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Regional Level of Governance and Euroregions
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GOOD GOVERNANCE FOR CROSS- BORDER COOPERATION

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Regional development and global changes

- Practical and theoretical aspects of good governance in the world, and Europe in particular, especially transitional countries, have significant relation with important changes. *We live in times of significant changes.* Some call it the "Information Age" (Alvin Toffler), some the "Digital Age" (Nicholas Negroponte), some the "Global Age" (Kenichi Ohmae), or the "Age of Paradox" (*Charles Exibition*), while the titles "Knowledge Age" or "Learning organization" (Senge) are used more and more frequently. One could say that we live in a networked society, which requires a rethinking and redefining of history, the present and the future.

“European governance”

The debate on European governance', launched by the Commission in its White Paper of July 2001, concerns all the rules, procedures and practices affecting how powers are exercised within the European Union. The aim is to adopt **new forms of governance** that bring the Union closer to European citizens, make it more effective, reinforce democracy in Europe and consolidate the legitimacy of the institutions. The Union must reform itself in order to fill the **democratic deficit** of its institutions. This governance should lie in the framing and implementation of better and more consistent policies associating civil society organisations and the European institutions. It also entails improving the quality of European legislation, making it clearer and more effective. Moreover, the European Union must contribute to the debate on world governance and play an important role in improving the operation of international institutions.

Thus the changes may be defined in:

(i) process of globalization;

(ii) processes of differentiation and integration;

(iii) process of transition.

- Globalization is carried out through the market, politics and law, which means that the process not only affects the economic plane, but also in the sphere of the exchange of persons and ideas.

- Multiculturalism is a normal condition of the world. Real homogenization is an exception. On the one hand, we are witnessing the search for bigger and bigger integrations (economical and political), where individual parts keep converging. On the other hand, differentiation is a reality, with entities disintegrating into components. Differentiation and integration refer primarily to their administrative-territorial aspect, with the growing use of the principle of subsidiarity, but also of other principles such as proportionality, solidarity, equalization and the like. Each integration raises a question of form; namely whether strong subjectivities will remain over the parts entering the unity, or the unity will represent the main entity, with the parts becoming more peripheral. The most important question here, one might say, is where does differentiation end and how to execute integration?

- Final transition is imminent to every society. It is especially accentuated when there is a Copernican twist of regimes (economical, political, social and legal), which is the case with post-socialist communities. All post-socialist countries encounter more or less the same dilemmas, with similar contaminations, and with identical aspirations.
- The biggest contamination which happened on behalf of that regime can bring us under the inaugural effect, which means that everything is being done "from the top" i.e. from the state, political party or the leader, etc. This approach and environment brings lack of ability to believe in the human being as individual where "collective" dominates and individual emotions, motivation, intellectual and esthetical capacities are repressed. In another words, one should be loyal, quiet should, not have aspiration to be different, and so on, should be conformist and use that strategy for keeping his position. This is diametrically different from liberal capitalistic theory and practise. Finally, this is the problem presently in the countries that could be qualified as a part of transitional systems, the so called post-communist countries.

- Europe and the whole world are confronted with a need to **reform governing institutions**, intended to accelerate and provide for **a high-quality decision-making process and an increase in their efficacy and democracy**. The facts presented above can be reduced to the following question: how to create the government (at all levels) that would function better (more efficaciously), cost less, and would take care of an equilibrated budget? In searching for an answer to this question, we are increasingly confronted with the notions of good governance, e-government, etc.

Relevant theories

- We are of the opinion that the new challenges cannot be adequately surmounted without a **systemic theory, a self-organizational theory, and a theory of autopoiesis.**
- As technology implies a transformation of an idea into a product, the same applies to an autopoietical technology. This technology facilitates to adopt the positive and eliminate the negative, or at least reduce it to the least possible extent. Thereby, while relying on the natural laws, everything is simultaneously a part and a whole, demarcated by a membrane that ensures an entity as a unity, a sufficient openness for the cognitive, but it ensures it as a normative closeness as well. The identity and subjectivity of the parts and of the whole are thereby unthreatened, for each has its own autonomy as well as a simultaneous networking into a domain. According to Forrester, in a self-organized system, each participant is also a system manager. The stress is put on autoreferentiality, as in competition with one's self. One should start from himself/herself, defining him/herself first.

