the Košice Region (SK) and the Borsod-Abaúj-Zemplén County (HU). Both are self-governing regions.</p> <p>The Prešov Region (SK) and the Podkarpackie Voivodship (PL) signed a cooperation agreement with the two members of the EGTC on 17 April 2015. Based on this agreement, the regions may cooperate on common projects and did not incur the need for altering the managing structures of the EGTC. Although this may be considered as an association of these regions with the EGTC, it does not represent an agreement between the EGTC and the additional regions. The agreement is open to invite other regions along the corridor to join the cooperation.</p>
EGTC Duration	The EGTC was founded for an indefinite period of time.
Seat of EGTC & additional offices	The registered seat and office are located in Košice (SK).
Legal form & rationale for choice	<p>The EGTC was founded as public legal entity under Slovak EGTC law with limited liability. The legal form resulted from the Slovakian implementation of the EGTC regulation. Liability is divided between the members according to the members' contributions.</p> <p>The choice of the seat resulted from the fact that the President of the Košice region was actively leading and pushing the development of the EGTC concept for the regions.</p>

Budget	<p>The EGTC is financed by member contributions of EUR 40,000 in total, with equal shares from the members. To ensure full coverage of operational costs, the EGTC received a direct initial lump-sum support of EUR 70,000 from the Hungarian government.</p> <p>In the future, these funds shall be complemented with technical assistance costs for administering the HU-SK CBC Small Project Fund in the Eastern part of the programme's area. Furthermore, project specific resources from different funds shall be raised.</p>
Staff	<p>The EGTC has currently three employees who are all employed by the EGTC under Slovakian law. This includes a director, an office manager and a lawyer.</p> <p>When the EGTC takes over its new role for the Small Project Fund in 2015/2016, eight additional staff members are expected to be employed by the EGTC.</p>
Organisational structure	<p>The organs are the General Assembly, Director, Supervisory Board, and Common Secretariat. Their roles and relations are displayed in the figure below.</p>



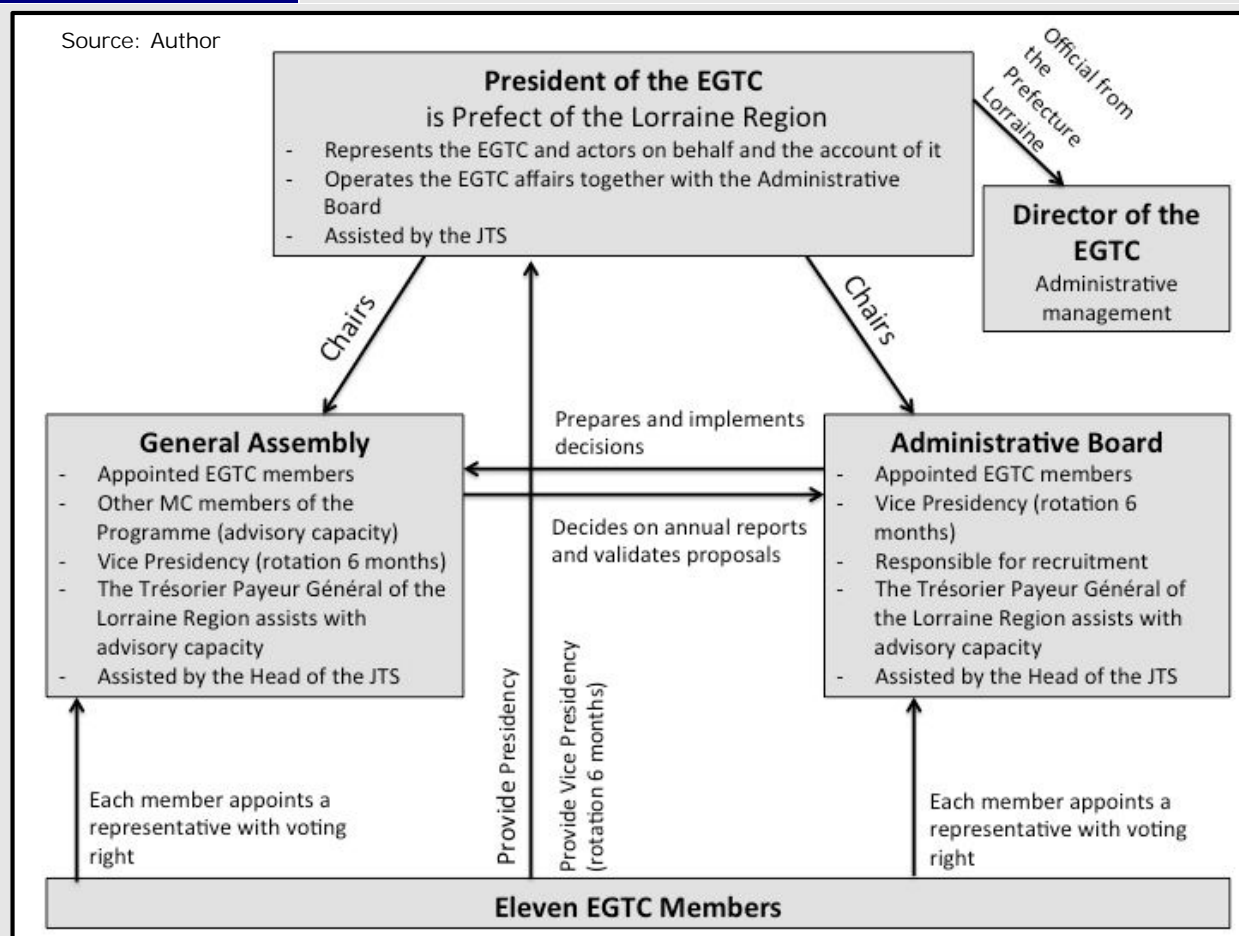
Content	
Main objectives	<p>The EGTC's general objective is to strengthen and support cross-border, transnational and regional cooperation between its members to enhance economic and social coherence. Within this general objective, the support of the construction of the north-south transport corridor Via Carpatia represents the principal goal of the activities of the EGTC. To realise this objective, the EGTC aims to enlarge the number of members.</p> <p>More specific objectives of the EGTC are:</p> <ul style="list-style-type: none"> - sectoral integration, e.g. in passenger and road transport, municipal waste, flood protection, energy supply; - establishing a common presence for redirecting international flows (intermodal transport; integration of the Baltic Corridor along the Schengen border into the TEN-T).

<p>Main tasks</p>	<p>The tasks of the EGTC are related to the coordination of activities in order to achieve a joint corridor development. The corresponding tasks are to:</p> <ul style="list-style-type: none"> – initiate the acquisition and management of EU-funded cross-border cooperation programmes; – prepare common development strategies; – elaborate common projects for realising common development strategies. <p>More specifically the EGTC plans:</p> <ul style="list-style-type: none"> – the construction of cycle routes in the Tokaj vineyard area; – the creation of cross-border logistical and industrial zones; – the stimulation of economic investments.
<p>Realised benefits & achievements</p>	<p>So far, two major successes of the EGTC creation have been achieved. Firstly, the goal of enlarging the EGTC has indirectly materialised with the agreement from 17 April 2015, although no new members were formally admitted to the EGTC. Secondly, the appointment of the EGTC for administering the Eastern part of the HU-SK CBC Small Project Fund was an entirely unintended benefit when the EGTC was established.</p>
<p>Role in EU Cohesion Policy and beyond</p>	
<p>Past role in EU Cohesion Policy</p>	<p>Given its foundation in 2013, the EGTC has not used EU Cohesion Policy funds in the past since potential calls of territorial programmes were already closed.</p>
<p>Future role in EU Cohesion Policy</p>	<p>The Via Carpatia EGTC Ltd. was involved in the preparation of the OP SK-HU 2014-2020, which has not yet been adopted. Representatives of the EGTC attended all meetings and workshops related to the programme preparation and the Small Project Fund.</p> <p>By assigning the administration of the HU-SK CBC Small Project Fund to EGTCs (EGTC Via Carpatia Ltd. in the east and Rába–Duna–Vág EGTC in the west of the programme), small NGOs shall be enabled to participate in the programme. Given the EGTC's territory, it may also participate as beneficiary in the HU-SK CBC programme and also intends to utilise resources from the Central Europe transnational cooperation programme. Furthermore, based on the new partnership agreement, raising funds from the SK-PL CBC programme is also envisaged.</p> <p>The EGTC has developed a considerable list of projects it wants to implement until 2020. These may mainly contribute to three Thematic Objectives of EU Cohesion Policy, namely sustainable transport (TO 7), investment in education (TO 10) and the development of natural and cultural heritage (TO 6).</p>
<p>Role beyond EU Cohesion Policy</p>	<p>Apart from the initial Hungarian government support, the EGTC has not yet used external funds. However, the list with potential projects to be implemented until 2020 may not be exclusively financed by EU Cohesion Policy. Although all activities are linked to EU Cohesion Policy objectives, they may also be financed by other funds.</p> <p>The EGTC foresees in particular the use of LIFE+ as an additional European funding mechanism and the International Visegrad Fund (founded/provided by the governments of CZ, HU, PL, SK).</p>
<p>Involvement of neighbourhood countries & outermost regions</p>	<p>At the very inception of the EGTC, the Ukrainian region Transcarpathian Ruthenia was to become an associated partner of the EGTC. This was based on cooperation between this region and the Košice region. As a result of the current geopolitical situation in the Ukraine, however, no further negotiations have taken place.</p>

