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## **EGTC – A ‘BREATH OF FRESH AIR’ FOR PRACTICAL CROSS-BORDER CO-OPERATION**

### **Tracing the Legal Cross-Border Co-operation from the European Level to the Galicia-North of Portugal Cross-Border Region**

#### **Abstract**

European cross-border co-operation as a form of territorial co-operation between different countries that share a common border has evolved and transformed along the years. From casual efforts, like the establishment of contacts or town twinning, it developed into more formal frameworks and structures, as the recognition that to achieve deeper and more effective cross-border co-operation, formalized agreements should be established.

We can trace the various stages of legal cross-border co-operation at a European level, a process started formally with the Madrid Outline Convention in 1980. Since then, the European Union and the Council of Europe have been building this form of co-operation progressively, introducing a series of structures and frameworks. Three protocols have already been added to this first foundational document. From this framework various bilateral agreements have arisen. In the 90s there is a marked boom in euroregions or similar cross-border co-operation structures – an upsurge associated to the introduction of the INTERREG Structural Funding Programmes.

Along this process, a need for a Community level legal personality cross-border co-operation tool became apparent. However, one of the greatest difficulties identified was the existence of an extensive variety of legal systems and procedures across the many European States. In such a way, the quest to overcome this difficulty became part of the very goal to improve and deepen cross-border co-operation.

In this light, more recently, the challenge has been to design an instrument of cross-border co-operation equipped with legal personality, applicable within different legislations of the many States. The European Grouping of Territorial Co-operation (EGTC) is the first contribute towards this effort, therefore an innovation in legal cross-border co-operation. Since its implementation, we notice a boom in its adoption by a few Member States considering it was created very recently. This is the case of the regions along the Portugal-Spain border, where in just two years three EGTC have been created, and more are in projection.

This paper, which is part of a broader project on cross-border co-operation between Portuguese and Spanish border regions, aims to identify this process of cross-border co-

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<sup>1</sup> Project CB-NET “Inter-Firm Cross-Border Networks in North of Portugal-Galicia and Alentejo-Extremadura” (PTDC/CS-GEO/100409/2008).

operation at a European level, and then more specifically in Galicia-North of Portugal, an ever-pioneer region in this form of legal co-operation along this border. In this sense, we analyse this process that seeks to achieve a progressively deeper and more effective cross-border co-operation, and which culminates with the EGTC, a recent instrument, but one that presents itself as a 'breath of fresh air' in the co-operation of this cross-border region when seen as a solution to some of the obstacles that hinder the enhancement of this form of co-operation.

**Key words:** Cross-border co-operation; legal structures; Galicia-North of Portugal cross-border region; European Grouping for Territorial Co-operation (EGCT).

## Introduction

Cross-border co-operation as a form of territorial co-operation between different countries that share a common border has been present in Europe since the mid XX century, evolving and transforming along the years. In the beginning it started rather casually, as natural localized efforts between individuals/groups from countries with common borders, more like partnerships, or co-operation efforts with a specific objective in view (joint initiative).

This was the first phase, in which the first experiments in this field take place at the end of the 40s, with the creation of Benelux, and then in 1958 Euregio is formed. From here these first experiences started to develop, and later on this kind of co-operation gains a more formal shape, being adopted by other regions that take these first as an example.

European Regional Policy<sup>2</sup> has played an active role in forwarding this kind of co-operation, especially in these last decades, as within the objective of European territorial co-operation, the development of border and cross-border regions – considered the "laboratories" (Blatter, 2001; Blatter 2004; O'Dowd, 2002; Goinga, 1995 in Perkmann, 1999; among other authors) and "building blocks" in the process of European integration and the overall effort to dilute the border effect – is a European priority.

Border regions are normally considered critical areas as they present various economical and social disadvantages (AEBR, 2004; Bacsí & Kovács, 2006, Medeiros, 2007) due primarily to their peripheral position in the nation (physically as well as in the application of national policies). In this sense, cross-border co-operation is indispensable in the effort to overcome existing barriers and encourage the development of these regions. In truth, it is a necessity in a long term view to prevent future conflicts, resolve common problems and promote multi-level, cross-border partnerships.

Therefore, since its recognition as an area of priority, the process of cross-border co-operation accelerated, accompanying meanwhile, various changes within Europe, such as the Single Market and the successive enlargements – that increased the border area, bringing new

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<sup>2</sup> In this paper we have chosen to speak of a European level of policies, structures and co-operation directives in general, although we are aware that two distinct main 'producers' of cross-border co-operation can be identified: European Union and the Council of Europe. For a more in depth discussion on this theme, see Engl (2007).

developmental challenges, as well as shifting the position of some borders in relation to the European Union, as some external borders became internal borders, for instance. These various changes also challenged functions embedded in borders and cross-border day-to-day life (AEBR, 2004b).

At the same time as there was more general recognition and adhesion to the practice of cross-border co-operation, it was progressively institutionalized. One of the most important efforts was the Madrid Outline Convention, in 1980, and its successive Additional Protocols, that provide a framework for cross-border co-operation. Also funding programmes, such as the INTERREG were particularly crucial in disseminating the practice of cross-border co-operation (Medeiros, 2007), as it brought out a boom of co-operation structures and activities across the European Union (EU).

Despite the constant deepening of cross-border co-operation, and its process in becoming something more and more institutionalized, the different legal processes and systems of the different countries involved in any cross-border co-operation remains a barrier to full and effective cross-border co-operation.

Just as one can trace the history of cross-border co-operation in Europe, one can trace the many efforts to overcome that barrier and find a legal solution. This has been the predicament facing the EU and the Council of Europe in recent years: finding a cross-border co-operation structure that has legal personality, so that cross-border co-operation can be enhanced and made more efficient.

Most of the cross-border co-operation forms are rooted in private law, which doesn't threaten public law. Until recently (until the creation of the first European Grouping of Territorial Co-operation – EGTC) there were very few cases of cross-border co-operation rooted in public law (only three or four along the Rhine region, being cases of co-operation at project level). Cross-border co-operation rooted in public law is, in fact, easier to achieve when at project level, as it is something more specific and regionally confined, therefore easier to control and monitor. This would also constitute another challenge for the European Grouping of Territorial Co-operation, rooted in public law, and whose aim is to be applicable at strategic level as well as project level. The Association of European Border Regions (AEBR) (2004a: 3) declares that "cross-border co-operation based on public law will provide the 'Europe built from the bottom up'", as it claims the *need* for a new legal instrument, one which can be applied to all territorial co-operation (inter-regional and transnational) and to all Member States.

This paper traces the legal evolution of cross-border co-operation structures, a journey that accompanies European Policy and the needs identified by the regions and states. We seek to identify the different stages in this process, in which we find ourselves in the most recent stage, where the European Grouping of Territorial Co-operation, projected for some time, has been created and already applied in some countries, namely on the border between Portugal and Spain, in the Galicia-North of Portugal region. We aim to understand how this legal process of cross-border co-operation takes place at the regional level as well as in its general European wide picture.

Accordingly, this paper is divided in three sections. The first gives a general overview of the process of cross-border co-operation at a European level, which set the framework for this form of co-operation for all Member States. Section two traces this process in the chosen case study, the Galicia-North of Portugal Euroregion, whereas the last section reflects upon this process at both levels and how far the local level is the application of the European-wide directives.

## **1. European Legal Cross-Border Co-operation: Past, Present and Future Prospects**

### **1.1. Cross-Border Co-operation: Foundation, Growth and Transformation**

The mid-XXth century is usually identified as the starting point for cross-border co-operation as a more organized form of territorial co-operation in the European continent. In this post-II World War period we witness the first initiatives with a progressive establishment of contacts and exchanges between border regions, evolving to bilateral or multilateral treaties and agreements and a series of town twinning experiences (Gabbe, 2006; Mission Opérationnelle Transfrontalière (MOT), 2006).

From these informal experiences, the process moved on to a deeper stage as the recognition that for deeper and more effective cross-border co-operation there was a need to formalize this form of co-operation. In such a way, cross-border co-operation begins to be more institutionalized and the first genuine cross-border structures emerge. The first such structure is usually identified as being the EUREGIO, on the German-Dutch border, established in 1958 (AEBR, 1999).

This region, along with some others is a pioneer in the enhancement of this form of co-operation, as it precedes any directives or frameworks created by European institutions (i.e. European Union and Council of Europe). However, these will soon follow, as cross-border co-operation is progressively regarded with more consideration.

