Multi-level governance and strategic planning for regional development policy. The Case of Romania in the context of European integration

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Abstract: The present paper aims to illustrate the experience of Romania in coordinating regional development policy in the context of European integration, focusing on governance and strategic planning in the period 2007-2013, after Romania's accession to EU (1st of January 2007). The paper highlights the manner in which regional development problems in Romania have been understood in the context of European integration, changes regarding who, how and with what responsibility and competencies are involved in regional development policy. The paper also investigates out to what extend we can speak about an efficient multi-level governance in regional development policy of Romania. We try to make a clear presentation of the state of the art in Romania, including the authority levels involved into the decision making at regional and national level. Attention is drawn to the Regional and Local Development Plans for the period 2007-2013 and to the emergence of a new regional awareness articulated directly in the strategic planning frameworks for 2014-2020.

Romania launched in January 2012 an official debate regarding the forthcoming programming period that focuses on smart, sustainable and inclusive growth. Up to September 2012 Romania has to establish the institutional and programming framework in order to be able to attain the objectives established. As it is known, the present programing period faced in Romania institutional deficits because of the lack of a proper implementation and understanding of the multi-level governance concept. In order to adjust the situation and improve Romania's performance in the field of regional policy, Romanian authorities take into account creating an extended and interactive partnership with the civil society, unions and patronages, including economic environment (commerce chambers, consulting firms) and the banks. Another possible solution brought into attention refers to the Intermediate Organisms about which our government considers that would work better if they were from the private sector. Therefore, Intermediate Organisms would be more efficient if were formed by former consultancy firms that worked in the field of structural funds accession and implementation. We consider that the solutions identified so far by the Romanian authorities trying to solve the multi-level governance deficits that were a cutting edge to Romania in the 2007-2013 programming period are not enough and superficial. In change, we argue that the new emphasis on regional planning must address multi-level governance deficits and also regional coordination limits, inter-regional and sub-regional disparities conflicts in development decisions, especially in the field of infrastructure and investment.

The paper presents research results afferent to the post-doctoral research project: "Growth and regional development economic policies. Challenges for Romania in the context of economic-financial crisis and European model integration", carried out in the project "Economic

scientific research, reliance of human welfare and development in the European context", financed from the European Social Fund and by the Romanian Government through Sectorial Operational Programme Human Resources Development 2007-2013 (SOP HRD), contract number SOP HRD/89/1.5/S/62988 and to the doctoral research project "Using the specific instruments of regional policy of the European Union for growing economic competitiveness of Romanian development regions", partially supported bv the strategic grant POSDRU/CPP107/DMI1.5/S/80272, co-financed by the European Social Fund-Investing in People, within the Sectorial Operational Programme Human Resources Development 2007-2013.

Key words: *regional policy, multi-level governance, regional governance, strategic regional planning, economic crisis, European integration*

The origins and evolution of multi-level governance and strategic planning in Romania

We can speak in Romania about strategic planning at regional and local level only after the end of the communist period that took place from 1947 until 1989, period in which Romania had a command economy (planned and highly centralised) - for that a balanced territorial development was one of the strategic priorities. Even after the end of the communist period in Romania, for a couple of years the regional issues were completely neglected. The signing at 1st February 1993 of the European Association Agreement, which entered into force in 1995, determined the beginning of Romania's preparation for accession to the European Union and, implicitly, the change of vision and import of European know-how on strategic planning. The regional dimension and a multi-level governance approach can be identified for the first time in postcommunist Romanian strategic planning in 1995, in the strategy for preparing Romania's accession to the European Union, which accompanied Romania's official request of joining the European Union, submitted in June 1995 (Constantin, 2006:50). Two chapters of the strategy for accession to the European Union were dealing with regional issues and stated clearly the importance of further reform processes at regional level including a regionalisation that had to be taken in order to integrate into the European Union. The legal framework and institutional structures needed for a proper implementation of the regional development policy were created, both at central and regional level, in order to provide a proper implementation framework for the PHARE pre-accession program, representing, actually, the first strategic planning exercise created after the European model that involves a multi-level governance type of government through the cooperation of the national, regional and local authorities and through the financial support of the Government and European Commission (Ivan Ungureanu, 2006:105).