A.1.5 EGTC Interreg “Programme Grande Région/Großregion” (Belgium, France, Germany, Luxembourg)

Foundation of the EGTC	
Date of foundation	2010, April 10
Motivations for EGTC creation	<p>During the 2000-2006 programming period there were three Interreg IIIA programmes in the area of the Greater Region benefitting from Interreg funding. These three programmes covered areas by two programmes with different application and management procedures. This led the institutional partners to consider merging the three programmes into a single one for the period 2007-2013 under the umbrella of the Greater Region.</p> <p>In addition, the creation of an EGTC was a promising and appealing idea, as it was a new instrument which the members were willing to try. The creation of the EGTC Greater Region was therefore a political decision without any other real alternatives. Although it is easier for regions to establish regional agreements between them, it is more difficult for member states as a whole to do so, as it was the case for Luxembourg. The aim was to undertake the role of the Managing Authority.</p> <p>The strong and long-lasting institutional cooperation in the region facilitated the EGTC creation.</p>
Further administrative details	
Founding & current members and membership structure	<p>The EGTC has in total eleven members, which are either national or regional authorities. The EGTC members correspond to the regions of the Greater Region and include: The Grand Duchy of Luxembourg, represented by the Minister of Interior and Spatial Planning, the Wallonia Region, represented by its Minister President, the French Community of Belgium, represented by its Minister President, the German Community of Belgium, represented by its Minister President, the French Republic, represented by the Prefect of the region of Lorraine, the Lorraine Region, represented by the President of the Regional Council of Lorraine, the Department of Meurthe and Moselle, represented by the President of the General Council of Meurthe and Moselle, the Department of Meuse, represented by the President of the General Council of Meuse, the Department of Moselle, represented by the President of the General Council of Moselle, the German State of Saarland and the German State of Rhineland-Palatinate.</p>
EGTC Duration	<p>The EGTC will last until the official closure of the Greater Region territorial cooperation programme. This EGTC will be officially dissolved two years after the end of the programming period 2007-2013 and a new EGTC with fewer members and a different seat, functioning as the MA of the Greater Region Programme will be established.</p>
Seat of EGTC & additional offices	<p>The registered seat and office of the EGTC are located in Metz, France. There are no additional offices.</p>
Legal form & rationale for choice	<p>The EGTC has unlimited liability and is subject to French law. Being a public body this was the only possible option.</p> <p>The seat was unanimously agreed to be in France, although at the beginning the region of Wallonia was also interested in the seat.</p>
Budget	<p>The total budget of the EGTC for the period 2011-2015 amounts to EUR 952,804. 50% of it is funded by the ERDF technical assistance. The budget covers staff costs, operating costs, direct costs to the implementation of the project, external services and promotion/communication costs.</p>
Staff	<p>The EGTC has in total three staff members employed at the seat of the EGTC in Metz. They are employed by the EGTC and financed by the programme's technical assistance. Two are responsible for the EGTC and one for the “Micro-projects” initiative.</p>
Organisational structure	<p>The organs of the EGTC are the President, who represents and acts on behalf and in account of it, the Vice President, the Director, who is responsible for the daily administrative management of the MA, the General Assembly and the Administrative Board. The Joint Technical Secretariat</p>

(JTS) is not an organ of the EGTC but related to the EGTC through the involvement of the head of the JTS in the EGTC.



Contents

Main objectives

As a Managing Authority, the EGTC is responsible for the management and monitoring of the programme and expenditure control.

Main tasks

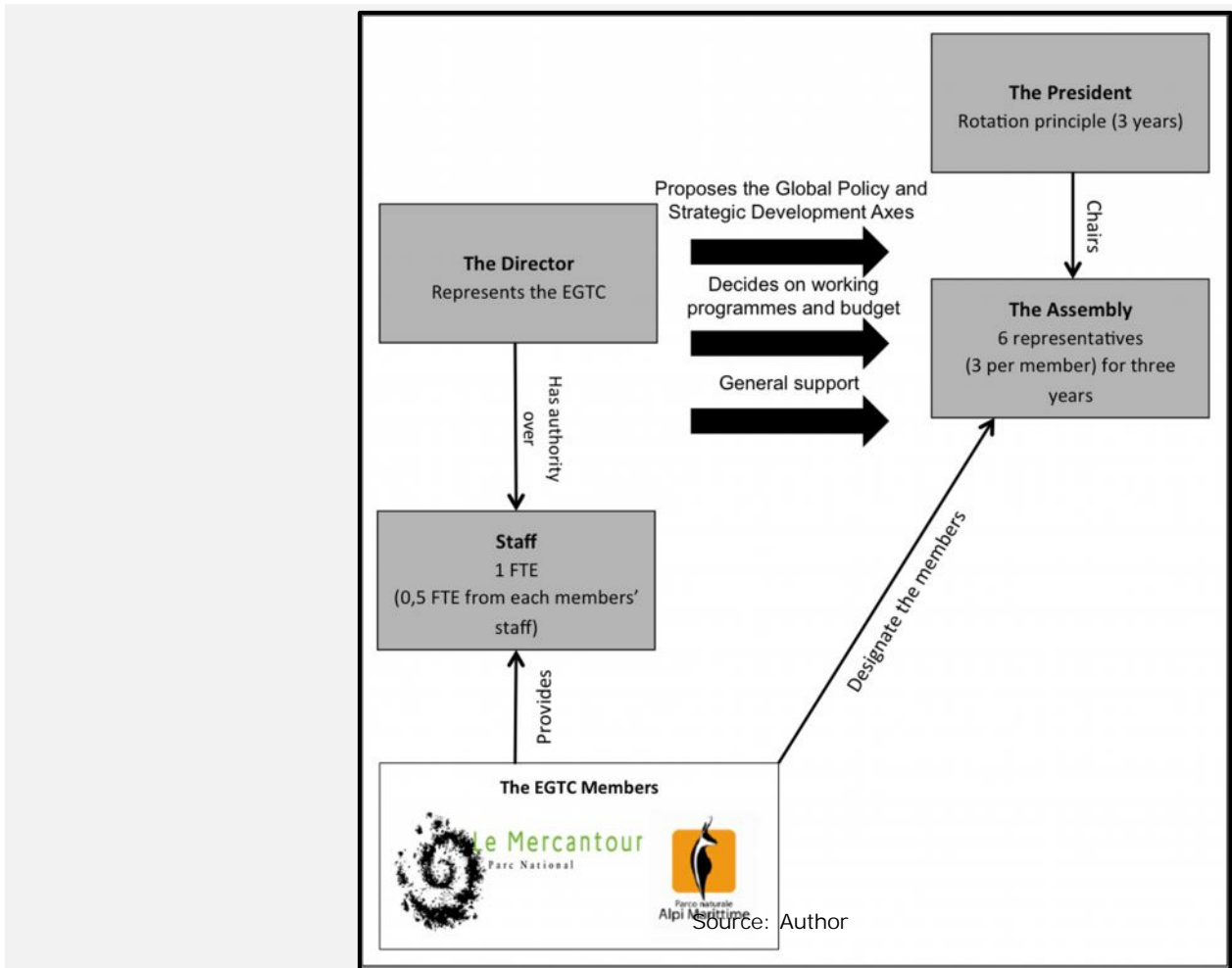
The EGTC holds the tasks of a Managing Authority as specified in the Council Regulation (EC) No 1083/2006 of 11 July 2006. This is correspondingly specified in the statutes and convention of the EGTC:

- (1) ensure that operations are selected for funding in accordance with the criteria applicable to the Operational Programme and that they comply, for the duration of their execution, with Community and national rules;
- (2) ensure that the expenditure of each beneficiary participating in an operation has been validated by the controller responsible for verifying the legality and regularity of expenditure declared;
- (3) ensure that there is a system for recording and storing in computerised form accounting records for each operation under the Operational Programme and that the data on implementation necessary for financial management, monitoring, verifications, audits and evaluation are collected;
- (4) ensure that beneficiaries and other bodies involved in setting implementation of operations maintain either a separate accounting system or an adequate accounting code for all transactions relating to the operation without prejudice to national accounting rules;
- (5) ensure that evaluations of the Operational Programme are carried out by experts or bodies under the responsibility of the Member State or the Commission;
- (6) establish procedures to ensure that all documents regarding expenditure and audits required to ensure an adequate audit trail are held in the form of originals or certified versions conformity with the originals