The European Outline Convention on Transfrontier Co-Operation between Territorial Communities or Authorities (hereinafter referred to as the 'Madrid Outline Convention'), signed in Madrid on 20<sup>th</sup> May 1980 formalized cross-border co-operation setting the first formal framework at a European level, and is therefore considered its founding document.

Thirty seven out of the forty seven Council of Europe Member States<sup>3</sup> have ratified this Convention. Until recently this (together with the Additional Protocol, established later on and mentioned further on in this paper) would practically be the only international framework for cross-border co-operation. As it is a framework, it mainly constitutes guidelines for cross-border co-operation, being a structure out of which agreements and treaties can root out from; in this way the application of this Convention takes many forms, namely bilateral cross-border co-operation agreements that incorporate the principles set out by the Madrid Outline Convention.

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<sup>3</sup> Figures consulted on the Council of Europe Treaty Office website.

This Convention does not contain any operational provisions. According to Article 1, signatory States undertake to “facilitate and foster” cross-border co-operation, but co-operation must always work and be subject to restrictions within domestic law and international agreements on cross-border co-operation that might already exist. Because of this, some communities have resorted to ‘de facto’ tools, such as associations or foundations so that they can implement their co-operation agreements (MOT, 2006).

Local and regional communities and authorities should be encouraged to actually promote and develop cross-border co-operation<sup>4</sup>, as these should be entitled to the same facilities and protection as if this was co-operation at national level<sup>5</sup>.

It is very clear that it doesn’t come as a replacement to any existing form of co-operation, neither does it exclude the possibility of any other future forms of co-operation<sup>6</sup>. There is also a suggestion that each party in the agreement should undertake to study the current national legislation and regulations of the respective countries so as to recommend changes in any stipulations liable to hinder the development of local cross-border co-operation, maybe through a specific body or institution<sup>7</sup>.

As mentioned, EUREGIO, considered the first Euroregion is established in 1958. Therefore, although the first manifestations of cross-border co-operation like this Euroregion emerge in the post-war period, the boom in the creation of Euroregions happens during the 90s (Medeiros, 2009; MOT, 2006; Perkmann, 2002). Nevertheless, a lack of clear common definition of these structures makes it difficult to identify and define these, although there seems to be a distinction between Euroregions as consultive bodies, sometimes without legal personality (and whose action is obviously restricted) and euroregions that contribute in an active way to develop the region in which they find themselves.

Despite the proliferation of Euroregions and the various efforts of improving the implementation of cross-border co-operation, one of the main difficulties has always been the differences in national legal systems between the co-operating countries (AEBR, 2004a; Hattenberger, 2007 & Houtum, 2003 in Bufon & Markelj, 2006; European Economic and Social Committee (EESC), 2007; Gabbe, 2006; Medeiros, 2009). Parallel to the many efforts to overcome this hurdle, countries have had to struggle to continue co-operation with what was available. An example of this kind of situation is the European Economic Interest Grouping (EEIG), established in 1985 by the EEC-Regulation No 2317/85, and available to be implemented since July 1989. This instrument was established to facilitate co-operation in economical activities, as a way to overcome the barrier of the different national legal systems but only at the economical level<sup>8</sup>, as it is designed to be constituted by companies, firms and other legal entities<sup>9</sup>; furthermore it must have at least two members from different Member States. It has proved very popular, because since the beginning of its practical use until mid-

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<sup>4</sup> Paragraph 1.1, Article 3, Madrid Outline Convention.

<sup>5</sup> Article 5, Madrid Outline Convention.

<sup>6</sup> Paragraph 3, Article 3, Madrid Outline Convention.

<sup>7</sup> Paragraph 1, Article 5, Model Agreement 1.1 appended to the Madrid Outline Convention.

<sup>8</sup> Article 3, EEC-Regulation No 2317/85.

<sup>9</sup> Article 4, EEC-Regulation No 2317/85.

1992 there were 322 registered EEIG, a number which rose to around 800 in 1997 (AEBR, 2001). It can simply be used as a framework for coordinating and organizing activities, but it also has a full and independent legal capacity. Besides, although it was only destined for economical nature activities, the regulation interprets this notion of economical activity quite broadly. In this sense, although it was not originally intended for cross-border co-operation, it can be used as a legal instrument in this form of co-operation (INTERACT, 2008; MOT, 2006). Despite its wide use, it has actually not proved very useful for regional/local authorities in matters of cross-border co-operation, especially at program level, as it presents some obstacles towards this form of co-operation; beyond their design for economic co-operation only, there are limitations in its legal nature, in the definition of objectives (which must be fixed in the beginning, and therefore restricts the capacity of this body dealing with new situations that might occur) and in its management. Nevertheless, many regions adopted it because at the time it was the only international legal instrument of inter-regional co-operation available (AEBR, 1999; AEBR, 2001).

In a Summary Paper<sup>10</sup>, the AEBR (2004a) state that there is a definite need for clarification regarding this particular instrument. For instance, there seems to be a consideration that the EEIG 'participates' in Community programmes but there doesn't seem to be reference about the possibility to 'manage' entire programmes through an EEIG (AEBR, 2001). On the other hand there are doubts as to whether this economic scope of action should enable an instrument to actually manage programmes that will go beyond this focus (namely social and environmental issues).

As mentioned before, it was not originally designed to be used for cross-border co-operation, and so it is one of the so called 'de facto' tools that many local border communities and authorities resort to in the absence of a legal solution that satisfies their requirements. Other 'de facto' tools are associations and foundations. The Mission Opérationnelle Transfrontalière (MOT) in their Practical Guide to Transfrontier Co-operation (2006: 17) establish the following distinction between associations, foundations and EEIGs as transfrontier co-operation operators or players, affirming that a clear distinction should be drawn between:

- private-law structures of the association or foundation type that act as "operators" or "project managers" for local communities and authorities in transfrontier projects (one example would be a cultural association without any structural link to the local communities or authorities on whose behalf it was implementing a transfrontier cultural project) and
- private-law co-operation structures made up of local communities or authorities, or other local or regional partners, which act as political consultation, research or discussion bodies for transfrontier co-operation arrangements."

In spite of their ambiguity and the fact that they were not designed for this sort of co-operation, these structures were attractive and advantageous to a certain degree. They were all that could be used and applied until very recently (even being within the cross-border co-operation umbrella provided by the Madrid Outline Convention), and were usually prompted by practical considerations, in the way that communities/authorities would entrust this form

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<sup>10</sup> *Towards a New Community Legal Instrument Facilitating Public-Law-Based Transeuropean Co-operation Among Territorial Authorities in the European Union.*

of co-operation to a separate body under their supervision, that at least symbolically could represent this border region to the outside world. On the other hand, these bodies that could only be private law entities cannot exercise powers as such, and are limited to the economical scope.

In 1995, the Additional Protocol comes to supplement the Madrid Outline Convention and in 1998 a further protocol on co-operation between non-adjacent areas was introduced. The Council of Europe acknowledges the fact that the Madrid Outline Convention needed a certain updating and through it the wish was to reinforce this form of co-operation<sup>11</sup>. In this light, the Additional Protocol already has a more operational focus. Article 2 of this first protocol introduces the idea that decisions taken within cross-border co-operation agreement should have the same legal force and effects as measures taken at the national legal level. It recognizes the right territorial communities or authorities have to conclude cross-border co-operation agreements<sup>12</sup> as well as the possibility of these agreements having “legal personality”.

This Protocol also mentions the possibility of setting up a body of legal personality, which can either be a private or public law entity<sup>13</sup>. However it doesn't enforce these figures, only mentions the possibility of their creation, merely presenting them as a suggestion.

Since it has been enforced, there have been 23 ratifications<sup>14</sup> of this Protocol, which means there are many member countries, including Portugal<sup>15</sup> and Spain where only the Madrid Outline Convention is in force.

## **1.2. Critical View on Cross-Border Co-operation Structures**

The Madrid Outline Convention is described by Lejeune (2005: 3) as a “deklaration of intent”. As mentioned before, this Convention declares that cross-border co-operation should be ‘fostered and facilitated’<sup>16</sup>, it doesn't actually enforce it (European Committee on Local and Regional Democracy (ECLRD), 2002). It also mentions that this kind of co-operation should be undertaken by local and regional levels of government, but, once again it is only a tentative suggestion. It does not actually say these have a right to engage in this cross-border co-operation. Also, this Convention does not actually present or refer a usable instrument that can put the co-operation it presents and intends to promote into practice (MOT, 2006). Therefore, in truth, there is no treaty force in this convention. It is more a framework of suggestions the States might take into consideration.