In 1998, in order to assure the legal frame necessary for the proper functioning of regional development policy, it was introduced the *Law nr.151/1998* regarding regional development, that establishes the objectives, institutional frame, competencies and specific instruments in order to be able to fulfil the strategic plans at regional level. Also through this law were created, through the free association of counties, *8 development regions* of NUTS II level (Figure 1). The Romanian regions were not invested with high decision capacity at territorial level; they were only configured as statistical units of level NUTS II - standard unit with an average size of 13,000 square kilometres and a population of approximately 2.5 million inhabitants.

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Figure 1: Map of the Romanian regions created through the Law nr.151/1998:

Source: European Commission, Regional Policy / Atlas / Romania– Cohesion Policy 2007- 2013, available at: <u>http://ec.europa.eu/regional_policy/atlas2007/romania/index_ro.htm</u>, web page accessed in December 2011;

Romanian "formula" of regionalization is a type of *regionalization by cooperation between existing local communities* and consists of the inclusion of the existing sub-national administrations into the 8 established development regions, by voluntary cooperation of the existing 41 counties, *without legal personality* at regional level, so Romanian development regions are *not* administrative-territorial units. In other words, Romania's type of regionalisation - called *administrative decentralization* (by delegation), does not imply administrative functions for regions, does not involve changing the administrative organization of the territory by the formation of regions as new territorial communities superior to the existing ones (Dodescu and Chirilă, 2011). This aspect makes the difference between the type of regionalisation that is found in Romania comparing with more advanced forms of regionalization in other EU Member States, for example, France (*administrative regionalisation*), Italy and Spain (*political regionalization*), Germany, Belgium and Austria (*regionalization by federal authorities*). Limited both in terms of resources and of competences, we can conclude that Romanian development regions were rather

created as a functional response to the European Union regional policy requirements, in accordance to the structural funds absorption criteria, or as observation units in order to allow data collecting in accordance to regional standards and European Union's policies (Katsarova, 2010:9) than for wide regional functions or purposes such as infrastructure, environment protection, cultural legacy etc.

Multi-level governance and strategic planning in Romania at present

In order to understand the Romanian regionalization by cooperation between existing local collectivities, we must explain that there are only two levels of government in Romania: central and local. The central government in Romania oversees activities of national interest and the local governments conduct matters of local importance within the local administrative territorial units (counties, municipalities, cities and communes). The central government is comprised of the government, ministries, central authorities subordinate to the government or ministries, central autonomous bodies and deconcentrated territorial bodies (the prefect and the specialized deconcentrated services of the ministries, usually at the county level), the local governments are comprised of the local council, the mayor and the county council. The current structures of local government consist today of two levels of local government, established on the basis of the 1991 Constitution, with legal authority and administrative structures: county and local level (municipalities, cities and communes). These two levels of government have directly elected local government (Dobre, 2010:60). Local government at the county level is the county council responsible for coordinating commune and town councils in the performance of those public services that are of countywide interest, supports local councils by providing technical, juridical or other forms of assistance upon their request, deals with economic development activities and establishes the general orientation of spatial planning, environmental policies, county fees and taxes etc. Local authorities at the communal or municipal level are the local council, as the deliberating authority, and the *mayor*, as the executive authority; both are elected for a term of four years. As the heads of local governments, mayors are responsible to the local council for the functioning of the administration. In addition, the mayor represents the commune or the town in interactions with natural or legal persons of the country and abroad, as well as in court (articles 120-123 of the Constitution of Romania, Law 215/2001 on Local Public Administration, Law on Local Elections no. 35/2008 etc.).