	<p>on commonly accepted data carriers;</p> <p>(7) ensure that the certifying authority receives all necessary information on the procedures and verifications carried out in relation to expenditure for the purpose of certification;</p> <p>(8) guide the work of the MC and to forward the documents needed to qualitative monitoring of the implementation of the Operational Programme in the light of its specific goals;</p> <p>(9) drawing up and, after approval by the MC, submitting to the Commission the annual and final reports on implementation;</p> <p>(10) ensure that the obligations are met in terms of information and publicity in order to highlight the role of the Community and to ensure transparency in the operation of the Funds. The Managing Authority of the "Cross-border Cooperation Operational Programme European Territorial Interreg IVA Greater Region 2007-2013" also perform the following functions: (i) organising and preparing meetings of programme MC and the selection committee, (ii) implementing the program decisions, (iii) implementing the actions under the geographic entity Greater Region and (iv) signing the convention ERDF projects that will bind the MA and the first beneficiary.</p> <p>In addition, it is also responsible for the management and financial implementation of technical assistance to the extent that the program's joint bodies are concerned.</p>
Realised benefits & achievements	<p>The added value rather than "successes" are the following:</p> <ul style="list-style-type: none"> – The creation of the EGTC resulted in better visibility of the programme at European level and institutionalised existing cross-border systems. – The non-national structure increased its neutrality and balanced the opinions of all members. – It can recruit its own staff and also manage the small/micro projects fund of the programme on behalf of all partners. <p>In general there were no specific benefits expected and materialised through the EGTC. However, there was a need for a stronger commitment from its members.</p>
Role in EU Cohesion Policy and beyond	
Past role in EU Cohesion Policy	As MA of the cross-border cooperation programme it played an important role in EU Cohesion Policy. The EGTC was only responsible for the cooperation programme and did not undertake any other smaller tasks.
Future role in EU Cohesion Policy	For the next programming period the current Greater Region EGTC will be dissolved and instead a new EGTC acting as MA for the Greater Region Programme will be created. Thus, the principal idea to use an EGTC as MA will be maintained. Its members will, however, differ from the current EGTC. The Operational Programme is still under preparation, as are the statutes and convention of the EGTC. However, the future EGTC aims to use the CLLD and ITI instruments.
Role beyond EU Cohesion Policy	The EGTC's sole role was to act as MA of the CBC programme, thus it had no role beyond EU Cohesion Policy nor did it use any other funds.
Involvement of neighbourhood countries & outermost regions	Not relevant

A.1.6 EGTC Parco Europeo – Parc Européen Alpi Marittime – Mercantour (France, Italy)

Foundation of the EGTC	
Date of foundation	2013, May 29
Motivations for EGTC creation	<p>The EGTC was founded to facilitate, promote and enhance the cross-border cooperation between its members. The main aim was to give it a legal form and to make it more structured. In their long story of previous cooperation, different legal instruments from both countries, France and Italy, were examined in order to constitute a European park.</p> <p>A motivation of the stakeholders is the possibility for the EGTC to manage EU funds and participate to EU funded projects as a single body. The EGTC status was also seen as a key asset supporting the cross-border application for UNESCO World Heritage status, giving it better visibility and demonstrating the two parks' capacity to jointly manage the area.</p>
Administrative details	
Members and membership structure	<p>The EGTC has two members: The Parc National du Mercantour, a French national public entity, and the Parco Naturale Alpi Marittime, an Italian regional public entity. It has no associated members.</p> <p>The territory of the two parks is subject to the EGTC.</p>
EGTC Duration	The EGTC was founded for a definite period of 50 years, which can be renewed.
Seat of EGTC & additional offices	The seat is located in Tende (FR). In addition, other operative and educational offices may be established in both countries.
Legal form & rationale for choice	<p>The EGTC was founded as a legal entity under French law with unlimited liability. The liability is divided according to the members' financial contribution, i.e. equally between the members. This followed the standard as advised by the Cross-border operational mission (MOT).</p> <p>The seat was established in France after the recommendations of preliminary studies carried out by the two parks. The establishment of the EGTC seat in Tende was a symbolic matter. The border municipality of Tende became French after World War II and thus, it was a symbolically neutral area.</p>
Budget	For 2015 the budget was EUR 82,000. Only EUR 5,000 was paid by each member. EUR 72,000 was contributed by the Principality of Monaco and the Albert II of Monaco Foundation as support to the World Heritage List application. (The EGTC is leading the territory for nomination as a World Heritage Site of the UNESCO.)
Staff	Two people are working part time for the EGTC, one from each partner, summing up to one full-time position. Each staff member maintains his/her existing labour contract with the institution where he/she is employed. Thus, one is employed under French law, and the other one under Italian law.
Organisational structure	The organs are the President, the Director, and the Assembly. Their roles and relations are displayed in the figure below. In addition to the institutions displayed in the figure, the Provence Alpes Côte d'Azur regional chamber of accounts acts as external control of the EGTC.



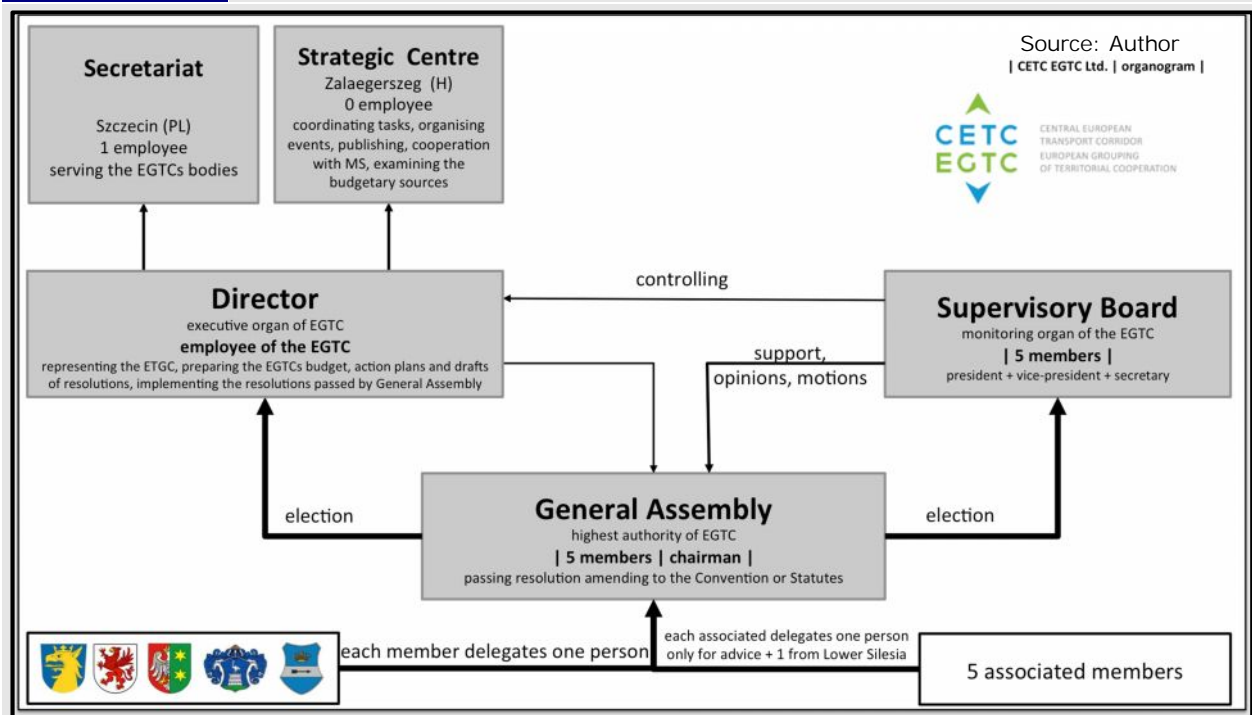
Content	
Main objectives	<p>The overall objective of the EGTC is the protection and the promotion of cultural, natural and landscape heritage.</p> <p>To achieve this, a first specific objective is the facilitation, promotion and enhancement of cross-border cooperation among members by joint participation in EU-funded programmes.</p> <p>A second objective is to promote the cross-border space with a view to its inscription on the UNESCO World Heritage List. The EGTC acts as a support to the application, and could be designated as the backbone institution for the protected properties.</p>
Main tasks	<p>The Convention defines the following tasks:</p> <ul style="list-style-type: none"> – monitoring and biodiversity protection; – restoration and enhancement of the natural and cultural landscapes; – awareness, environmental education and education to bilingualism; – sustainable mobility, sustainable agriculture and tourism.
Realised benefits & achievements	<p>Despite the long history of cooperation, the process for creating the EGTC lasted seven years due to several difficulties encountered during the creation process (identification of and coordination between responsible authorities, for example). Thus, a main achievement is that the EGTC could successfully be founded after all.</p> <p>In operational terms, so far two achievements have been realised. Firstly, the conception of a common sign-posting system and the placement of common panels at the cross-border passes is the very first action successfully implemented by the EGTC. Secondly, the EGTC is leading the territory for the nomination as a World Heritage Site of UNESCO. Being a legal entity it has already signed agreements with other protected areas related to this context.</p>