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<sup>11</sup> As a matter of fact, the Madrid Outline Convention itself actually allows for its future extension (Engl, 2007), which might demonstrate that even at the time of drafting it there was an awareness that what it provided for was not sufficient; it was also a practical consideration recognizing that there might be need in future to adapt this Convention to keep meeting the needs of new situations and circumstances.

<sup>12</sup> Article 1, Additional Protocol.

<sup>13</sup> Articles 3, 4 and 5, Additional Protocol.

<sup>14</sup> Figures consulted on the Council of Europe Treaty Office website.

<sup>15</sup> Portugal got to sign this Protocol in 1997 but never went further to ratify or enforce it.

<sup>16</sup> Article 1, Madrid Outline Convention.

Actually, we find the European Charter of Local Self Government (1985) (whose aim is to promote the development of local and regional democracy across Europe; this Charter also affirms cross-border co-operation) much more direct and law binding as it states that “(l)ocal authorities **shall be entitled**, under such conditions as may be provided for by the law, to co-operate with their counterparts in other States”<sup>17</sup> (added stress). This ‘shall be entitled’ clearly goes beyond the ‘foster and facilitate’.

Nevertheless, even if the Madrid Outline Convention might not be very enforcing, we must take into account that it was an important first step in building a uniform legal basis for cross-border co-operation. The reticence is understandable when we consider that states are reasonably afraid of losing their sovereignty (AEBR, 2004a; Bufon & Markelj, 2006; Gabbe, 2006). However, the fact that it was drawn out in 1980 is recognition of the importance of this form of co-operation, as well as a need for some ‘normalization’ in procedures. It also creates a platform as it launched different forms of cross-border co-operation – as it is a framework, from it would stem bi-lateral agreements, use of EEIG to coordinate co-operation projects, etc. The Madrid Outline Convention may have inspired certain events, like the Benelux countries adopting a convention in 1986 and the Isselburg-Anholt agreement between Germany and the Netherlands, in 1991. It also helped toward the development of other conventions as these latter ones will then serve as models for the Additional Protocol, which then inspired a further generation of international agreements (Bayonne Treaty in 1995, among others) (AEBR, 1999; AEBR, 2001; Lejeune, 2005). The Madrid Outline Convention does take into account the variety of legal and administrative systems across the States in providing a series of models<sup>18</sup> for the establishment of agreements and contracts, taking into consideration various possible situations, which gave the possibility of the signatory States to choose the most adequate to its situation (ECLRD, 2002).

Cross-border co-operation does face many challenges, which are associated to the problems we find in border and cross-border regions: different administrative legislations and procedures, even in terms of decision-making traditions; differing economical development levels, differing competencies invested in local/regional authorities by their National Governments, among others (AEBR, 1999; AEBR, 2004b). In such a way, the first steps in erecting such a thing as cross-border co-operation that could be applicable across the whole of Europe would always be tentative but essential, at the same time as it will always be an ongoing process;. In this light, the Madrid Outline Convention constitutes a milestone in cross-border co-operation. It set foundations of European-wide orientations on matters of cross-border co-operation. On the other hand, we do recognize that other structures had to emerge so that the proposed co-operation could actually take place as there remains the main hindrance to cross-border co-operation – the differing national legislations and procedures, which the Additional Protocol was supposed to resolve as it was seen as an area of weakness in the main Convention.

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<sup>17</sup> Paragraph 3, Article 10, European Charter of Local Self Government.

<sup>18</sup> Appendix to the Madrid Outline Convention: “Model and Outline Agreements, Statutes and Contracts on Transfrontier Co-operation between Territorial Communities or Authorities”.



However, the Additional Protocol was definitely an upgrade as it established the development of cross-border co-operation as a right for local and regional authorities and not something that simply could happen, depending on the favourable will of the national level: "Each Contracting Party shall recognize and respect the right of territorial communities or authorities under its jurisdiction (...) to conclude transfrontier co-operation agreements with territorial communities or authorities of other States in equivalent fields of responsibility..."<sup>19</sup> In this way, the Additional Protocol brings forth a few solutions to problems or shortcomings that were identified during the 15 years between the first document and this supplement. However, as Lejeune (2005) affirms, it hasn't been used much and actually is a bit hard to put into practice. The simple fact that many less countries ratified this document is very suggestive.

The point is that the main hindrance identified from the start, the differing national legal systems and procedures remains with this Protocol, despite its effort to overcome this aspect. This is because it still declares that "decisions" should be taken within domestic law when these differ from country to country, and does not provide too many directives that are more uniform and directly applicable. If this happened there would be no need for the proliferation of treaties and agreements using "de facto" tools.

Apart from this there is also a question of the degree of authority and power given to these levels of government – local and regional. There is a failure to delegate sufficient power to these authorities (EESC, 2007; Lejeune, 2005). This could be due to a few reasons: the fear of losing national sovereignty, already mentioned before; the natural tendency in a strongly centralized state; and the actual way a country regards cross-border co-operation activities – if it is seen as a mere extension to national foreign relations, or if it recognizes that these kind of activities demand a different, 'contextualized' approach (AEBR, 2004a). In this sense, from the 34 member countries that had ratified the predisposition to help this co-operation 23 were willing to take a step further and recognize not only the right these levels of authority had in developing cross-border co-operation, but in actually undertaking it (something that would demand sufficient power/authority).

Portugal ratified the Madrid Outline Convention in 1989, year in which it came into force and Spain ratified it in 1990. As to the Additional Protocol, Portugal first signed the document in 1997 but has never gone beyond to ratify or put into force. Spain never even signed it.

### **1.3. The Need for a Uniform Legally-Binding Instrument**

Along these decades these efforts to uniform the process of cross-border co-operation continued, seeking to overcome the main barrier which is the big difference in legislations and procedures that each country presents. This fact has led to a difficulty in creating an instrument that could be applied to every situation and be able to enforce this co-operation.

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<sup>19</sup> Article 1, Additional Protocol.

There seems to be a need to a uniform legal status – “to create (...) a set of fairly detailed international rules to be applied in conjunction with complementary national rules”<sup>20</sup>.

Progressively, a clear realization of the need for a new legal instrument that could fulfil a greater uniformity emerged (AEBR, 2001; Gabbe, 2006). This new instrument should provide a homogenous legal basis, under Community law that could be applied to all Member States.

In 2001, the AEBR (p.176) stress the importance of creating this new legal instrument so that cross-border co-operation (among other forms of co-operation) can be deepened and developed, suggesting that “the Community elaborates and adopts a flexible legal framework instrument providing for the creation of specific ‘European Co-operation Areas’ (ECA).”

In 2004, in their Summary Paper<sup>21</sup> once again the AEBR identifies this need and propose two new legal instruments (European Special Purpose Association and the European Public Law Agreement). The call was for a new framework that at the same time that it allowed the implementation of instruments with their own legal personality, it allowed some flexibility, obviously necessary when considering that this would have to be applied across Europe (EU mainly), through the myriad of existing legal systems and procedures.

The next contribution towards a deeper cross-border co-operation is when the European Commission launches the process of creating a new legal instrument in 2004 by submitting the proposal to an EU Regulation on a ‘European Grouping for Cross-Border Co-operation’ (this is the answer to the build up along the years of the need and call for this unifying legal instrument). The scope of the original draft was altered so that cross-border co-operation wasn’t the only form of territorial co-operation considered, widening its application to all forms of co-operation (inter-regional and transnational). In this way, the proposed name was changed to ‘European Groupings of Territorial Co-operation’ (EGTC). This Regulation, (EC) 1082/2006 was approved, and from 1<sup>st</sup> August 2007 has been directly applicable in all EU Member States.

It is evident in recent years that the “EGTC in an acronym that is on everybody’s lips, from local to national authorities, across the European Union’s territory and even on its external borders”<sup>22</sup>, characterized as the “new opportunity” to seriously simplify and unify the practice of cross-border co-operation (Bufon & Markelj, 2006; Zapletal, 2010).

Furthermore, this new instrument is optional and does not come to replace anything (any structure) set up so far. Actually it is clear that many of “(t)he existing instruments, such as the European economic interest grouping, have proven ill-adapted to organising structured co-operation...”; therefore, “(i)n order to overcome the obstacles hindering territorial co-operation, it is necessary to institute a co-operation instrument at Community level for the creation of cooperative groupings in Community territory, invested with legal personality,

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<sup>20</sup> Observations by the Swiss Delegation on draft Protocol No.3 of the Madrid Outline Convention on the establishment of ECG, in Lejeune, 2005: 13.