- Through these theories we may recognize what is allopoietical and what is autopoietical ***Communal engineering***.
- Allopoiesis implies a “production of something else,” that a subject is not autonomous, that someone else determines its destiny. Autopoiesis implies the “production of the self.” In other words, there is no ‘either/or’ but an ‘and/and’ approach; there is no exclusion or imposition but an understanding and agreement. An optimum is being searched for. Each individual is the most important one, from the human as a citizen to family, corporation, local and regional authorities, national and finally supranational level. What is most adequate and most natural to be executed in a (functional or territorial) entity should be conducted there in the best possible way: efficiently and in a democratic manner. Evidently, these proposals are closely connected to the principles of subsidiarity and proportionality in a horizontal and vertical distribution of power.

Social development

- all those processes, each by itself and in their interdependence, have their own reflections in social development. By *social development* we understand:
 - (i) *personal development*;
 - (ii) *organizational development*;
 - (iii) *economical development*;
 - (iv) *cultural development*

- We approach social development in a holistic manner. Individual development means the advancement of emotional, volition, intellectual, aesthetic and physical capacities, added to ability for teamwork. Organizational development may be reduced to the scientific-technological revolution, to modern information technology, which requires skillful application. Economic development is focused on the realization of the most possible profit, , with the least possible cost or damages (i.e.,cost/benefit). Cultural development refers to the so-called social affairs such as education, health, social care, science, arts and other.

Multi-level governance

- Modern government and administration are complex; they represent in fact a set of multi-dimensional complexities. There is an almost infinite variety of subject matter concerning government, from human rights to economic development, from environment to transport, education, science, agriculture, police, etc. Government and administration deal with the immediate and the long-term, values of individuals and aspirations of collectives, local and global issues, citizens, groups, regions, ethnic minorities, nations, and the international community. There are interrelated levels of government: municipal, local, regional, national, and supranational.

- It is widely known the engineering concerned with lower/higher, broader/narrower communities, comes to:
- (a) deconcentration of power;
- (b) decentralisation; (
- (c) local self-government.

- **Deconcentration** is the finest form of transfer of functions, which means that the mere exercise of concrete duties is transferred, while retaining supervision of legality and opportunism.
- **Decentralisation** itself in many respects depends on the achieved deconcentration, but this is a higher degree, where the transferred duties are performed independently and responsibly, and only the surveillance of legality is left to the central government. Here immediately emerges the problem of devolution, and this is a real decentralization and a precondition for the real local and regional self-government. The process of decentralisation has to be conceptualized and performable in the partner relations between the state and the local and regional self-government.

Decentralisation

- Increasingly, decentralisation of political and administrative authority, as well as efforts to increase popular participation, are posited as logical alternatives to older centrist state conceptions. Decentralisation promises to locate key political and developmental decisions closer to the beneficiaries of these decisions, and thereby to raise the quality and relevance of the political debate.

'Good Governance' Lessons

- Democratic decentralisation tends to produce systems of government that are easier for individuals and groups at the local level to access and influence.
- Indigenous non-governmental organisations can play an important role in facilitating the participation of poor and marginalized groups in the political system.
- Regular and free elections at all government levels are the best device to ensure accountability.
- Local government is not the only agent of development - civil society and NGOs have in many cases initiated their own development projects. However, no private agency should be a substitute for local government as the primary development agency. Better coordination in this domain is crucial.

- The failure to provide adequate political representation for ethnic or cultural groups that feel marginalized in a central state may lead to outbreaks of violence.
- Decentralised structures based on relatively homogenous cultural or ethnic identities present a means to give political 'voice' to such groups.
- Evaluation and Monitoring must be an integral part of every decentralisation programme.
- It is important to institutionalise mechanisms for citizen feedback with regard to local government performance and service delivery.

- *Decentralisation should not be applied similarly from country to country, but must be tailored to the country, or even local, circumstances.*
- *Greater participation is not only a projected outcome of decentralisation, but it is also an essential element of the design and implementation of a decentralisation process.*
- Participation, ownership and legitimacy are mutually reinforcing phenomena that should result in improved government in developing countries.
- Decentralisation is a complex process involving heterogeneous activities and engagements never completely wanted by anybody nor controlled by anyone.