Romania, a new Member State of the European Union, is facing the challenges of transformation of the Nation-State under the impact of European integration: transition from traditional *government* to *multi-level system of governance* (supranational, transnational, euro-regional, national, regional, local etc.), pluralism of the actors involved in the decision-making process and of the shared competences. Starting from the concept of *governance* used to describe the changes produced in the *government* as a result of the reforms produced in the public sector from the '90, in order to improve public services supply, through giving up hierarchical bureaucracy in favor of markets, networks, public-private partnerships (Rhodes, 1997), the concept of *"multi-level governance"* (Piattoni, 2010; Hooghe and Marks, 2001, 2005; Marks, Hooghe and Blank, 1996), criticism about variety of *localizations* than *levels* (Wallace and Wallace, 2000, p. 80) and *"network governance"* - most appropriately corresponds, in our opinion, to the way in which the policies are designed and implemented in the European Union (Dodescu, 2011).

In the context of multi-level governance, Romanian regional development policy is subject of pluralism of the actors involved in the decision-making process: supranational and intergovernmental actors – European Commission, European Parliament – Commission for Regional Development, Council of the European Union, European Council, Committee of the Regions; trans-national networks, national actors – EU Member States; national actors - National Council for Regional Development - deliberative body of coordination and promotion of national politics of regional development and The National Agency for Regional Development – executive body of the national council (that was abolished and whose responsibilities were taken at first by the Ministry of European Integration) whose functions are today accomplished by The Ministry of Regional Development and Tourism; regional actors: Regional Development Council, respectively Regional Development Agency, have similar role to those from national level created at the level of each development region; local actors: county councils, local councils, mayors; private actors, interest and lobby groups, civil society and other sub-national actors.

The existence of pluralism of the actors involved in the decision-making process in regional development it doesn't exclude a certain number of limits of this *multi-level governance* system. First of all, depending on electoral cycles and restructuring of government associated with this, we are assisting on frequently changes of the Ministry responsible with regional development. For illustration, we noticed that first Ministry responsible with regional development was *Ministry of Development and Prognosis, General Directorate for Regional Development*, abolished in 2003, the component of regional development was taken by the *Ministry of European Integration*, but the industrial parks were taken by the *Ministry of Economy and Commerce*, while the disadvantaged areas passed in the portfolio of the *Ministry of Administration and Interior. The Ministry of European Integration* was dissolved in 2007, and responsibilities regarding regional development were taken by the Ministry of Development, Public Works and Households, that, in 2009, was merged with Ministry of Tourism and turned into the Ministry of Regional Development and Tourism, a ministry that manages regional development policy in Romania at present.

The National Council for Regional Development was created in 2004 through the *Law 315/2004*, as an institution based on partnership but the most important position is hold by the state. In addition, Regional Development Councils were created in each of the eight Romanian development regions, representing structures for regional development. Also, an important actor on the territorial level are the Regional Development Agencies (RDAs), created in every region as nongovernmental organizations that are responsible for the elaboration of regional development plans and for implementing and promoting regional development projects. In 2001, a decision of the Romanian Parliament created Regional Statistic Institutes with the main purpose of delivering regional statistics. So, the actors involved in the regional programmes are agencies and councils of regional development, local and national governments. ONG's and other enterprises have a quite restrictive role and are hardly found in the decision making process at regional level.

At present, regional structures in Romania do not hold fiscal and functional competencies, and therefore, no decision powers. It is not very clear to who have to respond regional structures. Knowing the competence and component of the regional councils, it is possible to represent the

interests of local administrations interests, which means that the decision making process splits between directly elected members (mayors) and those indirect chosen (presidents of county councils). Even so, presidents of county councils hold a greater political power than the mayors, because they are responsible with harmonization at county level, a process with great political influence. So, it is almost expected that the president of the county council has the same influence in the regional council's reunions. We have to mention here the fact that nor the structure, or the constituents of the regional councils do not hold the ability to reduce the politicisation of the decision making process at regional level. The political imbalances are more difficult to approach at regional level because we have a complex institutional system that has no fiscal and functional responsibilities at regional and local level (European Parliament, 2010:11).

At local level, county councils are responsible with the elaboration of County Development Plans that will stand at the basis of the Regional Development Plans and National Development Plans.