Role in EU Cohesion Policy and beyond	
Past role in EU Cohesion Policy	<p>The EGTC has not managed EU funds so far. Nevertheless, its members and the EGTC as a body have already been consulted (informally) for the preparation of cross-border EU funded programmes for the 2014-2020 period, such as Italy-France Alcotra.</p> <p>Furthermore, the EGTC's members have previously cooperated as project participants in cross-border cooperation (Alcotra) and transnational cooperation (Alpine Space).</p>
Future role in EU Cohesion Policy	<p>Based on the statutes, the EGTC can manage any type of funding within its competences. It plans to apply for Interreg VA Alcotra funds in the near future. The EGTC envisages activities in the following fields for the funding period 2014-2020:</p> <ul style="list-style-type: none"> – protection and exploitation of the biodiversity, natural and cultural heritage, through actions targeting agriculture, sustainable tourism, environmental education (TO 6); – biodiversity monitoring actions, among others, for assessing climate change impacts (TO 5); – research activities, e.g. on ozone issues (TO 1 & 4). <p>The EGTC expects to strengthen its role in the 2014-2020 funding period. The Italian-French OP ALCOTRA explicitly mentions this EGTC and directly refers to EGTCs for the implementation of ITI, for example.</p>
Role beyond EU Cohesion Policy	<p>As pointed out in relation to the main achievements, the EGTC is also leading the territory for nomination as a World Heritage Site of UNESCO. Here it actively uses its capacity to represent the cross-border territory in one entity.</p> <p>The EGTC itself has not yet made use of other funds outside EU Cohesion Policy. However, the EGTC members have previously participated in programmes directly managed by the European Commission (LIFE).</p>
Involvement of neighbourhood countries & outermost regions	<p>The original idea was to include the Principality of Monaco, but given the complication of the creation of the EGTC the idea had not gone further. Other reasons for not including the Principality of Monaco are a possible imbalance at governance level in case a State would enter the EGTC, but also urban-rural imbalances as Monaco is a predominantly urban territory.</p> <p>At present, the possibility given to the EGTC to sign conventions (due to its legal personality) could facilitate cooperation with the Principality of Monaco. Until now both parks have separately signed a framework agreement with the Principality. This close partnership will be reinforced by a single convention that the Principality will sign directly with the EGTC.</p>

A.1.7 Central European Transport Corridor Limited Liability EGTC (CETC-EGTC Ltd.) (Hungary, Poland, Sweden)

Foundation of the EGTC	
Date of foundation	2014, March 24
Motivations for EGTC creation	<p>The EGTC is based on about ten years of cooperation within the CETC-ROUTE65 Initiative. The initiative promotes the economic development along a transport corridor in Central Europe, ranging from Sweden (Malmo) to Greece (Crete). Its partners are convinced that it is necessary to coordinate regional development and transport planning on an inter-regional level, which is based on effective Corridor management.</p> <p>The previous organisational form did not allow for direct governing connections between the Technical Secretariat and the initiative members that support these needs. The EGTC was founded for obtaining higher operational efficiency and achieving a critical mass for raising funds for the implementation of development programmes.</p>

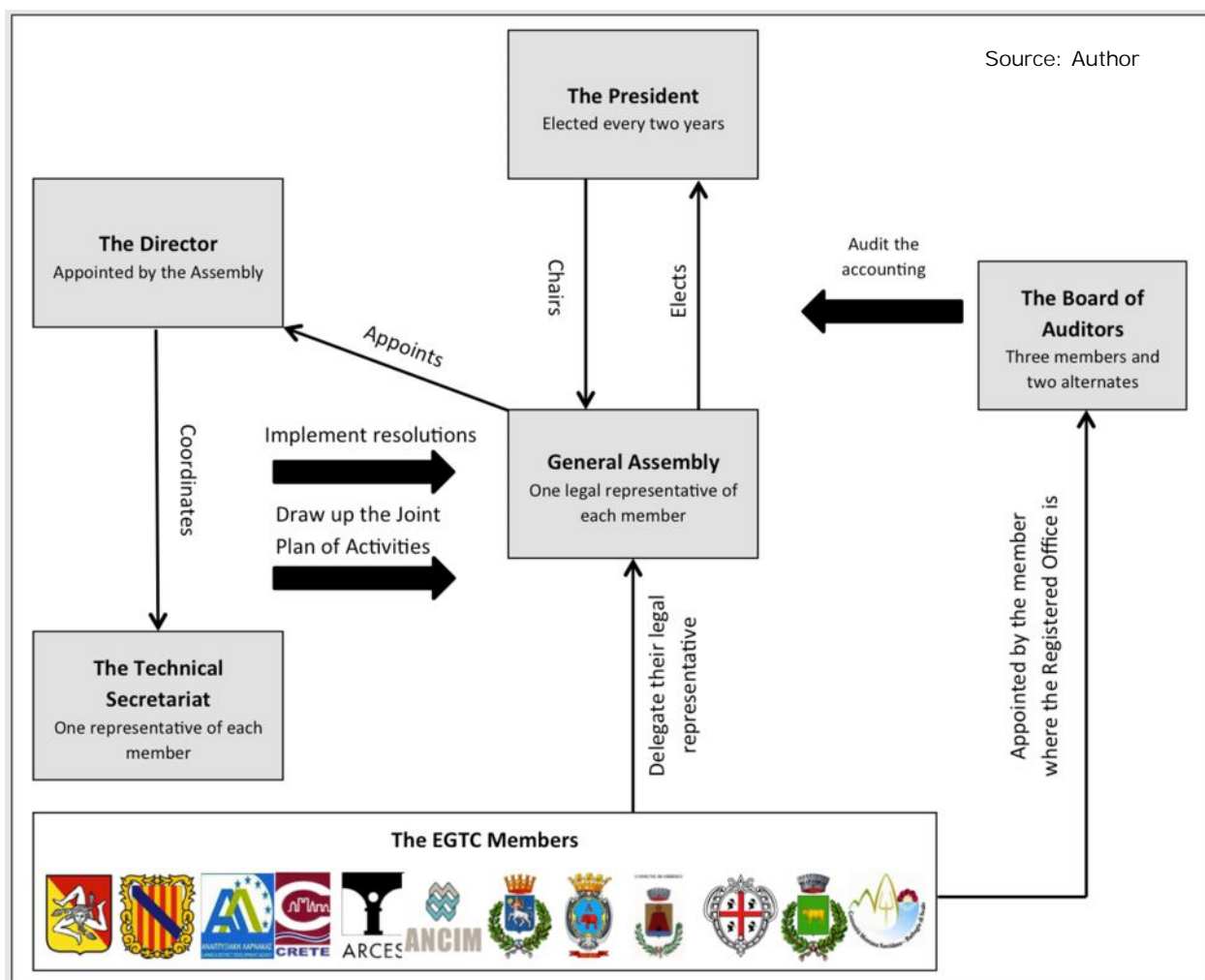
Administrative details	
Members and membership structure	<p>Westpomeranian Voivodship (PL), Lubuskie Voivodship (PL), Vas County (HU), Zala County (HU), Skåne County (SE) are the founding members.</p> <p>Opolskie Voivodship (PL), Lower Silesian Voivodship (PL), Karlova ka County (HR), Varaždin County (HR) Primorje-Gorski Kotar County (HR) have observer status. The Croatian authorities shall become members after implementation of the EGTC regulation in Croatia.</p> <p>All members and associated members are regional authorities. The corridor comprising the territory of the members is subject to the EGTC.</p>
EGTC Duration	The EGTC was founded for an indefinite period of time.
Seat of EGTC & additional offices	The seat and office are located in Szczecin (PL). In addition, a Strategic Centre will be located in Zalaegerszeg (HU) and other offices for different purposes may be established anywhere in the EGTC territory.
Legal form & rationale for choice	<p>The EGTC was founded as legal entity under Polish law with limited liability. Under Polish law, provisions on associations apply to EGTCs. The EGTC considers itself as a public entity, although this is not yet finally clarified. The Strategic Centre, with respect to staff and bookkeeping, is subject to Hungarian law.</p> <p>The choice of the seat country is based on an assessment of five evenly weighted criteria: legal background, strategic position of the country, geographical location, experiences with EGTCs and financial considerations. To balance the position of the seat in the northern part of the cooperation area, an additional office (Strategic Centre) will be established in the south.</p> <p>The decision of the seat country automatically determined applicable provisions and thus the type of entity. Given a limited liability of Polish members, other members were allowed to limit their liability (Art. 12 EGTC regulation before amending).</p>
Budget	Current annual membership fees sum up to roughly EUR 30,000 (different shares of the members). In 2015, this budget is expected to be complemented by about EUR 100,000 from past savings and project funds.
Staff	The director and a secretary of the EGTC office are delegated from the Westpomeranian Voivodship and conduct their work unpaid at voluntary basis. A translator, an accountant and a legal advisor are paid on basis of service requests. The Strategic Centre will have one paid staff member when it starts working.
Organisational structure	The organs are the General Assembly, Director and Supervisory Board. Their roles and relations are displayed in the figure below.