<sup>21</sup> *Towards a New Community Legal Instrument facilitating public-law-based transeuropean co-operation among territorial authorities in the European Union.*

<sup>22</sup> Preface to the INTERACT Handbook on the European Grouping of Territorial Co-operation, 2008: 3.

called 'European groupings of territorial co-operation' (EGTC)."<sup>23</sup> This instrument of legal personality aims to "facilitate and promote"<sup>24</sup> territorial co-operation, seeking to strengthen social and economic cohesion.

Also, this new instrument "shall have in each Member State the most extensive legal capacity accorded to legal persons under that Member State's national law."<sup>25</sup> In effect, since the time when it was directly applicable, all Member States were given one year to create provisions within their own national legal systems so that it could become effective within each state. To date, not all Member States have completed this phase.

The great innovation brought with the EGTC is, undoubtedly its legal personality. An additional advantage is that it creates the possibility of true joint management of regions and projects, representing both sides of the border, which brings both practical advantages and represents a positive political impression (INTERACT, 2006).

The first EGTC to be created was along the French-Belgian border, in January 2008. Since the approval of the EGTC Regulation, sixteen EGTC setups are already in place, three of which involving Portugal and Spain, and there are many others in preparation<sup>26</sup>. This is quite a boom of EGTC considering the Regulation only became applicable in 2007.

Many cases of cross-border co-operation worked very well with the structures already existent, without needing a new legal instrument. Actually, in some countries, especially those with a longer history in cross-border co-operation, there already existed a diversity of legal instruments for territorial co-operation. The EGTC does not come to replace these, but supplement them, as it is an added option to serve this form of co-operation. On the other hand, in some countries that variety of legal instruments for territorial co-operation didn't actually exist and the EGTC constitutes the first available structure invested with these characteristics.

Additionally, one of the aims with the EGTC was a certain uniform applicability of territorial co-operation, which would certainly be more practical in cross-border co-operation in general. It is also another step in the "Europeanization" of territorial co-operation and national public law. The enhancement of cross-border co-operation has always accompanied EU Regional Policy and the efforts of a greater European integration, which isn't surprising as both directives and funding come from this institution. It also suggests and promotes a new form of governance, European governance, which is also the practical application of the new European Spatial Development Perspective (ESDP). This effort of deepening territorial co-operation and deepening European integration affects the balance between national sovereignties and European policy/governance, which has to be readjusted. Lejeune (2005: 2) states that "(t)he adoption of the European Outline Convention and its protocols, intended originally to meet the need to regulate the growing practice of co-operation between local authorities in border

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<sup>23</sup> Points 4 and 8, respectively, of the Preamble to the Regulation (EC) No. 1082/2006.

<sup>24</sup> Paragraph 2, Article 1, Regulation (EC) No. 1082/2006.

<sup>25</sup> Paragraph 4, Article 1, Regulation (EC) No. 1082/2006.

<sup>26</sup> Council of Europe EGTC Platform: <http://portal.cor.europa.eu/egtc/en-US/Projects/already/Pages/welcome.aspx> (last consulted on 13th February 2011).

areas, led to the gradual development of what is in reality a body of «European law» governing relations between public authorities at sub-national level”.

To summarize, in Table 1 we present a systematization of the main cross-border co-operation structures developed along the years, where we can trace the enhancement of this form of co-operation, starting in 1980 with Madrid Outline Convention, then 1995 with the Additional Protocol, then 1998 with the Second Additional Protocol. In 2006, the EGTC is created, an important step in this process, which oriented the work of the European level to the next phase – the Third Protocol. This would introduce a new body, the European Co-operation Grouping<sup>27</sup> (ECG).

At first glance, these two bodies seem to be very close in aim and objectives. This provokes the question, ‘What would be the advantage of having two similar instruments?’

Upon closer inspection, some differences worth mentioning could be identified. For instance regarding membership (the EGTC is limited to public law entities, whereas the ECG allows for the inclusion of private law entities); regarding the participation of entities from third countries (here, again, the ECG is more flexible); states have different ability to exercise control of the setting up of these structures; the tasks attributed to each of these groupings is also distinct (here the EGTC is more limited to economical and social matters, whereas the ECG has a broader scope; the jurisdiction over the application of both groupings is also different (Engl, 2007)). Consequently, these two apparently analogous instruments are two separate and differing structures.

It is noteworthy to point out, though, that the Third Protocol can only be ratified by a Member State if he has also signed the Madrid Outline Convention and the Additional Protocol (the ratification of the Second Protocol of 1998 is not a required condition to join this latest Protocol (Engl, 2007), whereas the EGTC does not share that prerequisite.

They do not exclude each other; they are “fully compatible”<sup>28</sup> (Engl, 2007; MOT, 2009; Parliamentary Assembly, 2009). The ECG provides an alternative to the EGTC, in so far as each interested party can then decide which of these structures is most adequate for their situation.

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<sup>27</sup> Or “Euroregional Co-operation Grouping”.

<sup>28</sup> MOT Newsletter No.54, November 2009.

**Table 1. Principle Cross-Border Co-operation Structures**

<b>Cross-border co-operation Structure</b>	<b>Year</b>	<b>Overall objective</b>	<b>Downside</b>	<b>Innovative aspect</b>
<i>European Outline Convention on Transfrontier Co-Operation between Territorial Communities or Authorities (MOC)</i>	1980	Provides guidelines for the application of cross-border co-operation aiming to encourage and facilitate CBC agreements between local and regional authorities in border regions of signatory States.	No treaty force.	First formal framework for cross-border co-operation.
<i>European Economic Interest Grouping (EEIG)</i>	1985	Seeks to facilitate and/or develop the economic activities of its members by a pooling of resources, activities or skills.	Not intended for CBC and so has many limitations when practiced in this context (especially at program level).	(Only) international legal instrument of inter-regional co-operation available at the time.
<i>European Charter of Local Self Government</i>	1985	Seeks to make the principle of self-government of local authorities recognized within the domestic law of States.	Does not directly concern CBC; Local authorities still remain dependent of the form of governance of their respective State.	Entitles local authorities to co-operate with their counterparts in other States. (Parg.3, Art.10)
<i>Additional Protocol to the MOC</i>	1995	Strengthen the Madrid Outline Convention by reducing the legal obstacles to CBC.	By being more operative than the MOC, fewer States ratified this Protocol.	Recognition of the 1) right (under certain conditions) of territorial communities or authorities to conclude CBC agreements (Art.1) 2) validity of decisions taken within the CBC agreement in domestic law (Art.2) 3) possibility of "legal personality" of a body set up within such an agreement.
<i>Protocol No. 2 to the MOC</i>	1998	Complements the MOC and the Additional Protocol		Legal basis for co-operation between non-adjacent local and regional authorities.
<i>European Grouping of Territorial Co-operation (EGTC)</i>	2006	Legal entities that aim to facilitate and promote cross-border, transnational and interregional cooperation between its members.		Legal personality.
<i>Protocol No. 3 to the MOC</i>	2009	Continues the effort of improving and completing the Madrid Outline Convention, now providing for the legal statues, establishment and operation of Euroregional Cooperation Groupings (ECA).	States can only apply this Protocol if they have already ratified the MOC and the Additional Protocol.	Legal personality at a wider scope (extended to other areas of co-operation and to 'third' countries).

The ECG altogether seems to have a broader scope and is an answer for “a real need for harmonization of the groupings formed”<sup>25</sup>. Besides, it was stated in a seminar on the Legal Status of Cross-Border Co-operation Structures that this latest Protocol should be formulated “with a view to bringing the gap between EU and non-EU countries in the field of cross-border co-operation and across the EU external frontier and also to facilitating the implementation at national level of the EC Regulation on EGTC.” (Engl, 2007: 32).

The creation of these two co-operation instruments is very recent, and so in the next few years we will observe how this next phase of cross-border co-operation will be and what the next steps might be. Either way, this is the apex of years of work to finally create an instrument of legal personality applicable to cross-border co-operation, bringing forth a new generation of cross-border co-operation.

In the next section we try to demonstrate this process of building cross-border co-operation through the various stages provided by the structures already discussed in a specific region, Galicia-North of Portugal cross-border region.

## **2. Galicia-North of Portugal Cross-Corder Co-operation Process**

### **2.1 Historical Context of Cross-Border Co-operation**

To trace the evolution of this region’s cross-border co-operation we start by briefly referring to Portugal-Spain’s historical context, sketching out a necessary background overview that can help explain part of the cross-border co-operation process.