Figure 2: Multi-level governance and strategic planning in Romanian regional development policy:

Governance lev	el	Name of institution	Role of the institution in strategic planning
National level			Is subordinated to the Government, is the institution that exercise at national level development tasks and responsibilities, it promotes, coordinates, manages, implements and monitors the policies and regional development strategies of Romania and the economic and social cohesion programs; It evolved from the <i>National Development Agency</i> , was taken over by the Ministry of European Integration, and after the abolition of the Ministry of European Integration, and after the abolition of the Ministry of European Integration was taken over by the Ministry of Development, Public Works and Households, that eventually merged in 2009 with Ministry of Tourism so that today we have the <i>Ministry of Regional Development and Tourism</i> .
		National Council for Regional Development	Adopts the National Strategy for Regional Development and the National Development Plan, the standards and usage priorities of the Development National Fund and projects proposed by RDAs.
Regional / teritorial level		Regional Development Councils	Analyse and decide regarding the programmes and strategies of regional development, regarding the projects of regional development and of the standards, priorities, allocation and purpose of the

		resources of Regional Development Fund.
	Regional Development Agencies	Formulate and propose regional development strategy, plans and programmes of regional development and plans of managing funds in order to be approved by the Regional Development Councils, they put into practice regional development plans and the plans of managing funds and the Regional Development Fund
Local level	Counties Councils	They are responsible with the Counties Development Plans who stand at the basis of Regional Development Plans.
	Local councils, mayors	They are responsible with the Development Plans of the municipalities, cities and communes that they represent;
	interest and lobby groups, unions, patronages and	through participating as parts of the working groups that create local strategic

Source: author representation on the basis of the European Parliament's publication "*The economic, social and territorial situation of Romania*", 2010, p.9-11;

The *multi-level governance on vertical* is quite well highlighted and includes institutions that are involved and have different responsibilities into the decision making process at national, regional and local level. The main issue regarding this aspect that needs further consideration is the lack of administrative functions for regions, an aspect that limits and diminishes the efficiency of multi-level governance in regional development policy of Romania. What we also notice is that *on the horizontal*, the only level that takes into consideration the vox populi (voice of the people), is the local level, where we notice multi-level governance on horizontal and where unions, patronages and public opinion are included in the process of managing regional development policy. Even so, these actors have limited resources and competences and therefore their influence in the decision-making process is limited as well. At this level we notice collaboration between the representatives of the state and the private actors, a type of collaboration that we consider that should be enforced and included at all levels so that the will of the people could be better understood and taken into consideration.

Institutional instabilities and frequently changes in shared competences regarding regional development between actors involved in the decision-making process at national level, institutional dysfunctions, weak regional actors with limited resources and competences, not

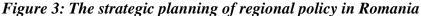
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enough active sub-national actors and not enough effective roles playing at the moment are the major limits of *multi-level governance of* Romanian regional development policy.

However, in order to assure the management of financial instruments, according to the agreements assumed the Complementary Document of Position to the Chapter 21, it was created the institutional framework for coordinating, implementing and managing structural instruments through the adoption of Government Decision no. 497/2004, with the afterwards changes and fulfilments, through which were created institutional structures in accordance to the specific community structures. The programming documents of the regional development policy at national level were also stipulated and are based on a main document, called the National Development Plan (PND) (Figure 3), which contains the strategic priorities of development, at regional, local and sectorial level, for a given period of time. The statements of the Strategic National Framework of Reference are implemented through the Operational Programmes (Regional and Sectorial), who on their turn divide into Complementary Programmes, Priority Axis, Major Intervention Fields and Indicative Operations, so that the projects implemented and financed can address to the specific problem that they finance in the operation, an intervention field and specific priority axis. In Romania there were created 7 Sectorial and Regional Operational Programmes (OP), which, in accordance to the Strategic National Framework of Reference, are financed through the Convergence objective of the regional development policy of EU, to which there are added 8 Programs of territorial cooperation with other states that are financed through the objective European Territorial Cooperation.





In the programming period 2007-2013, Romania is allocated, through the Structural Instruments, 19.7 billion Euros, implemented through seven sectorial and regional operational programmes, and eight programmes of territorial cooperation with other states. Unfortunately, until present, regarding the structural funds absorption level, Romania occupies the last positions in EU, situation that got worse by the economic crisis, with negative impact upon the performance indicator of regional development and convergence process.