Content	
Main objectives	<p>Within the general objective of facilitating cooperation of the members in support of cohesion, the EGTC among its member territories aims at</p> <ul style="list-style-type: none"> – improving transport accessibility in the corridor; – supporting economic development; – enhancing the compatibility of the transport infrastructure; – supporting the development of intermodal transport connections.
Main tasks	<p>The tasks of EGTC are all related to coordination and support activities. They do not include “hard” infrastructure actions (e.g. infrastructure development or management). The tasks can be divided into four fields:</p> <ul style="list-style-type: none"> – basic actions e.g.: elaboration of the conception of broad development activities in the regions on the CETC-Route65, building a partnership network, participation of the EGTC in ETC projects and international forums, participation in meetings of the Regional Working Group and the Forum of Baltic – Adriatic Corridor; – organisational actions e.g.: updating of the list of activities already commenced and planned to implement, to support or promote the EGTC by all partners; – promotional actions e.g.: preparing press releases, brochures and other PR activities; – political and lobbying actions e.g.: participation in international networks (EGTC Platform, Commission etc.).
Realised benefits & achievements	<p>It is still too early to determine what benefits have actually been materialised. The EGTC has only been operating for several months, since shortly after its foundation in autumn 2014 local elections were held in Sweden, Poland and Hungary. The following replacements of representatives in the assembly have delayed the execution of EGTC’s tasks.</p> <p>Overall, it is nonetheless visible that the EGTC is much more resistant to political changes in the regions than the previous form of cooperation.</p>
Role in EU Cohesion Policy and beyond	
Past role in EU Cohesion Policy	<p>Given the recent foundation of the EGTC, it has not used EU Cohesion Policy funds in the past. However, the EGTC director was the representative of the Westpomeranian Voivodship in the MC of the Interreg IV A – “Poland – Germany” (Mecklenburg-Vorpommern/Brandenburg – Zachodniopomorskie) Programme and the South Baltic Operational Programme.</p>
Future role in EU Cohesion Policy	<p>The director acted as a regional expert in the EU Strategy for the Baltic Sea Region and the Interreg Central Europe 2014-2020 Programme. The programme preparation was under way before the EGTC was founded, thus it was not the EGTC as such which participated. Complementary initiatives e.g. the implementation of the Danube macro-regional strategy are intended.</p> <p>The CETC-EGTC envisages activities in the following fields for the funding period 2014-2020: strengthening research, technological development and innovation (TO 1) and promoting sustainable transport and removing bottlenecks in key network infrastructures (TO 7). It aims at participating in the Interreg Central Europe Programme either as single beneficiary or also as a partner of other projects.</p>
Role beyond EU Cohesion Policy	<p>The EGTC already uses project specific funds outside EU Cohesion Policy. So far, the resources are from the International Visegrad Fund (founded/provided by the governments of CZ, HU, PL, SK). Since June 2014, the EGTC in partnership with the Westpomeranian Voivodship has been implementing the project “Starting from N-S transport axis towards innovative and dynamic Central European regions” to develop the cooperation in the field of regional specialisations between partners of the EGTC.</p> <p>Further projects are not yet envisaged.</p>
Involvement of neighbourhood countries & outermost regions	<p>The only relevant neighbouring third country prior to its accession was Croatia. As a result of the status of Croatia, the corresponding members were only included as associated partners at the moment of foundation. This way additional administrative difficulties arising from the non-Member State status were avoided.</p>

A.1.8 EGTC ArchiMed (Cyprus, Greece, Italy, Spain)

Foundation of the EGTC	
Date of foundation	2011, March 10
Motivations for EGTC creation	<p>The EGTC originates from the joint statement of the Presidents of the six Eurimed Islands of the Mediterranean and a regional representative of Cyprus in 2004. This called for the creation of a Euroregion of the Mediterranean islands.</p> <p>The EGTC was considered to be the most appropriate instrument to strengthen the political cooperation among the Mediterranean islands and to support the implementation of a possible macro-regional strategy in the Mediterranean. The fact that only bodies located in Mediterranean islands can become members of the EGTC highlights its principal motivation to identify common needs and develop possible joint solutions for these islands.</p>
Further administrative details	
Founding & current members and membership structure	<p>The EGTC has currently 12 members (March 2015). The three founding members were the Sicily Region (IT), the Government of Balearic Islands (ES) and the Larnaca District Development Agency (CY).</p> <p>The EGTC has increased its members several times during the past few years:</p> <ul style="list-style-type: none"> – In 2011 the Sardinia Region (IT) and the Government of Crete (EL) joined the EGTC. – In 2012 the Italian National Association of small islands (ANCIM) and the ARCES University College (IT) became new members. – In 2014 the Sicilian municipalities of Catania and Taormina, the Sardinian municipalities of Orroli and Isili and the Mountain Community Sarcidano Barbagia Seulo (all IT) joined the EGTC. <p>Thus, the EGTC is composed of regional and local authorities, an autonomous administration, a local development agency, an association and a higher education institution.</p> <p>Negotiations for further enlargements, probably in 2015, are going on with the municipality of Palermo (IT) and the government of Malta (MT). Furthermore, the participation of the region of Heraklion (EL) and the islands of Dalmatia (HR) are being explored.</p>
EGTC Duration	The EGTC was founded for 20 years.
Seat of EGTC & additional offices	<p>The seat and registered office of the EGTC are in the city of Taormina in Sicily (IT). The hosting member for the technical secretariat is the Region of Sicily; the secretariat's meetings take place in Brussels.</p> <p>Detached operational offices may be opened in the territory of any member. So far, no such offices exist.</p>
Legal form & rationale for choice	<p>The EGTC is a public entity with unlimited liability under Italian law and the members are jointly liable. According to the Italian provisions, EGTCs that are registered in Italy have legal personality under public law. To limit liability was not considered.</p> <p>The seat was chosen to be in Sicily since this region took the initiative for the EGTC creation.</p>
Budget	The budget is mainly composed of membership fees and amounted to about EUR 50,000 annually in recent years. The membership fees are proportional to the members' population and cannot be inferior to EUR 1,000. Members that are not a territorial entity can provide their contribution with services.
Staff	<p>At present, the EGTC staff consists of two part-time employees, delegated from the Municipality of Taormina (IT) and the Municipality of Catania (IT) from their own staff and not provided by the hosting member (Sicily Region) as stated in the Statute.</p> <p>Each EGTC member can delegate staff to the EGTC either at the registered office or to detached operational locations.</p>
Organisational structure	The organs are the General Assembly, President, Director and the Technical Secretariat. The work of the organs is controlled by the Board of Auditors. The roles and relations of the organs and the Board are displayed in the figure below.



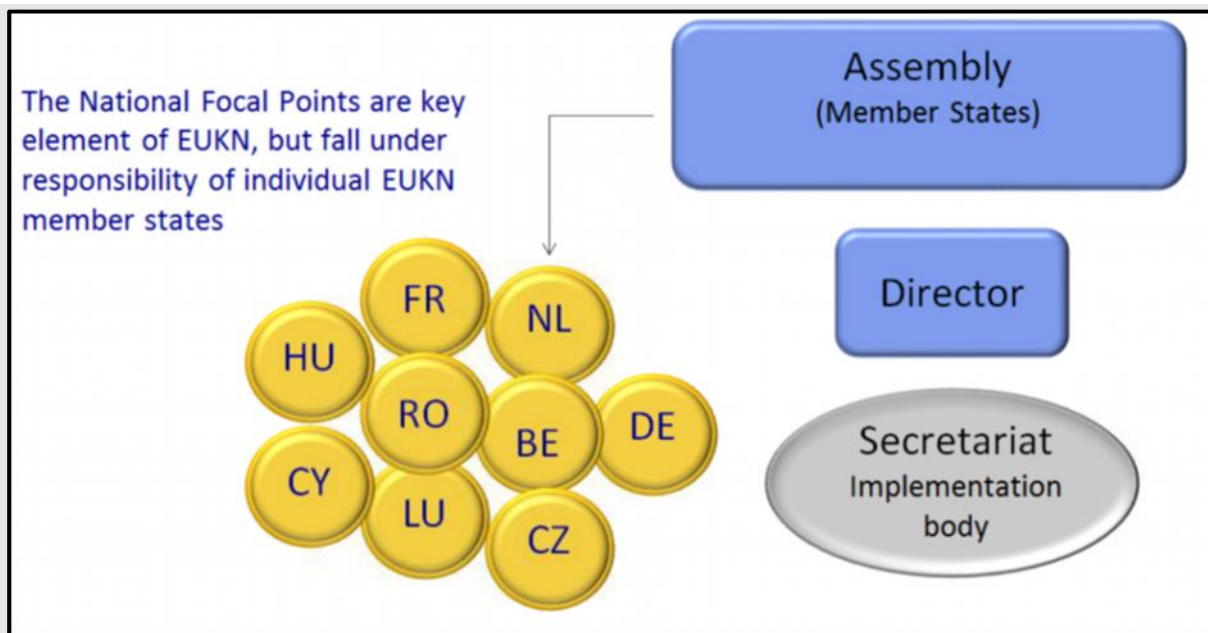
Contents	
Main objectives	<p>The main objective for the EGTC creation was to structure and stabilise the cooperation between the Mediterranean islands. It aims to represent the interests of the Mediterranean islands at the EU level and to coordinate the policies and actions of its members in sectors such as tourism, transport and fishery.</p> <p>Its specific objective is to implement programmes, projects and actions of territorial cooperation in the above-mentioned territories to contribute to the main objectives. Including municipalities that are located in member regions supports this specific objective since the municipalities may implement concrete projects in their territories, while the overall cooperation focuses on a "Mediterranean vision". This is mirrored in the EGTC's ultimate goal to include all Mediterranean islands as members to contribute to the establishment of a Mediterranean macro-regional strategy.</p>
Main tasks	<p>The following actions shall be implemented:</p> <ul style="list-style-type: none"> – organising preliminary work: preparation, presentation and implementation of programmes, projects and other initiatives for sustainable development of its members; – organising study meetings, seminars and training courses on topics of common interest; – promoting the exchange of information, methodologies, documents and publications. <p>Responsibilities for the tasks of different themes are increasingly decentralised to the different members. The range of important themes is rather broad, e.g. sustainable management of natural resources, rural development, fishing, transport and communication, culture, tourism, research and innovation, energy and social integration.</p>