Lack of capacity

- **A key problem in decentralisation programmes is the lower professional qualifications of staff and representatives at the sub-national level compared to the professional skills of the personnel at the central level. It is therefore crucial to re-deploy qualified personnel to the sub-national levels.**
- The lack of qualified and skilled staff in local or provincial government units does not only have a negative impact on the quality of the services delivered, but undermines the legitimacy of local authorities. If representative authorities at the local level should play more than just a symbolic role they must be strengthened in staffing.

Political lessons

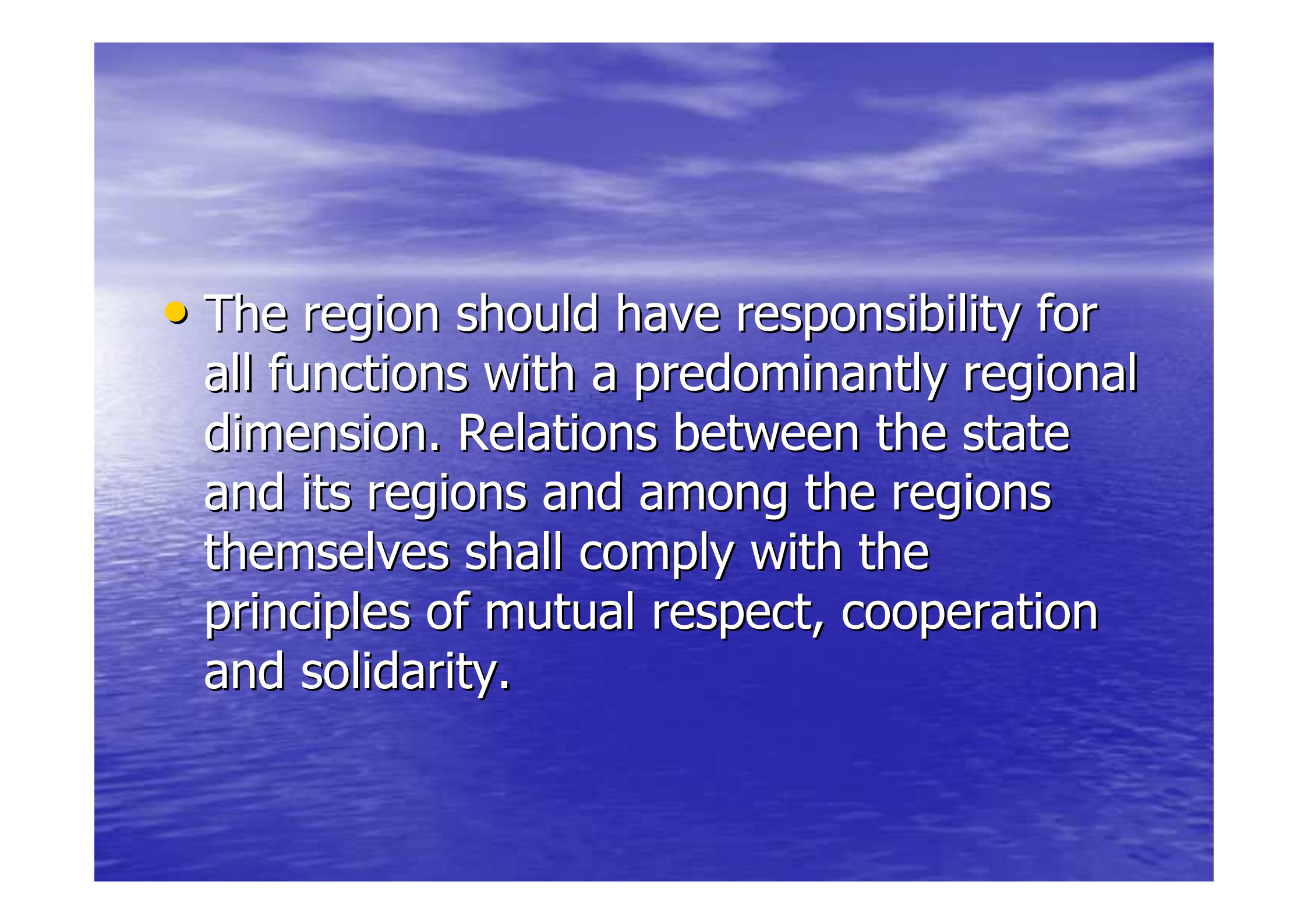
- Decentralisation is a way to promote a more democratic and participative society. At the same time a democratic and participative society is an important and favourable condition for democratic decentralisation.
- Decentralisation is seen as one important way to bring political issues closer to the population. This improves the prospects of their participation and enhances democratic debate.
- Decentralisation must not be an end in itself but has to be part of a larger democratisation process of the political system as such. A successful decentralisation process requires more than just the accomplishment of institutional decentralisation.
- Democratisation measures must be realised at the same time. Democratisation and decentralisation are two sides of the same coin.