The border between Portugal and Spain is one of the oldest in Europe (Medeiros, 2007), and therefore has a long history. This history has always been characterized by a relationship of marked tension and distrust, which prevented the deepening of friendly relationships or co-operation of any kind for years (Martins, 2008; Pedrosa, 2008; Pires, 2010). The first step out of this situation is the end of both Iberian dictatorships (1974 and 1976 in Portugal and Spain respectively) and the subsequent entry into the foundation and consolidation of democratic regimes, which allowed for a greater level of openness. In this wake, the second half of the 70s and beginning of the 80s is a period of closing the gap between these countries as what truly brings these countries together is their negotiations to enter and consequent adhesion to the European Union (Castro, 2004; Martins, 2008; Pires, 2010; Verade, 2004) – needless to say, a recent event (1986). They submit their formal proposal to enter the EU in 1977 and begin negotiations to enter the Community (Martins, 2008). In this same year, 1977, an important bilateral treaty is signed, the Hispanic-Portuguese Amity and Co-operation Treaty<sup>29</sup>.

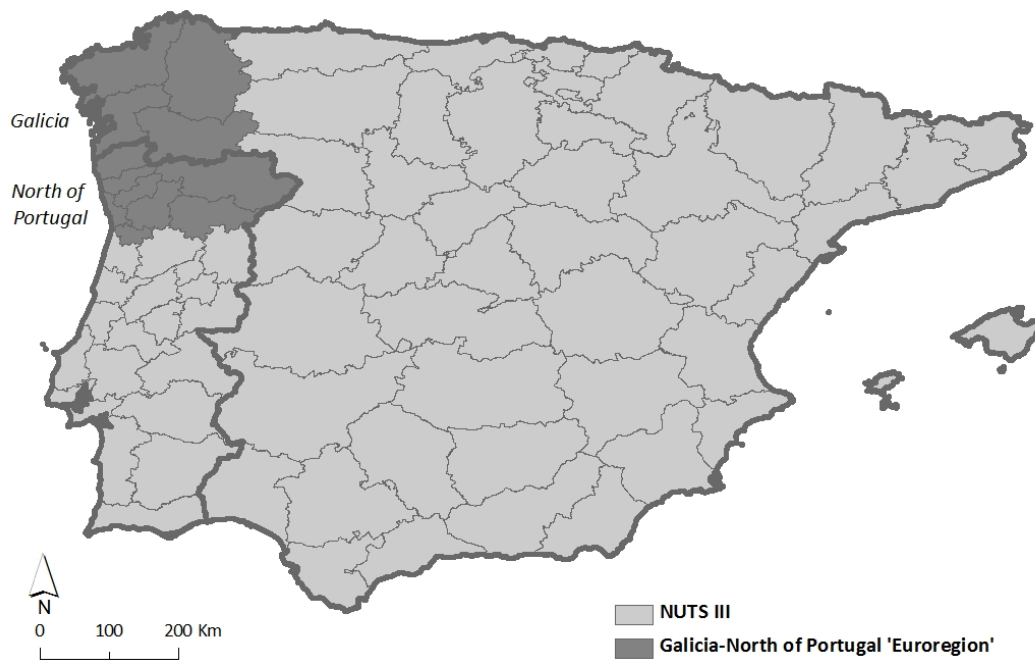
In this degree some treaties may have been signed in previous decades (Pedrosa, 2008), it is from this point on that we notice a true effort and desire for co-operation between Spain and Portugal. Shortly after their adhesion to the EU, these countries deepen their commitment in terms of cross-border co-operation: in 1989 Portugal ratifies the Madrid Outline Convention,

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<sup>29</sup> Tratado de Amizade e Cooperação Hispano-Portuguesa.

and Spain does this is 1990. The first step in the construction of cross-border co-operation at an international level had been taken<sup>30</sup>.

Even before Portugal and Spain ratified this Convention, the regions of Galicia and North of Portugal, located in the northeast extremity of the Iberian Peninsula (Fig. 1) were already working towards a deeper co-operation between themselves. This started in the beginning of the 80s, with contacts established between the Presidents of the Xunta de Galicia and the Comissão de Coordenação e Desenvolvimento Regional do Norte de Portugal. Next, they endeavoured to harmonize their regional development programmes; from these programmes, in 1986, a petition to finance a study on this region was drafted. The aim of the study would be to analyze various aspects of economical and social co-operation, and to have an operative use, because this information could then serve future projects, like specific community interventions (Castro, 2004) having a long-term view as well as short and medium-term horizon. Within this context, in 1988 the 1<sup>st</sup> *Jornadas Técnicas* took place, followed by the 2<sup>nd</sup> *Jornadas Técnicas* two years later. These steps helped to further the process of co-operation and lead these institutions to recognize the need for a more structured and formal body of co-operation (Castro, 2004). So, on 31<sup>st</sup> October 1991 the Constitutive Agreement<sup>31</sup> that creates the Galicia-Norte de Portugal Working Community is signed between representatives of both regions.



**Figure 1. Location of the Galicia-North of Portugal Cross-Border Region within the Iberian Peninsula (Author, 2010)**

<sup>30</sup> At the same time, 1989 and 1991 (Spain and Portugal respectively) sign the Charter for Local Self Government, mentioned previously.

<sup>31</sup> Acordo Constitutivo da Comunidade de Trabalho Galicia-Rexión do Nortede Portugal.

Galicia and the North of Portugal are regions that are 'absorbed' in the process of European integration – “Europeanization” – which definitely contributes to the drafting of this Constitutive Agreement. Apart from this aspect economical incentives (the upcoming European Community funds) and a richness in shared cultural, linguistic and social characteristics brought these regions together. However this cross-border co-operation effort goes beyond this: other border regions were not so prompt and fast in their co-operation efforts. Undoubtedly, one of the most determining factors was the very political desire and will to make the process happen (Castro, 2004). For this reason, this region has always stood out as the pioneer in cross-border co-operation in the Iberian Peninsula, and to a certain extent even within the European context.

This agreement starts a new chapter of co-operation for this region. It creates the first official reference to guide the co-operation in Galicia and the North of Portugal. In this way it is the product of the joint effort of the Xunta de Galicia and the Comissão de Coordenação de Desenvolvimento Regional-Norte (CCDR-N) that create a body whose objective is the enhancement of bilateral cross-border co-operation. The Working Community created is a purely consultive body, a non-legal mutual commitment<sup>32</sup>. Translating the expression used in the Preamble of the Agreement these institutions decide to create a body of “animation” of cross-border co-operation. It is something that intends to give life to this process and stimulate its growth.

It quotes both the Madrid Outline Convention and the bilateral treaty of 1977 between Spain and Portugal as inspiration to the drafting of this Agreement<sup>33</sup>. This reflects the process of co-operation at work between these countries and how each of these events constitutes a step in building cross-border co-operation. On the other hand, this agreement is similar to both these documents in the sense that they have no legal force and are very much a declaration of intent, just as this Agreement. According to Venade (2004), it is more like a set of commitments that do not bind either parties legally, and so have a more political nature, an aspect that is visible when regarding the objectives and targets drawn out in a rather vague and general light<sup>34</sup>.

The Galicia-North of Portugal region was a pioneer in cross-border co-operation in Portugal (Spain had already made an important treaty with France, the Bayone Treaty; apart from that Galicia is still a reference in Spanish cross-border co-operation). This was the first Working Community associated to a Portuguese region. Other regions soon followed suit: in 1992, the Alentejo-Centro-Extremadura Working Community is formed; in 1995, the Andaluzia-Algarve Working Community and the Castilla y León-Centre of Portugal Working Community; in 2000, the North of Portugal-Castilla y León, the Bragança-Zamora Working Community; and the Andaluzia-Alentejo Working Community in 2001.

It is worth mentioning that this region is invariably referred to as a “euroregion”, in various publications, articles, political statements, press releases, etc. While no formal action was

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<sup>32</sup> Paragraph 2, Article 2 of the Constitutive Agreement.

<sup>33</sup> Paragraph 3, Preamble to the Constitutive Agreement.

<sup>34</sup> Paragraph 2, Article 5 of the Constitutive Agreement.



made to constitute it as such, and its characteristics do not comply with the generally accepted<sup>35</sup> “Euroregion criteria” drawn out by the AEBR (2001: 69-70)<sup>36</sup>, somewhere along the process of creating the Working Community, this identity was formed and it is now generally accepted (Venade, 2004; Vieira, 2010). It does not allude to the Working Community, but is a term attributed to the whole of Galicia and North of Portugal (NUTS II levels in their respective countries) as a region in itself. The Working Community actually has the same territorial expression, but the euroregion is seen as the platform, the space where all cross-border co-operation in this macroregion takes place.