Strategic planning in Bihor County, lesson to learn

A vivid example of multi-level governance and strategic planning at local level from Romania is the Bihor County Development Plan that is the result of cooperation between different levels of authorities from the public sector and private sector that managed to combine efficiently the cooperation between those two sources. It was published in October 2007, and had two major coordinators: The Bihor County Council, as general coordinator, and University of Oradea, as scientific coordinator. As it is stipulated in the Bihor County's Development Plan for the period 2007-2013, the main purpose of the plan is to stimulate integrated and harmonious development of our county.

The initiator of the Bihor County Development Plan was the Council of Bihor, who signed collaboration agreements with the main institutions and organisations from Bihor county in order to identify priority development objectives of the county and in order to be able to elaborate a plan for achieving the objectives set both of them being included in the County Development Plan. The partnership was based on opening and good intentions of all parts, on the recognition of some different but complementary institutional attributes (The Development Plan of Bihor County, 2007:14). The actors who took part at the elaboration of The Development Plan of Bihor County were: public institutions (Bihor County Council, The County Statistic Directorate, The County Building Inspectorate, Public Healthy Authority of Bihor county, city halls, etc.), governmental agencies (The agency of environment protection of Bihor county, The county agency for employment of the workforce, PHARE CBC Oradea Office, The social and communitarian agency of Oradea, etc.), NGO's (Ecotop, Alternative Romania, etc.) and the state university - University of Oradea.

The Bihor County Development Plan was elaborated through the collaboration of public and private actors, representing a model of multi-level governance on horizontal. At the same level were involved public institutions, public county agencies, private firms, NGO's and the academic environment. The plan was structured into eleven chapters, two introductive chapters, regarding premises and methodology, seven chapters who analysed different sectors that can be developed in the programming period in Bihor county (*tourism, agriculture, competitiveness, environment protection, human resources, transport and urban recovery*). There were formed mixt working groups for each sector that worked on specific allocated topics. Through mixt groups we mean representatives from public sector and private sector. In this way was created an *interactive partnership between public institutions, public agencies and the civil society, unions and patronages*.

The objectives of the protocol signed by the Bihor County Council with the parts involved were to establish communication channels and facilitate information exchange between parts, to promote the principles of honesty and good will in the future elaboration of local strategic planning, to assure a unity of the development policy of the county in accordance to the County Development Plan and through all these to support the implementation of the Development Plan created as a result of the partnership and collaboration (The Bihor County Development Plan 2007-2013, 2007:16).

The main phases of the county planning strategic were: the phase of mobilisation and implication at county level that supposed raising interest, mobilizing the county partnerships, re-establishing connections, etc.; the phase of mobilizing and involving sub-county levels of strategic planning (local initiative groups); the phase of obtaining consensus at the county level (revise county approach in accordance to the responses in previous phase); last phase – obtaining final approval (The Bihor County Development Plan 2007-2013, 2007:16). This exercise of strategic planning at local level was highly beneficial for the local community. Through involving all the branches of a healthy multi-level governance model on horizontal, we can affirm that The Bihor County Development Plan 2007-2013 was a real success, as it included points of view from public and private sector, civil society, unions and patronages. It is important to note that, in the Cohesion Policy understanding, Development Plan of Bihor County represents an instrument for the prioritization of investments in development, it defines the lines and direction of fund distribution for investments with significant impact on economic and social development, from internal sources (state or local budgets) or external sources (structural funds, external credits, etc.) with the goal of diminishing the development disparities from European Union and also internal disparities (urban - rural, one region from the national mean) and not be considered or used as a County Development Strategy. Even so, as relate the persons involved into the process of elaboration of the plan, not all the parts proved dedication and interest in the issue of planning, and there were encountered some difficulties in uniting and harmonization of the working groups, especially in the field of *agriculture* (the most eterogenous and dezinterested group because of frequently changes of experts and members of this group) and human resources development group (interested only in discussions about future projects portofolio, totally disinterested in strategic planning for the sector). A possible explanation can be that the participation of *civil society, unions and patronages* was very weak in these working groups. It appears clearly that the most efficient working groups were tourism, competitiveness and environment protection, where we assisted at real interactive partnership between public institutions, public agencies and the civil society, unions and patronages. The impact of multilevel governance in strategic planning was definitively positive in the case of Bihor County. The Development Plan of Bihor County 2007 - 2013 has been focused mainly on priorities and objectives compatible with the areas of intervention of Structural Funds, with the reason to integrate regional development policy in Romania in European model and, also, to create and support the competitive advantages of Bihor County at regional, national and European level.