- For the realisation of a true **local and regional self-government** the *conditio sine qua non* is to find out the optimum level for deconcentration and decentralisation of power. The optimum is a measure reached by account of realising the needs and interests of the citizens.
- the following criteria are:
 - (i) maximisation of efficiency,
 - (ii) maximisation of democracy and
 - (iii) minimisation of pollution.

At all levels and in all forms of social organising (both in functional and territorial terms), it is necessary to generate maximal gain through production of goods and services, which is measured by economic categories such as income/per capita etc. Furthermore, it is necessary to simultaneously achieve (European) standards of democratic political life, which is measured through exercising human rights and fundamental freedoms. It is indispensable to respect the environment, and thus going through one's life-cycle should cause the least possible air, water and soil pollution.

Regional development

- The region is the territorial body of public law established at the level immediately below that of the state, endowed with political self-government. The region shall be recognised in the national constitution or in legislation which guarantees its autonomy, identity, powers and organisational structures. The region is the expression of a distinct political identity, which may take very different political forms, reflecting the democratic will of each region to adopt the form of political organisation it deems preferable. The region shall resource and staff its own administration and adopt symbols for its representation.
- The allocation of powers between the state and the regions shall be laid down in the national constitution or in legislation in accordance with the principles of political decentralisation and subsidiarity. Under these principles, functions should be exercised at the level as close to the citizen as possible.

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- The region should have responsibility for all functions with a predominantly regional dimension. Relations between the state and its regions and among the regions themselves shall comply with the principles of mutual respect, cooperation and solidarity.

Helsinki Declaration on Regional Self-Government

Conference of European ministers responsible for local and regional government, 13th Session, Helsinki, 27 – 28 June 2002.

- 1. Regional authorities are territorial authorities between the central government and local authorities. This does not necessarily imply a hierarchical relationship between regional and local authorities.
- 2. Regional self-government denotes the legal competence and the ability of regional authorities, within the limits of the constitution and the law, to regulate and manage a share of public affairs under their own responsibility, in the interests of the regional population and in accordance with the principle of subsidiarity.
- 3. Where regional authorities exist, the principle of regional self-government shall be recognized in domestic legislation and/or by the constitution, as appropriate.

- The relationship between regional authorities and other sub-national territorial authorities shall be governed by the principles of regional self-government set out in this document and local self-government set out in the European Charter of Local Self-Government and the principle of subsidiarity.
- Regional authorities and other sub-national territorial authorities may, within the limits of the law, define their mutual relationship and they may co-operate with each other.

- Regional development is a broad term but can be seen as a general effort to reduce regional disparities by supporting (employment- and wealth-generating) economic activities in regions. In the past, regional development policy tended to try to achieve these objectives by means of large-scale infrastructure development and by attracting inward investment. The need for a new approach is driven by the observation that past policies have failed to reduce regional disparities significantly and have not been able to help individual lagging regions to catch up, despite the allocation of significant public funding. The result is under-used economic potential and weakened social cohesion.
- A new approach by OECD work on regional development recognizes that a new approach to regional development is emerging; one that promises more effective use of public resources and significantly better policy outcomes. This involves a shift away from redistribution and subsidies for lagging regions in favour of measures to increase the competitiveness of all regions.

- Therefore, the basic question is: how to create the optimal development on the regional level? Maybe in the PANNONIA area?
- At the theoretic level the main goal is to develop the autopoietic systems (the unity of entities, cognitive openness, normative closure) where the local and regional self-government are *conditio sine qua non* of the viable economic, political and cultural development. The aim is to reflect on and realize the local and regional self-government on the scientific basis, where every citizen will realize his/her needs and interests, i.e., basic human rights and liberties, where the people can reach emancipation in terms of their individualization in globalization.
- Regional level is optimal in the autopoietic sense. This is the synergy of "frogs view" and "birds view".