The process of creating this identity of a defined macroregion was due, no doubt to the co-operation efforts established between these regions of Galicia and North of Portugal, and in this sense, all the labour carried out by the Working Community since 1991, for despite the inexistence of a more effective co-operation instrument the economies of both regions have become well integrated (METIS GmbH, 2009).

The next step in cross-border co-operation was a national level agreement, the Valencia Convention<sup>37</sup>, in 2002, effective since 2004. This Convention is a follow up, first on the Friendship Treaty of 1977 (which records the commitment made by these countries in coordinating efforts so as to achieve a greater and more harmonized development in the economy and society of border regions<sup>38</sup>) and then on the ratification of the Madrid Outline Convention by both countries in 1989 and 1990.

As a step further in cross-border co-operation this Convention actually recognizes the need to fulfil what the Madrid Outline Convention had outlined as well as the need for a greater legal discipline<sup>39</sup>.

Therefore, this Convention aims to promote and legally administer cross-border co-operation between territorial entities of both countries, always taking into account the domestic laws of each Party, Community law and international commitments already established<sup>40</sup>.

This convention is what could be levelled as the Portuguese-Spanish equivalent of the Madrid Outline Convention, as it creates a framework to work from, a reference; but in this case, it bears more legal force. For instance, any party desiring to engage in cross-border co-operation must previously observe a co-operation protocol between the interested parties and their proposal must be approved by the appointed authorities within their respective countries

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<sup>35</sup> Also cited by Medeiros, 2009, Otočan (Report for the European Commission for Democracy through Law), 2010 and Venade, 2004, , among other authors.

<sup>36</sup> According to this criteria, which recognizes that these bodies are not identical, the most important aspects are that these structures should be permanent, have a separate identity from their members, have their own administrative, technical and financial resources and that they have their own internal decision making (AEBR, 2001: 69-70). The Galicia-North of Portugal ‘Euroregion’ does not comply with the last two criteria at least. It is also not enumerated in various euroregion listings.

<sup>37</sup> Convenção entre a República Portuguesa e o Reino de Espanha sobre a Cooperação Transfronteiriça entre Instâncias e Entidades Territoriais.

<sup>38</sup> Paragraph 4, Preamble to the Valencia Convention.

<sup>39</sup> Paragraph 5, Preamble to the Valencia Convention.

<sup>40</sup> Point 1, Article 1, Chapter I of the Valencia Convention.

(Financial Institute for Regional Development (IFDR) in Portugal and the Ministry for Public Administrations in Spain<sup>41</sup>). An interesting fact is that in a report<sup>42</sup> prepared by the Committee of Experts on local and regional government institutions and co-operation (LR-IC)<sup>43</sup> (2002a) before this Valencia Convention had come into force, Portugal states that it considers its national legislation complete to be able to enforce cross-border co-operation, and that there is no limitation within its regulations for local and regional authorities to co-operate alongside neighbouring regions.

Along with this Convention, an intergovernmental body is defined, the Luso-Hispanic Commission for Cross-Border Co-operation and co-operation bodies<sup>44</sup>, to supervise and evaluate this Convention.

The Valencia Convention also defines the different co-operation bodies, making the first distinction between those with and without legal personality. Working Communities are defined as co-operation bodies *without* legal personality, whose aim is non-operative, but to act more like a consultive institution. It is plainly stated<sup>45</sup> that these non-operative bodies have serious restrictions when regarding decision making, which is nothing new. A paragraph that takes into account some already existing structures, no doubt (Venade, 2004). In this sense, the already existing co-operation bodies must be adapted to this new Convention within a five year period; something accomplished by this Working Community in 2006<sup>46</sup>.

In the very same year, as mentioned before, the Regulation (EC) No. 1082/2006 is approved and all Member States were given one year for the respective adaptation and incorporation into their domestic national laws. This was done in Portugal with the Law Decree 376/2007 and in Spain with the Royal Decree 37/2008. This effort will mark yet another phase in institutional cross-border co-operation, as it opens up more possibilities, mainly the foundation of legal personality bodies. Although the Madrid Outline Convention and the Valencia Convention allowed for this, as mentioned before, they didn't actually provide an applicable instrument of this desired nature. Finally, this Regulation presents a possibility of overcoming one of the greatest if not the greatest hurdle of this process.

Following the approval and adaptation of this Regulation, the reaction along the Portuguese-Spanish border is noticeable. In no more than two years, between 2008-2009, three EGTC are approved, the first of which in the ever-pioneer border region of Galicia-North of Portugal. This EGTC (GNP, AECT) was approved in 2008, and in March 2010 entered into full operation. In 2009, Duero-Douro EGTC is approved in March and ZASNET in October.

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<sup>41</sup> Paragraph 1, Article 4, Chapter II of the Valencia Convention.

<sup>42</sup> Rapport sur l'état de l'application de la convention-cadre européenne sur la coopération transfrontalière des collectivités ou autorités territoriales, Comité d'Experts sur la Coopération Transfrontalière (LR-IC).

<sup>43</sup> Previously known as the European Committee of Experts on Transfrontier Co-operation, created in 1995.

<sup>44</sup> Comissão Luso-Espanhola para a Cooperação Transfronteiriça e organismos de cooperação.

<sup>45</sup> Points h) and i), Paragraph 6, Article 10, Chapter III of the Valencia Convention.

<sup>46</sup> Paragraph 1, Article 13, Chapter IV of the Valencia Convention.

This boom clearly reflects the fact that this instrument comes to fill in an obvious need already identified for many years. It is also the product of a long process of building deeper levels of trust, governance and co-operation along border regions. In this manner, up to a certain degree, cross-border co-operation along the Portugal-Spain border follows and applies the process directed by European-wide directives (Figure 2).

The final and most recent step (the adoption of ECG) hasn't and cannot yet be taken in Portugal (as it is the 3<sup>rd</sup> Protocol to the Madrid Outline Convention, and can only be ratified if at least the first has been signed. Portugal and Spain have not yet put into force the Additional Protocol), but it doesn't necessarily have to be. According to its own objectives and nature, for the present there is no apparent advantage for either of these countries to adopt it. It also shows that not all steps and directives from the EU on cross-border co-operation have to be taken for it to be successful.

Portugal is a unitary, centralized state, where the region of the North of Portugal does not have the competency of a regional self-government, which is the opposite of what happens in Spain, as the region of Galicia is what is called an 'Autonomous Community', endowed with an autonomous government (Azevedo, 2004; Castro, 2004; Facal, 2000). Facal (2000: 346) states that the political asymmetry between Galicia and the North of Portugal imposes a significant restriction in terms of mutual relationship and the autonomy of designing joint plans of action. According to a second report<sup>47</sup> prepared by the Committee of Experts on local and regional government institutions and co-operation (2002b: 72-74, 81-84), this is one of the very obstacles identified in cross-border co-operation in relation to Spain and Portugal: the differences between national legislations and in administrative cultures and competences within each level of government.