Realised benefits & achievements	Due to limited financial resources and low staff capacities, no significant results have been achieved so far in terms of cooperation activities. In addition, logistic difficulties are a major issue for the organizational set-up and its achievements. The main achievement may be linked to expanding the membership continuously, which is important for gaining the envisaged weight for functioning as a platform of Mediterranean islands' interest.
Role in EU Cohesion Policy and beyond	
Past role in EU Cohesion Policy	Some EGTC members have significant experiences with EU Cohesion Policy, both with implementing CBC and transnational projects and as MAs. The EGTC itself has, however, not yet been able to use EU Cohesion Policy funds, which is partly attributed to the late foundation during the 2007-2013 programming period.
Future role in EU Cohesion Policy	The EGTC neither participated in the preparation of relevant operational programmes nor in the preparation of the Adriatic-Ionian Macro-regional Strategy. It did not have the capacity to participate actively and autonomously in the open consultations. The EGTC envisions contributing to EU Cohesion Policy through its ultimate goal – the creation of the Macro-regional Strategy in the Mediterranean region. Actions shall be implemented with regard to: <ul style="list-style-type: none"> – tourism and culture (TO 6); – entrepreneurship: entrepreneurial skills and youth business support (TO 3, 8 & 10); – transport and fisheries (TO 3 & 7); – other relevant actions for the improvement of the quality of life of people living in the territory covered by the EGTC.
Role beyond EU Cohesion Policy	The EGTC has not yet utilised other external funds to a significant amount.
Involvement of neighbourhood countries & outermost regions	Relations with neighbouring countries in the Mediterranean are inherent to the EGTC's existence. The amendment of the EGTC regulation is in this respect welcome and has initiated a recent focus on possible memberships of Marmara Island (Turkey) and Kerkennah Island (Tunisia). According to the "Joint Programme of Activities", it is also foreseen to establish relations and partnerships with islands outside the Mediterranean in terms of networks and exchange of experience rather than membership. This covers among others the archipelago of the Caribbean.

A.1.9 EGTC European Urban Knowledge Network (EUKN) Limited (EUKN EGTC) (Belgium, Cyprus, Czech Republic, France, Germany, Hungary, Luxembourg, Netherlands, Romania)

Foundation of the EGTC	
Date of foundation	2012, December 07
Motivations for EGTC creation	The network was founded in 2004 by initiative of the Dutch minister responsible for administrative renewal. By transforming the network into an EGTC it should achieve a more durable position and enable better alignment and easier co-operation with and access to other EU-initiatives relating to urban issues. The EGTC was founded to support the network in operational terms: <ul style="list-style-type: none"> – Given the rather high vulnerability to member exits in the informal network, the EGTC should support long-term commitment of the members. – Finally, the EGTC was founded to clarify internal rules of the network's work.

Further administrative details	
Founding & current members and membership structure	<p>Nine European Member States are participating in the EUKN EGTC Ltd., namely Belgium, Cyprus, the Czech Republic, France, Germany, Hungary, Luxembourg, the Netherlands and Romania. Each member is represented by the corresponding ministry responsible for urban policy.</p> <p>Spain is qualified as a future official member of the EUKN EGTC Ltd. and currently acts as an active observer.</p> <p>Thus, the EGTC members are exclusively national authorities. Their territories are part of the EGTC's network.</p>
EGTC Duration	The EGTC was founded for an indefinite period of time.
Seat of EGTC & additional offices	The seat and office are located in The Hague (NL). The seat is registered at the Ministry of the Interior and Kingdom Relations. The office moved during the past years and makes use of the facilities of the Platform 31 (a knowledge and network organisation in the field of urban and regional development).
Legal form & rationale for choice	<p>The EUKN EGTC Ltd. is a limited liability organisation under Dutch public law. According to the Dutch implementation of the EGTC Regulation, an EGTC with a seat in the Netherlands is a governing body under Article 1.1 sub 1a of the General Public Law, a governmental body under Article 1 sub b of the Archive Act (1995) and a public body under Article 1 sub 2 of the Civil Servants Act. Regarding property law (which is part of private law), the EGTC has the same position as a natural person.</p> <p>The choice of the seat country is the result of the Dutch engagement in organisational, content and financial terms, both during the original establishment of the network and when it was founded as an EGTC.</p> <p>It is organised as a limited liability EGTC since the members did not want to be responsible for more than their contribution to the EGTC, i.e. not being liable for financial risks not controlled by them.</p>
Budget	The EGTC has an operational budget of about EUR 580,000 in 2015. It is composed of nearly two thirds membership fees and about one third project-specific funding. Membership fees are categorised depending on the country's population. The Netherlands provide additional support from its Ministry. These funds cover operational costs of the EGTC and its projects. The members' National Focal Points are not covered by this budget.
Staff	Currently the Secretariat comprises the workforce of four full-time-equivalents who are responsible for the day-to-day coordination of the EUKN EGTC Ltd. The Secretariat is headed by the Director of the EUKN EGTC Ltd. Other staff members are a programme officer, a research manager, an information specialist/webmaster and a capitalisation officer. The total of currently eight employees includes two interns. Some staff members are directly hired by the EGTC as consultants on the basis of temporary contracts. The Platform31 functions as the legal employer of two employees who are on a permanent contract.
Organisational structure	<p>The organs are the General Assembly, Director, the National Focal Points and the Secretariat. Their relations are displayed in the figure below.</p> <p>The Assembly is the decision-making body of the EGTC. Its members are representatives of the participating members. Each country has one vote. The Director represents the EGTC in relations with third parties, carries out the assembly's decisions and is responsible for the day-to-day management. He is an employee of the secretariat and not a member of the assembly.</p> <p>The National Focal Points form an integral part of the network, as they liaise with the local, regional and national levels within the participating EUKN members and at European level. The majority of the National Focal Points are independent (research) institutes; in some countries the National Focal Point is part of the ministry that represents the country in the EUKN's Assembly.</p>



Source: Grisel, 2014

Contents

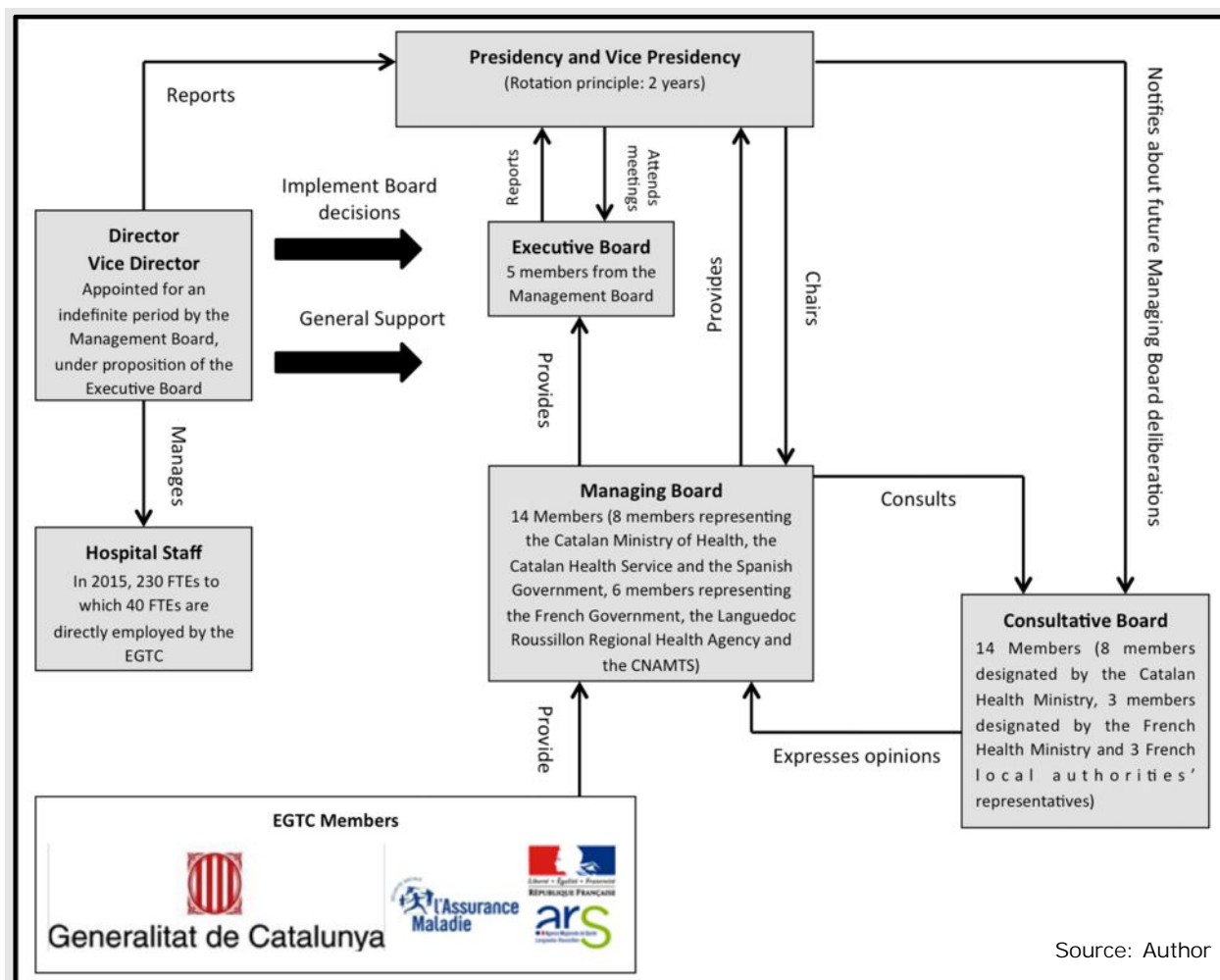
Main objectives	<p>The main objective of the EUKN EGTC Ltd. is to facilitate and promote territorial, mainly transnational cooperation aimed at strengthening the economic, social, territorial and environmental cohesion of cities through gathering, producing and disseminating knowledge.</p> <p>From the main objective some operational objectives are deducted according to how the EGTC aims to support urban professionals in developing and implementing successful urban policy initiatives. In particular it aims to:</p> <ul style="list-style-type: none"> – enhance the sustainability of the network; – improve the quality and added value of the EUKN EGTC's products and services; – position the EUKN EGTC Ltd. as the central urban knowledge dissemination hub in Europe; – support urban professionals through the development and implementation of specific programmes.
Main tasks	<p>The EGTC has three overall tasks:</p> <ul style="list-style-type: none"> – to carry out research supporting the EU presidency to achieve an evidence base for the EU Urban Agenda; – to provide targeted service for EUKN members; – to act as a knowledge centre and network for urban development. <p>These are broken down into a considerable set of specific tasks to optimise the functioning of the network. Among these are the management of a database of relevant documents, networking in the field, strengthening the European position of the EUKN, developing communication strategies and organising dissemination events.</p> <p>Different themes of urban development are addressed: urban environment, housing, transport and infrastructure, economy, knowledge and employment, social inclusion and integration, security and crime prevention.</p>
Realised benefits & achievements	<p>Due to the change of the legal form, the network has become more robust and effective. The main successes so far are:</p> <ul style="list-style-type: none"> – recognition as a valuable and influential network; – high quality provision of important information on urban issues; – research on demand for the members; – representation of MS when urban knowledge is required. <p>This is complemented with operational successes such as the network's sustainability, a stronger intergovernmental profile, better cooperation with other EU institutions and improved possibility to attract funding.</p>