The regions and local authorities

- In exercising the powers assigned to them, regions and local authorities shall cooperate in a spirit of mutual trust and in accordance with the principle of subsidiarity. Regions and local authorities shall take all necessary measures to promote mutual cooperation, bearing in mind the control which regions may exercise over local authorities.
- One may say that local and regional self-government analyzes and encircles the idea of allocation of power in a horizontal sense (on the levels of legislative, executive, and judicial power) on one hand and the state apparatus control technique on the other had, everything being in a vertical relation of the higher/broader and lower/narrower territorial units (from the local and regional up to the national and supranational levels), which necessitates a democratic environment. A power distribution principle incorporates the joint decision-making forms, cooperation, and mutual checks of all types of authorities and their incumbents. We are of the opinion that high-quality horizontal power distribution is impossible without a simultaneously provided constitutionally guaranteed right to local self-government.

Therefore, it is necessary to reconsider a national state as a part of a political space wherein the governance of personal freedom, civic equality, and social justice are being realized and guaranteed, thus shaping the local and regional self-government's organization.

Local as well as regional self-government searches for the answers on how to guarantee harmony between a citizen as an individual and institutions, as well as between the local/regional communities and the state. One should try to find solutions to the questions raised considering particularly the following elements:

- citizen participation in political decision-making directly or via elected representatives;
- execution of an (essential) portion of public affairs;
- decision on the needs and interests having a local (and general) importance;
- extent of surveillance powers of the higher organs;
- extent of local and regional units' financial independence;
- a higher-level formulation of a political-administrative organization;
- other issues.

- When adopting rules, from the local to the national level, one should always have a feeling for equilibrium, i.e., the finding of the adequate criteria and standards. We deem that the *citizens' satisfaction with the quality of life, i.e., the satisfaction of their needs and interests*, should be a *criterion* for local self-government, as for assessing accuracy of a solution, while a *standard* should be their quantification (aliment, housing, procurement, socialization and affirmation up to self-actualization).

Regions and European Union

- The European Union shall recognise the regions of its Member States and associations of a regional nature as active participants in its policies. The region shall also be entitled to take part in the decision-making process of European institutions and shall in particular have the right to have its representation within the national delegation.
- The region is the best form of organisation for resolving regional problems in an appropriate and independent manner. The states of Europe shall undertake to pursue as far as possible the devolution of powers to the regions and to transfer the financial resources necessary for their exercise, amending international legislation as necessary.
- The Union shall try to promote a European societal model with a sustainable development of economic and social activities, prosperity of the Member States' cultures, a high level of environmental protection and *solidarity between all its regions, be it the central, peripheral or insular ones*. It is essential to observe that when it comes to the activity resources the Union has to fulfill the principles of transparency, *good governance*, and decentralization criteria in all its campaigns.

- *In such an atmosphere, a constituent is a "citizen" of Europe, which implies a share of common values and the development of feeling of affiliation pertinent to a common social and cultural milieu.* This is especially topical for the postcommunist transitional countries. In other words, it is imperative to open up the *qualification process for a European standard of living* (through problem-solving, labour, culture and tolerance), to the individual demands for a quality life of the new Information Age. The subjects are the citizens, families and economic, social, and political institutions. A presupposition for all of that is a high-quality expression of the rules of the game.

agenda for good local and regional governance

- *Principle of subsidiarity - Giving full effect to the principle of subsidiarity by defining and legislating on the competences, structures and boundaries of local and regional authorities;*
- *Relations between different levels of territorial administration - Fostering effective relations between different levels of territorial administration particularly between central and local authorities.*
- *In any context good governance is characterised by the five principles of openness, participation, accountability, effectiveness, and coherence*

- The conclusions of the Budapest Conference on regional self-government, emphasize under point 7 that:

"the importance of regional self-government and the fact that it can represent an enrichment for democratic societies can help address new challenges of *good democratic governance* and, depending on circumstances, can respond to the need to deal with public affairs as close to the citizen as possible".