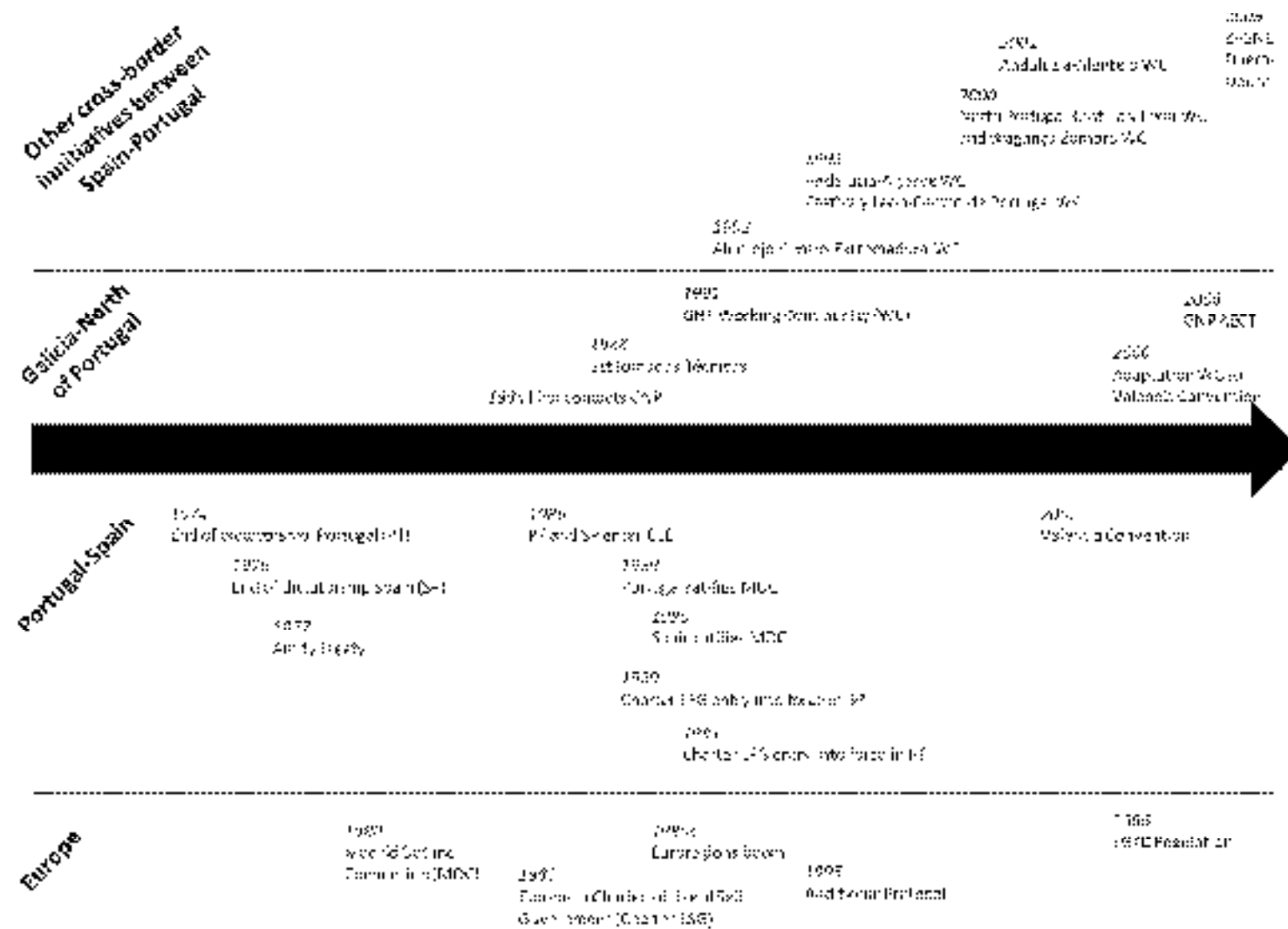
On the other hand, Portugal itself, in a questionnaire applied by the LR-IC(2002a: 47) states that "(l)es obstacles pratiques ne son pas très importants dans le domaine de la coopération transfrontalière et sont en general facilement surmontés." Facal (2002) also states that the difficulty of different legislative and administrative systems has not been excessively relevant for the border regions of this case study, as various action plans applied up to this date have been enforced within funded Community initiatives, like INTERREG. Furthermore, the main aspects identified as having contributed to overcome these limitations by the LR-IC (2002a) were the establishment of both the Amity Treaty and the Galicia-North of Portugal Working Community<sup>48</sup>.

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<sup>47</sup> "Rapport sur l'état actuel du cadre administrative et juridique de la coopération transfrontalière en Europe (2002)", Comité d'Experts sur la Coopération Transfrontalière, Direction de la Coopération pour la Démocratie Locale et Régionale.

<sup>48</sup> Note that this report was compiled before the Valencia Convention was enforced.

Figure 2. Building Legal Cross-Border Co-operation from the European Level to the Portuguese-Spanish Cross-Border Regions



## 2.2 Galicia-North of Portugal European Grouping of Territorial Co-operation

The creation of this EGTC, named “Galiza-Norte de Portugal, Agrupamento Europeu de Cooperação Territorial”, (GNP, AECT as the acronym), was the latest step in this region’s cross-border co-operation efforts, also proof of the eagerness this region demonstrates in improving cross-border co-operation, as it was the third EGTC to be formed in the European Union, the first in the Iberian Peninsula.

Just as in the general European-wide context, where the EGTC was designed as a solution to some of the difficulties identified in the practice of cross-border co-operation, GNP, AECT was formed to accomplish what the Working Community had been unable to do due to its non-legal personality. In effect, it was the Working Community that created this EGTC so it could be an institution that could put in practice a series of projects and objectives. Besides this, the Working Community integrates the Superior Council of this body (METIS GmbH, 2009). Two questions arise here. Has this EGTC lived up to its purposed reputation, of being a ‘solution’ to many cross-border co-operation difficulties? And how does it work, in relation to the already existing Working Community?

In answer to the second question, three main levels of cross-border co-operation can be identified. The first has already been mentioned – the ‘euroregion’ as the stage where all forms of co-operation take place. It is a well established macro-region, which is testimony itself to the success of cross-border co-operation in these regions, to this extent of having not only created a demarcated region, but an macro-region with identity. This is proven by the very words of Elvira Vieira, Director of GNP, AECT, that states that in Brussels, within the EU context, “the euroregion they most hear of there is precisely the Galicia-North of Portugal Euroregion.”<sup>49</sup>

The second level is that of the Working Community, which obviously works on top of the first level, as do all forms of cross-border co-operation. This is mainly a political level, as it is an agreement between two governments, the government of Galicia and the representative of the Portuguese government in the North Region. Primarily, it is an institution that sustains and furthers cross-border co-operation for this cross-border region, in a more general sense – political definitions and overall objectives. This is where this third and most recent level emerges. GNP, AECT was created to serve the Working Community in a more practical and operational way. It has legal personality, so it can contract personnel, acquire assets, administer infrastructure. It comes to make cross-border co-operation more possible and effective. METIS GmbH (2009) actually identifies the Working Community as the strategic unit of this EGTC.

However, this EGTC, as stressed by its Director, does not exist merely to serve the Working Community. It was created to fulfil what the Working Community cannot do, but it clearly goes

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<sup>49</sup> Elvira Vieira, Director of GNP, AECT speaking at an interview conducted by the author which took place on 23rd December 2010, in Porto (translated by the author, as the interview was in Portuguese). Further citations from this interview will be referenced as “Vieira, 2010”.

beyond this. It has its own plan of action and works with other institutions and entities, as “that is what we are here for – to serve the institutions of the euroregion.” (Vieira, 2010).

Even though this EGTC has only been operational for nine months the Director of GNP, AECT, stated it wasn't too early to say that it has in effect lived up to its expectations, adding that “not only have we accomplished what we had set out, but we went beyond what had been planned.” (Vieira, 2010).

Nevertheless, it is early days to take too many conclusions from this situation. The objectives set out for this EGTC along its first year of operation were to make it operational and to gain visibility and recognition. “As to visibility, I think we still need to do more, but what we aimed to do we have managed, with partnerships, associations, company associations, universities, and various associations of this euroregion.” (Vieira, 2010). It has been a year of establishing relationships, credibility, of putting this new instrument into operation, and even of starting some practical projects, that meet the needs of this ‘euroregion’. “We thought, well, what's our strategy? Our strategy is to be pragmatic and do practical things; otherwise people are tired and won't put up with you...” (Vieira, 2010).

As mentioned before there is a contrast between the strongly centralized Portuguese government, where the regional delegations don't have executive autonomy, and the regional Spanish system of ‘autonomous communities’. According to Elvira Vieira, this has always posed a problem for cross-border co-operation in the Galicia-North of Portugal cross-border region – “the CCDR-N [North of Portugal's regional delegation] has limited power because it depends on the central government. This is always a problem.” (Vieira, 2010); “...when we have to decide, we always have to try and find the best solution, which takes longer...is more morose. That has always been an eminent problem to co-operation.” (Vieira, 2010). A problem that has always been present throughout all the co-operation effort already achieved by the Working Community, no doubt.

This young EGTC has its eyes set on wider ground, beyond this cross-border region and its respective countries' borders. One of its future goals is internationalization; “We have already got a long history of co-operation. Now, what do we need? We need to sell all our potential outthere (...) to create a brand for the euroregion, a strong brand that can serve all areas.” (Vieira, 2010).

Therefore, beyond just filling up the gaps left by institutions with no legal personality, this GNP, AECT seems to really be making cross-border co-operation palpable. One of the main difficulties encountered by the Director in this beginning process was precisely this. There seemed to be a weariness of cross-border co-operation structures, of well intended institutions that never went beyond that good intent. When contacting the institutions of the euroregion, to present this new body, they would answer “no problem, we can schedule a meeting, we can talk, if it is to actually do something. If it's just to do theoretical things, sign agreements or treaties it's not worth it, because we already have that.” (Vieira, 2010).

Beyond the good testimony of this EGTC, others have demonstrated some interesting dynamics, helping to establish a new co-operation geography (Spinaci & Vara-Arribas, 2009).