The consultation and involvement of a wide range of partners – local administration, institutions, NGO-s, experts from various fields, representatives from civil society, independent actors, as well as groups of experts from priority sectors, had as a result, a strategic planning exercise more complex and profound, based on social dialog but also heterogeneous at the level of implementation at each priority sector depending on the competence, commitment and responsibility of each partner and group involved. After all, the result was positive, we are confident to say that the positive effects of this difficult planning process will exceed efforts and expectations. It was achieved a consensus regarding the future directions of development of the county and a united community fighting together for the same purpose: the development of the county through environmental protection, through preserving old customs and traditions and through valuing the geographic, demographic and economic potential of the county (as the vision for the county in 2027 declares). We mention that we did not analyse in the present research the impact of the Development Plan of Bihor County 2007 - 2013 over absorption capacity of structural funds, aspect that will be the subject of future research, in the present research we were preoccupied only of the effects of the effects of the strategic planning exercise based on multilevel governance.

Discussions about institutional and programming framework for the period 2014 – 2020 in Romania

However, the good practice of strategic planning from Bihor county was not isolated, but not all the county leaders understood the necessity of involving all the parts of horizontal multi-level governance and in turn there were serious disputes regarding the necessity of objectives included in the development plans. The lack of understanding of the multi-level governance concept was also felt at higher levels, and, if we take a look at the first part of the paper we realise that in the process of strategic planning in Romania the state has a very important word to say while the influence of the private agents and civil society is felt only at lower levels of government, and this not in all cases.

In order to prepare for the forthcoming programming period, Romania launched in January 2012 an official debate regarding this issue that focuses on smart, sustainable and inclusive growth. Up to September 2012 Romania has to establish the institutional and programming framework in order to be able to attain the objectives established. As it is known, the present programming period faced in Romania institutional deficits because of the lack of a proper implementation and understanding of the multi-level governance concept. In order to adjust the situation and improve Romania's performance in the field of regional policy, that, in the current programming period places Romania on the last place from all the European Union Member States in terms of structural funds absorption, Romanian authorities take into account creating an extended and interactive partnership with the civil society, unions and patronages, including economic environment (commerce chambers, consulting firms) and the banks. We consider that a strong partnership with the civil society in the National Development Council and Regional Development Councils would be an efficient way of involving civil society into the deliberation regarding strategic development of the country. We also consider that regions must be invested with functions and get juridical personality in order to help them accomplish their development targets.

Another possible solution brought into attention refers to the Intermediate Organisms about which our government considers that would work better if they were from the private sector. Therefore, Intermediate Organisms would be more efficient if were formed by former consultancy firms that worked in the field of structural funds accession and implementation. We consider that this solution might have a positive effect if it is combined with the previous one, and there are representatives of civil society and private environment at all levels, because we do not need to change only the monitoring of the projects, which is the responsibility of the Intermediate Organisms, but also the approach and the framework in which structural funds operate. In the next period, as the European Commission announced, the partnerships will be very important, and the structure of structural funds will change as well. Being based on implication and responsibility from all the actors involved into the European funds absorption process, the partnership will include the European Union, Member States and national structures as well as beneficiaries. We consider that the solutions identified so far by the Romanian authorities trying to solve the multi-level governance deficits that were a cutting edge to Romania in the 2007-2013 programming period are not enough and superficial. We argue that the new emphasis on regional planning must address multi-level governance deficits and also regional coordination limits, inter-regional and sub-regional disparities conflicts in development decisions, especially in the field of infrastructure and investment.

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