Researchers highlight particularly the following aspects:

- division of powers between the central and regional levels, striking a balance between popular demand and the optimum provision of public services;
- creating complementarity between State units at different levels and a margin of action for the private sector with the aim of profiting from inter-sector competition. In this context, privatisation can play an important part as an alternative to regionalisation/ regionalism;
- rationalisation of territorial structures with an eye to the effectiveness and efficiency of public services and the minimisation of administration costs, and finally
- evaluation of the influence and weight of increased international economic and fiscal competition on territorial structures.

The ministers were convinced that:

- “the increasing decentralisation and devolution of government across Europe has contributed to the strengthening of democracy;
- the process of decentralisation and devolution reflects the shared conviction that economic growth, sustainable regeneration, quality public services and full democratic participation can be more effectively facilitated if governmental institutions are not overly centralised;
- it is a matter for each state to decide whether or not to establish regional authorities and which competencies they shall be provided with;

- regional self-government ... is part of democratic governance and thus regional authorities ... must meet minimum standards of democratic composition;
- regional authorities must be endowed with the legislative competence and the ability ... to regulate and manage a share of public affairs under their own responsibility;
- principle of subsidiarity is to be observed;
- such a Charter must be broad enough to recognise the wide variety of democratic forms of regional self-government."

The following principles justify the need to involve the regional and local authorities in the formulation of European policies:

- *Openness* - Improved information and ownership of the Community's policy position are needed. Since they are democratically elected and close to the ground, the regional and local authorities are well placed to provide the citizen with information.
- *Participation* - The White Paper on governance affirms the need for the European and national associations of regional and local authorities to be involved with due regard for the institutional architecture of the Union and the Member States' internal organisation.

- *Coherence* - The Commission acknowledges the need for better assessment of the impact at regional and local level of Community policies in areas such as transport, energy and the environment. Analysing the impact of measures proposed at Community level will contribute to informing the different actors of the effects of these measures and guide them in their implementation tasks.
- *Effectiveness* - Some Community policies are implemented and/or have the greatest effect at regional and local level. Local government authorities are ideally placed therefore to assess the coherence and effectiveness of Community policies

The Republic of Croatia

Governmental system

- According to its Constitution (1990; 2000/2001, 58/2010), the Republic of Croatia is a unitary and indivisible democratic and social state, with the system of parliamentary democracy. In Croatia government shall be organized based on the principle of separation of powers into the legislative, executive and judicial branches (horizontal level), but limited by the right to local and regional self-government (vertical level) guaranteed by the Constitution. The principle of separation of powers includes the forms of mutual cooperation and reciprocal checks and balances provided by the Constitution and law (Article 4).

- Citizens shall be guaranteed the right to local and regional self-government (Article 132). This right has become equal with other human rights and fundamental freedoms. Respect of human rights is one of the eleven highest values of the constitutional order of the Republic of Croatia (i.e., freedom, equal rights, national equality and equality of genders, love of peace, social justice, respect for human rights, inviolability of ownership, conservation of nature and the environment, the rule of law, and a democratic multiparty system), which are the grounds for interpreting the Constitution. This is very significant because teleological interpretation is the most important method of interpretation today in Europe.

- The right to self-government shall be exercised through local and regional representative bodies, composed of members elected during free elections by secret ballot on the grounds of direct, equal and general voting rights. Citizens may directly participate in administering local affairs, through meetings, referenda and other forms of direct decision-making, in conformity with law and statute (Article 132).
- The units of local self-government are municipalities and towns. *The units of regional self-government are counties.* Municipalities, towns and counties are founded by law. The capital city of Zagreb may be attributed the status of a county by law. Forms of local self-government may, in conformity with law, be established in localities and parts thereof (Article 133).

- In Croatia, there are 21 counties including city of Zagreb, 127 towns, 429 municipalities and 6810 settlements. The territorial organization of local and regional self-government is based on a large number of relatively small municipalities and on a formal, but unrealistic, distinction between rural municipalities and urban local units. The territory of a county is primarily based on administrative criteria, which largely ignores the highly significant natural and historical boundaries of Croatian regions. There are large differences among the municipalities with regard to the number of settlement which fall within a given municipalities. Thus, many local units are not capable of successfully conducting the minimum scope of affairs, or to sustain those affairs financially, professionally or in other ways.