Role in EU Cohesion Policy and beyond	
Past role in EU Cohesion Policy	<p>After receiving its EGTC status, EUKN has continued its previously existing role in supporting the preparation of ministerial meetings in relation to urban issues. Thus, even without making explicit use of cohesion funds, EUKN contributes to Cohesion Policy in terms of all its activities.</p> <p>While the EGTC itself did not make use of EU Cohesion Policy funds in the past, some members participated in an Interreg IVC project on energy efficiency in the built environment.</p>
Future role in EU Cohesion Policy	<p>In its Work Plan 2015, the EGTC explicitly states that it aims to get involved in the implementation of ETC programmes including URBACT and ESPON. This may, for instance, include dissemination and capitalisation activities of these programmes. Whether the EGTC may apply as lead partner or as project partner is not yet decided.</p> <p>The themes of the EGTC are closely related to the Europe 2020 strategy with a focus on growth and jobs, low carbon economy and quality of life as well as social inclusion issues in urban areas. Thus, contributions to principally all eleven Thematic Objectives of Cohesion Policy are conceivable.</p>
Role beyond EU Cohesion Policy	<p>Since the EGTC has considerable funds for conducting specific projects while not yet making use of EU Cohesion Policy funds, it can be concluded that so far other external sources play an important role in funding the network's research activities. This includes in particular national ministry resources, UN funding and funds from theme-specific agencies.</p> <p>The network also aims to participate in EU research projects outside EU Cohesion Policy, such as the Joint Programming Initiative of the European Research Area (http://ec.europa.eu/research/era/joint-programming_en.html) and Horizon 2020.</p>
Involvement of neighbourhood countries & outermost regions	<p>Cooperation experiences with neighbouring countries and outermost regions are very limited so far. Outermost regions usually do not fall within the scope of urban issues.</p> <p>There have been exchanges with Tunisia and the consideration of the membership of Turkey. So far, these countries have, however, not been taken on board.</p>

A.1.10 EGTC Hospital de la Cerdanya (EGTC HC) (France, Spain)

Foundation of the EGTC	
Date of foundation	2010, April 26 (constitution), 2011, February 11 (registration & publication)
Motivations for EGTC creation	<p>The EGTC creation goes back to discussions of local stakeholders and is documented in a Memorandum of Understanding in 2003 envisaging a preliminary study for the creation of a cross-border hospital. Given the responsibilities for health issues the cooperation did not include all relevant players at that time and had to be adjusted.</p> <p>The EGTC was founded to answer population needs for better health care access in the French-Spanish area of Cerdanya. Despite previous agreements and declarations, the need for a more structured framework for cooperation subsisted to allow sanitary cooperation, simplify procedures and overcome constitutional, legal and financial barriers. The EGTC appeared to be the only solution to associate two different governance levels as needed for this cooperation (regional & national level).</p>
Further administrative details	
Founding & current members and membership structure	<p>The EGTC has four members presenting different responsibilities needed for providing health services. These are the government of Catalonia (ES), the French Government, the French National Health Insurance and the Languedoc-Roussillon Regional Health Agency (FR).</p> <p>Thus, the EGTC is composed of a national and a regional authority as well as responsible health institutions. The EGTC covers the territory of 53 municipalities in the area of Cerdanya and Capcir.</p>

EGTC Duration	The EGTC was founded for an indefinite period of time.
Seat of EGTC & additional offices	The seat of the EGTC is in Puigcerdà (Catalonia, Spain), which is also the location of the hospital.
Legal form & rationale for choice	<p>The EGTC was founded as a legal entity under public Spanish law with unlimited liability. Liability is divided proportionally between the members according to their financial participation.</p> <p>Catalonia was the driving force at the beginning of the project. In addition, the location derived from the project being initiated by Spanish and French local stakeholders aiming to pool their strengths for a new hospital built in Puigcerdà that would also benefit the French population. Thus, the location of the EGTC and the hospital was not subject to discussion.</p> <p>The EGTC is subject to public law, as its members are public entities. The EGTC must insure the risks incurring with the provision of health services and therefore cannot limit its liability.</p>
Budget	<p>The hospital's overall budget is composed of the construction, the equipment and the operating costs. Thus, the annual budget has changed considerably over time.</p> <p>The hospital construction cost amounted to EUR 31 million. These were financed by ERDF, the Catalan government and the French health insurance. Equipment costs amounted to EUR 10 million, covered by the two members.</p> <p>The EGTC HC operating costs are fully covered by the members representing the health systems of the Spanish region and France. They currently amount to EUR 20 million annually. The budget is currently shared on a 60/40 basis between Catalonia and France since more Spanish patients are expected to be treated than French. These shares are subject to revision after five years.</p>
Staff	During the construction phase of the hospital, the EGTC had four employees including a director, an ICT director and a secretary. Now a fully operating hospital, in 2015 there are 190 full-time equivalents employed directly by the EGTC HC and 40 full-time equivalents are employed via external entities. Staff directly employed by the EGTC HC work under Spanish public law, no matter what their nationality is. French staff delegated by the Hospital of Perpignan keep a French public employment contract.
Organisational structure	Given the budget of the EGTC and its role, the organisational structure is rather complex. The organs are the Management Board, the Advisory Board, the Presidency, the Vice Presidency, the Executive Board, and the Director. Their roles and relations are displayed in the figure below.



Contents	
Main objectives	The overall objective is the construction, commissioning and operation of a cross-border, general and county-wide hospital located in the Spanish county of Cerdanya (Puigcerdà, Spain) to provide health services for patients in the territory of Cerdanya (Spain) and in the territories of Cerdanya and Capcir (France). The EGTC also aims at contributing to the development of the joint sanitary project of the territory.
Main tasks	<p>Tasks can be differentiated according to the phase of the EGTC.</p> <p>During the construction and start-up phase it was responsible to facilitate, launch and complete all necessary actions for the involvement of the needed parties, to create an effective dialogue and the dissemination of the project. It was also responsible for fulfilling the operational and financial plans etc. during the construction period.</p> <p>With the opening of the hospital in September 2014, the tasks changed and now focus on services for in- and outpatient care, mental health, the promotion and development of a preventive health care programme and health-related training and research activities.</p>
Realised benefits & achievements	<p>The principal success of the EGTC HC is that the project materialised, being the first and only hospital running as an EGTC, through well-functioning binational French-Spanish governance. EGTC HC members are able to take decisions together and implement them and to operate the hospital. By operating the binational hospital in Puigcerdà, distances to the nearest hospital were to be reduced for patients.</p> <p>After six months of operation, however, the share of French patients is considerably lower than anticipated and does not yet mirror population shares on both sides of the border.</p>