- According to the case of enumeration, only the affairs that are allocated specifically to local and regional self-government units are considered "local/regional". In the Law on Local and Regional Self-Government there is an explicit list of these affairs. An exception is made in the scope of activities of city self-government, according to which a city can manage all affairs within the self-government scope of a commune and all other that are concerned directly to the interest of the city if they are not within the competence of other bodies.
- The structure of regional self-government is laid down in the Act on the Territories of Counties, Towns and Municipalities in the Republic of Croatia
- Local and regional self-government is subject of organic laws, because the organization and authority of local and regional self-government shall be passed by the Croatian Parliament by a majority vote of all representatives

Regional development policies

- In 2010 Croatia adopted National Strategy of regional development. The Strategy is important for raising the welfare of all Croatian regions and reduce the lag in comparison with the EU average. In the light of Croatian politics towards the European Union, it is important point out that the National Strategy's full compliance with the European Union's cohesion policy constitutes of the most important criteria to receive assistance from EU funds.
- The aim of the regional development policy is to contribute to economic and social development of the Republic of Croatia according to the principles of sustainable development by making conditions which will allow raising competitiveness of all parts of the country, and realisation of their own development potential.

- The task of regional development policy is to enable all regions to achieve their potential and seize opportunities for sustainable development and welfare of their citizens, while paying extra attention to areas that are lagging behind in development. To achieve this goal requires a common and concerted action by many partners. Here, all key sectors of society (the Croatian Government, regional and local government, private, scientific and civil society) are expected to decide by consensus and offer solutions on how they work together in order to achieve optimal development and prosperity of our region.

In the County development strategy, for the first time, a legal requirement defines that development priorities within the county are of common interest for the whole area, all in accordance with the national strategy on regional development.

- The Republic of Croatia is divided into three NUTS 2 regions:
 - 1) *Northwestern Croatia,*
 - 2) *Middle and Eastern (Pannonian)*
 - 3) *Adriatic Croatia*

- **Pannonian Croatia** is a region with extremely favourable geostrategic position on European transport corridors Vc, VII and X and it is abundant with natural, cultural and historic values. It is also a poorly inhabited region with pronounced consequences of war, it still has large mined surfaces and potentially mined areas, which surely limits efficiency of rich natural basis and agricultural potential. The natural sources have been recognised and they are adequately used, and forestry management, i.e., biomasses management is also satisfactory. On the other hand, the existing renewable sources of energy are still not used enough.
- Other significant elements regarding the capacity of the region are the good connectedness to major centers in the region (the airport in Osijek and branched rail network), while resources lie in the buoyancy of the existing rivers and canals. Waterway rivers such as the Danube, Sava and Drava are included in the international network of waterways, while all four inland ports of Vukovar, Osijek, Slavonski Brod and Sisak are open to international traffic. There are several ports of national and regional importance.

- One of the program activities is strengthening of human resources in the following manner:
 - Development and promotion of lifelong education programs to strengthen the market needs.
 - Development of the labor market and employment system.
 - Establishment, updating and *networking with university institutions* and business entities (within the Pannonian region of Croatia, as with actors and institutions outside the region).

- Development of local capacities in high education was precisely one of the key factors that contributed to development of under-developed areas in numerous European countries such as Sweden, Finland, Ireland and other. Therefore, it is necessary, through a close cooperation with a responsible ministry, *to create a programme for strengthening education institutions* in supported areas, which will lead to a more considerable offer of education programmes, to the improvement of their quality, and to a greater compliance with the needs of local economies and public institutions.

Decentralization and CBC

- Decentralisation is a way to promote a more democratic and participative society. At the same time a democratic and participative society is an important and favourable condition for democratic decentralisation.
- Decentralisation is seen as one important way to bring political issues closer to the population. This improves the prospects of their participation and enhances democratic debate.
- Decentralisation must not be an end in itself but has to be part of a larger democratisation process of the political system as such. A successful decentralisation process requires more than just the accomplishment of institutional decentralisation.
- Democratisation measures must be realised at the same time. Democratisation and decentralisation are two sides of the same coin.

Cross-border Cooperation (CBS)

Cross-border cooperation can be defined as *a more or less institutionalized collaboration between contiguous subnational authorities across national borders*.

- CBC can thus be defined according to the four following criteria:
 1. as its main protagonists are always public authorities, CBC must be located in the realm of *public* agency.
 2. CBC refers to a collaboration between *subnational* authorities in different countries whereby these actors are normally not legal subjects according to international law. They are therefore not allowed to conclude international treaties with foreign authorities, and, consequently, CBC involves so-called 'low politics'. This is why CBC is often based on informal or 'quasi-juridical' arrangements among the participating authorities.
 3. in substantive terms, CBC is foremost concerned with *practical problem-solving* in a broad range of fields of everyday administrative life.
 4. CBC involves a certain *stabilization* of cross-border contacts, i.e. institution-building, over time.

- 'Madrid Convention' of the Council of Europe. The Convention defines 'transfrontier co-operation' as 'any concerted action designed to reinforce and foster neighbourly relations between territorial communities and authorities within the jurisdiction of other Contracting parties and the conclusion of any agreement and arrangement necessary for this purpose'.
- **Cross-border regions** are 'characterised by homogenous features and functional interdependencies because otherwise there is no need for cross-border co-operation' (CoE, 1972: 29). In other words, a 'transfrontier region is a potential region, inherent in geography, history, ecology, ethnic groups, economic possibilities and so on, but disrupted by the sovereignty of the governments ruling on each side of the frontier' (CoE, 1995).
- A cross-border region can be defined as a *bounded territorial unit composed of the territories of authorities participating in a CBC initiative.*

At least three dimensions are relevant:

- geographical scope: small-scale CBC initiatives can be distinguished from Working Communities that usually involve five or more regions.
- co-operation intensity: referring to the strategic capacity gained by the cross-border body and its degree of autonomy vis-à-vis central state and other authorities.
- type of actors: local (municipal) authorities can be distinguished from regional ('meso-level') authorities.

Some general conclusions can be drawn:

- First, on a general note, it was shown that cross-border regions are part of the administrative landscape in most European border areas today. In the context of an increasing Europeanization and internationalization of noncentral governments, cross-border co-operation among contiguous local and regional authorities is only one special case among a variety of other such 10 initiatives.
- Second, these co-ordination and co-operation activities in the public policy realm are in the majority of cases linked to and promoted by the implementation of European regional policy.
- Third. the proliferation of CBRs across Europe can be read as a process of institutional innovation through which these small-scale CBRs became a legitimate partner of the European Commission in implementing regional policy measures targeted at border areas.

AEBR Association of European Border Regions, 2010.

Territorial Cohesion in a Post-Crisis Scenario: Contribution of Cross-Border Cooperation

- However, these profound global challenges also affect European regions: knowledge-based growing, climate change, demographic change and energy security.
- CBC will play a fundamental role in the EU 2020 Strategy.

Subsidiarity, Decentralisation, Multi-level Governance, etc., are key concepts, and all analyses made in the last years by the European institutions, and also by independent research centres, show the contribution of territorial cohesion (and the programmes to implement it) to the European project from many points of view.

- The participation of local and regional actors has been decisive to generate capacities and mobilize wills, paving the way to a multi-level governance process to coordinate efforts in order to reduce European regional disparities and to be more efficient.

- The participation of local and regional actors has been decisive to generate capacities and mobilize wills, paving the way to a multi-level governance process to coordinate efforts in order to reduce European regional disparities and to be more efficient.
- The approach of future cross-border programmes have to be backed in a more analytical way, so that CBC problems and developments can be better defined. The participation of universities and research centres in the ULYSSES project will strengthen this process and may offer new tools to define future CBC strategies.

Types of CBC

Cross border Cooperation - Directly neighborly cooperation in all areas of life between regional and local authorities along the border and involving all actors.

Inter-regional Cooperation - Cooperation (between regional and local authorities) mostly in single sectors (not in areas of life) and with selected actors.

Trans-national Cooperation- Cooperation between countries (sometimes allowing regions to participate) with regard to a special subject (for example regional development) related to large, connected areas.

CROATIA AND CBC

IPA – Instrument for pre-accession assistance
(PHARE, CARDS, ISPA)

Components:

1. Transition Assistance and Institution Building
2. Cross-border cooperation
3. Regional development
4. Human resources development
5. Rural development

Types of projects:

- Integrated projects: where partners on either side of the border contribute different elements; this is the most suitable type of projects;
- Symmetrical projects: where an activity on one side is coordinated with a similar activity on the other side, with benefits on both sides;
- Simple projects: taking place mostly on one side of the border with benefits on both sides.