Role in EU Cohesion Policy and beyond	
Past role in EU Cohesion Policy	<p>The EGTC is a beneficiary of Interreg funds. Prior to the EGTC creation the feasibility study for the creation of a common cross-border hospital has been financed under Interreg III. The EGTC HC itself received an ERDF contribution of EUR 18.6 million under the Interreg IVA "France-Spain-Andorra" (POCTEFA) Programme for the hospital infrastructure construction.</p> <p>Beyond the use of ERDF resources the EGTC contributed to EU Cohesion Policy in terms of inter-institutional cooperation to establish adequate procedures for different situations occurring in the health sector.</p>
Future role in EU Cohesion Policy	<p>The EGTC itself does not plan to apply for EU funding during 2014-2020. As a hospital, it also envisages activities in the fields of research (TO 1) and education (TO 10).</p> <p>In the framework of the joint sanitary project of the territory, the EGTC HC is a member of the Sanitary Cooperation Group (CGS) managing geriatric and paediatric sectors, which may apply for EU funding from the POCTEFA Programme.</p>
Role beyond EU Cohesion Policy	<p>By operating the hospital, the EGTC provides services of general interest that contribute to cohesion objectives, but no longer make use of EU Cohesion Policy funds.</p>
Involvement of neighbourhood countries & outermost regions	<p>Not relevant</p>

A.2 Registered EGTCs as of 24 April 2015

Legend for following tables:
















































	EGTC used or is using EU Cohesion Policy Funds
	EGTC did not use EU Cohesion Policy Funds in the past
	EGTC members located in EU Member States that joined the European Union before the enlargement in 2004
	EGTC members located in EU Member States that joined the European Union with or after the enlargement in 2004
	Theme-specific cooperation
	Cross-thematic cooperation
▲	EGTC with < 5 members
★	EGTC with 5 – 20 members
⦿	EGTC with > 20 members

Table A.1 Cross-border EGTCs with cross-thematic focus

Name	Member States	Year	EU CP Funds	Role in EU financed ETC	Geographical location	Types of members – no. ▲ – ★ – ⦿
Eurométropole Lille-Kortrijk-Tournai Eurometropool Lille-Kortrijk-Tournai	FR/BE	2008		-		Member states & regional authorities – ★
Ister-Granum European Grouping of Territorial Cooperation Ltd	HU/SK	2008		Project (IVA)		Local authorities (municipalities) – ⦿
Agrupación Europea de Cooperación Territorial Galicia – Norte de Portugal	ES/PT	2008		Project (IVA)		Regional authorities – ▲
Duero-Douro EGTC	ES/PT	2009		Project (IVA, ESF, Lifelong)		Regional & local authorities – ⦿
EGTC West-Vlaanderen/Flandre – Dunkerque – Côte d'Opale	BE/FR	2009		Project (IVA)		Member states & regional authorities & NGO – ★
Euroregion Pyrenees-Méditerranéan	ES/FR	2009		Project (IVB)		Regional authorities – ▲
Eurodistrict Strasbourg-Ortenau	FR/DE	2010		Micro-projects funds (IVA)		Local authorities (cities) – ★

Name	Member States	Year	EU CP Funds	Role in EU financed ETC	Geographical location	Types of members – no. ▲ – ★ – ✱
Zasnet EGTC	PT/ES	2010		Project (IVA, IVB)		Regional & local authorities – ★
Eurodistrict Saar Moselle	FR/DE	2010		Project (IVA)		Regional & local authorities – ▲
Pons Danubii EGTC	SK/HU	2010		Project (IVA, ERDF)		Local authorities (cities) – ★
Bánát – Triplex Confinium Limited Liability	HU/RO	2011		Project (IVA, ERDF)		Local authorities (municipalities) – ✱
Abaúj – Abaújban EGTC	HU/SK	2010		Project (IVA)		Local authorities (cities) – ★
EGTC Eurorégion Aquitaine-Euskadi	FR/ES	2011		Project (IVA, ERDF)		Regional authorities – ▲
EGTC Arrabona	HU/SK	2011		- (applied at ETC calls)		Local authorities (municipalities) – ✱
Pirineus-Cerdanya EGTC	FR/ES	2011		-		Local authorities (~ districts) – ▲
EGTC EURO-GO	IT/SI	2011		Pilot actions (IVB)		Local authorities (municipalities) – ▲
Europaregion Tirol-Südtirol-Trentino	IT/AT	2011		Project (IVA)		Regional authorities – ▲
Linieland van Waas en Hulst EGTC Ltd.	BE/NL	2011		Project (IVA)		Local authorities (municipalities) – ★
Rába-Duna-Vág (RDV) EGTC	HU/SK	2011		-		Regional & local authorities – ▲
Bodrogközi EGTC	HU/SK	2012		(task: EU projects but no partner yet)		Local authorities (municipalities) – ★
Gate to Europe EGTC	HU/RO	2012		(Intention: VA, VB, MRS)		Local authorities (municipalities) – ✱
Pannon EGTC	HU/SI	2012		(task: EU projects)		Local authorities & University & National Park – ✱
Novohrad – Nógrád' EGTC Ltd.	HU/SK	2011		Project (IIIA)		Local authorities (twin cities) – ▲























Name	Member States	Year	EU CP Funds	Role in EU financed ETC	Geographical location	Types of members – no. ▲ – ★ – ✱
Espacio Portalet EGTC	ES/FR	2011		Project (IVA)		Regional authorities – ▲
EGTC Via Carpatia Ltd.	SK/HU	2013		Programming process		Regional & local (county) authorities – ▲
EGTC Trittia	PL/SK/CZ	2013		Project (IVA)		Regional authorities – ▲
EGTC Spolocny región	SK/CZ	2013		Project (IVA)		Regional agency & municipality groupings – ▲
Parc Marin International des Bouches de Bonifacio EGTC	IT/FR	2013		Project (IVA)		National park & regional office – ▲
EGTC Euroregione Senza Confini	IT/AT	2012		-		Regional authorities – ▲
Sajó-Rima EGTC	SK/HU	2013		(plans for next calls)		Local authorities (municipalities) – ▲
Eurocidade Chaves – Verín	ES/PT	2013		(plans for next calls)		Local authorities (municipalities) – ▲
Torysa EGTC	HU/SK	2013	?	?		Local authorities – ▲
Svinka EGTC	HU/SK	2013	?	?		Local authorities – ▲
Europa Közös jövő építő (Europe – Building Common Future) EGTC	HU/RO	2012	?	?		Local authorities – ▲
Agrupación Europea de Cooperación Territorial Faja Pirítica Ibérica (AECT Faja Pirítica Ibérica)	ES/PT	2014	?	?		Local authorities (municipalities) – ★
European Border Cities EGTC	HU/RO	2014	?	?		Local authorities (cities) – ▲
AECT Pais de Arte e Historia Transfronterizo Los Vall s Catalanes del Tec y el Ter (GECT PAHT)	FR/ES	2015	?	?		Local authorities (municipalities) – ✱

Table A.2 Cross-border EGTCs with theme-specific focus





































Name	Member States	Year	EU CP Funds	Role in EU financed ETC	Geographical location	Types of members – no. ▲ – ★ – ✨
Karst Bodva EGTC	HU/SK	2009		(task: use of EU funds)		Local authorities (municipalities) – ▲
Grande Région EGTC	FR/DE/LU/BE	2010		Managing Authority		Member states, regional & local authorities & minority communities – ★
Hospital de la Cerdanya EGTC	ES/FR	2010		Investment from IVA		National ministries, regional agency, local authorities (county, health offices) – ★
Unq – Tisza – Túr – Sajó (UTTS)	HU/SK	2009		(applications pending)		Local authorities (cities) – ▲
Sommet de la Grande Région	LU/FR/DE/BE	2013		-		Member states & regional & local authorities & minority communities – ★
EGTC TATRY Ltd.	PL/SK	2013		(applied for SPF management)		Regional associations of local authorities (Region & Euroregion) – ▲
EGTC Parco Europeo/Parc Européen Alpi Marittime – Mercantour	FR/IT	2013		Previous funding before EGTC		National & nature parks – ▲
Huesca Pirineos-Hautes Pyrénées EGTC	ES/FR	2014		(HP-HP was IVA project)		Regional authorities – ▲
GECT Alzette Belval	FR/LU	2012		-		Member states & regional & local authorities – ★

Table A.3 Transnational and interregional EGTCs

Name	Member States	Year	Cross-thematic or theme-specific	EU CP Funds	Role in EU financed ETC	Geographical location	Types of members – no. ▲ – ★ – ✱
Central European Transport Corridor EGTC Ltd.	SE/PL/HU	2014			-		Regional & local authorities (county) – ▲
Amphictyony EGTC	GR/CY/IT/FR	2008			Projects (Lifelong)		Local authorities (municipalities) – ✱
EGTC ArchiMed	IT/ES/CY/GR	2011			Waiting (IVB, ENPI)		Regional authorities, national association & local agency – ★
EUKN – European Urban Knowledge Network	BE/CY/CZ/FR/DE/HU/LU/NL/RO	2012			(platform to exchange practices)		Member states (ministries) – ★
Agrupación de Ciudades de la Cerámica Ltd. (AEuCC) EGTC	IT/FR/ES/RO	2014			-		National associations – ▲
EFXINI POLI – SolidarCity network	GR/CY/BG	2012			Project (IVB, IVC)		Local & regional authorities & University – ✱
ESPOON EGTC – European Node for Territorial Evidence	LU/BE (other MS not members)	2015			Single beneficiary of ESPON project		National & regional authorities – ▲
Interregional Alliance for the Rhine-Alpine Corridor EVTZ	DE/NL/IT	2015			Previous funding IVB before EGTC		Regional & local authorities, harbor – ★

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