Therefore, despite the fact that it is undeniable that the Galicia-North of Portugal Working Community has been doing an excellent job in cross-border co-operation, this EGTC and as we have exposed, the EGTC as an instrument in general seems to be a 'breath of air' in practical cross-border co-operation.

## Conclusion

European cross-border co-operation today has been a process built along the years, marked by various important moments, such as the drafting of the Madrid Outline Convention, the first formal legal framework for this form of co-operation. From this Convention, cross-border co-operation continued to be developed and deepened through various efforts from the European Union and Council of Europe in particular. The process of enhancing cross-border co-operation is linked to the institutionalization of this form of co-operation because, from the first informal contacts, a formalized agreement should be established so as to deepen the co-operation. This last stretch in the process of cross-border co-operation is marked by the endeavour to produce a legally binding instrument of co-operation, whose first attempt we see in the creation of the European Grouping of Territorial Co-operation. Along the process various difficulties were identified such as the differing national legal procedures and regulations.

It is interesting to trace the same process of building cross-border co-operation at a more regional level, in the chosen case study of Galicia-North of Portugal, and find that this cross-border region, overall, accompanies the stages taken within the Europe-wide level, including the recent creation of GNP, AECT, the first EGTC to be formed in the Iberian Peninsula. Both countries ratified two foundational documents – the Madrid Outline Convention and the European Charter of Local Self Government – not many years apart. In this way, we are reminded that the cross-border co-operation process does not restrict and is in fact impossible to be done singlehandedly. Being cross-border, it depends on an effort from both sides of the border. Portugal and Spain are in this cross-border co-operation journey together. Also, the links between both of these levels – regional (cross-border, in this case) and European – are strengthening in recent decades, substantially due to the effort of European integration within the European Union.

The hallmark in cross-border co-operation, the Madrid Outline Convention, which initiated this process through a legal framework is now, thirty years later, reinforced. However, we now have two instruments that allow for legal personality. Portugal and Spain have adopted the first to emerge – the European Grouping for Territorial Co-operation (EGTC); but what of the European Co-operation Grouping (ECG) – a more flexible cross-border co-operation instrument? Currently, neither country can adopt it as they have not ratified the Additional Protocol. Will they do so now? As the EGTC is available and in use, they may not see any advantage in doing so. Nevertheless, this also shows that it isn't necessary to follow all the steps provided by the European level, in a way that each state should incorporate what is most advantageous for its own situation.



It has been a marathon to finally arrive at this point of having created an instrument of legal personality that is applicable to cross-border co-operation, the current apex in legal cross-border co-operation structures. It has also been quite an achievement, considering the various difficulties encountered along the way: reticence due to fear of a loss of sovereignty by the states; a lack of consensus in the general terminology of territorial co-operation (in the beginning cross-border co-operation was much more informal and based more on self initiative, contributing to create a very broad sense of cross-border co-operation and a growing diversity with regard to classification of such activities. This is mainly because these classifications come after the structures were already in place); the level of autonomy local and regional border regions have to start, direct and manage cross-border co-operation programmes; the different legislation and procedures on either side of the border; even the way each country regards cross-border co-operation is different, and of course reflects on its efforts of greater or lesser encouragement. Some countries may look at cross-border co-operation as a “complementary form of national foreign relations” (AEBR, 2001: 9; MOT, 2006), when it is not a simple reproduction of national policy at a smaller scale, but something distinct altogether, which demands a different kind of policy.

Along this whole process of building and deepening cross-border co-operation, it is notable that the length of time between crucial ‘moments’, such as the ratification of the Madrid Outline Convention, its Additional Protocols, up to the approval of the EGTC Regulation become less spaced out in time as the years go by. This proves the increased importance given to this form of co-operation, as well as a desire to facilitate, further and put it into practice.

The EGTC boom that emerged soon after the approval of the Regulation, and subsequent adaptation to Portuguese and Spanish national law is remarkable. Three groupings formed in a mere two years. The same boom of Working Communities that happened along this border in the 90s and first decade of the XXIst century, probably inspired, in part, by the same phenomena happening in other European regions at the time, is now repeated with the EGTC. Obviously, there was a true desire to have a more effective instrument of co-operation, but also an opportunity of having a new form of governance, a space of interaction between different administrative levels (central, regional, local), as well as other interested local actors. In both situations the Galicia-North of Portugal region was the pioneer, setting an example to follow not only for other cross-border regions along this border, but also within a European context.

This positive panorama is also present within the main Europe-wide level, however it is worth mentioning that the EGTC tend to emerge along the same borders. This might support the fact that the national level of governance remains the crucial legal basis, as you cannot go over national sovereignty. The EGTC brings legal personality, but it must still work only within the ‘manoeuvre’ room it finds amidst concurring with domestic law, Community law and pre-existent international agreements. The desired tool has been created, but now it must be allowed to work.

In this context, there are situations where the interested regions who want to engage in cross-border co-operation with their border counterparts are hindered in pursuing this goal due to

the reticence at the national level of making it possible. Some EGTC have not been created, or the process of creation has been delayed owing to this fact. Therefore, it is of no avail having this instrument if it cannot be applied, if there is no political will in actually seeing cross-border co-operation happen in an effective, practical way.

In this regard, the Galicia-North of Portugal EGTC is a good example and has been, along the history of its cross-border region. Apart from being a pioneer in the Iberian Peninsula, in Portugal at least it seems to be ahead of every national initiative. In effect, it is an example of solid, focused co-operation driven by a strong political will on either side of the border, that work in spite of the given national conditions (a bit reticent or limiting, at times).

Their long tradition in cross-border co-operation now culminates with the creation of the GNP, AECT, and a new phase of co-operation has just started, that already looks promising. In an initial phase of this study, two questions arose regarding this recent EGTC: was there any kind of structure overlap, since the EGTC applied to the same geographical area as the Working Community? In other words, was it simply *one more* instrument of cross-border co-operation? The second question was regarding this instrument's effectiveness – was it living up to its expectations?

The interview with the Director of this EGTC cleared up these queries, as it was explained that the EGTC, although applied to the same cross-border region, had different tasks and objectives than the Working Community. The latter was a more political and strategic institution; the former the more operational and practical instrument. As they work together, towards the same goal, they complement one another. In effect, the EGTC comes to accomplish, among other more personal objectives, what the Working Community has projected but cannot carry out due to its non-legal personality. This is a tentative answer to the second question too. This instrument was created to apply what couldn't be done in the past, and therefore it has immediate goals and objectives to accomplish that will be more visible and practical, as some of them have been drawn out by the older, more experienced structure. Furthermore, despite being early days, GNP, AECT seems to be answering the needs of the region, bringing a new much more pragmatic way of accomplishing cross-border co-operation. It is an instrument that aims to be more 'down to earth', and is in such a way a 'breath of fresh air' for practical cross-border co-operation.

## References

Acordo Constitutivo da Comunidade de Trabalho Galicia-Rexión do Norte de Portugal of the 31st October 1991. Xunta de Galicia & Comissão de Coordenação da Região Norte. Porto. <<http://www.galicia-nortept.org/index.php/es/documentos>> 7th December 2010.

Additional Protocol to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities of 9<sup>th</sup> November 1995. *European Treaty Series* – No. 159. Council of Europe. Strasbourg. <<http://conventions.coe.int/Treaty/en/Treaties/Word/159.doc>> 23rd October 2010.

Association of European Border Regions. (2001). *Transeuropean Co-operation between Territorial Authorities. New challenges and future steps necessary to improve co-operation*. <[www.aebr.eu/files/publications/territorialauthorities\\_01.en.pdf](http://www.aebr.eu/files/publications/territorialauthorities_01.en.pdf)> 15<sup>th</sup> November 2010.

Association of European Border Regions. (2004a). TOWARDS A NEW COMMUNITY LEGAL INSTRUMENT FACILITATING PUBLIC-LAW-BASED TRANSEUROPEAN COOPERATION AMONG TERRITORIAL AUTHORITIES IN THE EUROPEAN UNION. *Summary Position Paper*.

Association of European Border Regions. (2004b). *European Charter for Cross-Border Regions*. Gronau. <<http://www.aebr.eu/en/publications/publications.php>> 15th June 2009.

Azevedo, R. (2004). As Regiões do Norte de Portugal e da Galiza: Enquadramento no Contexto Comunitário e Perfis de Evolução. . In Castro, L. D.; Venade, N; López-Rodríguez, J.; Proença, M.; Silva, M. C.; Cardoso, A., *As Euro-Regiões e o Futuro da Europa: O Modelo da Euro-Região Galiza-Norte de Portugal* (pp. 89-113). <[www.eixoatlantico.com/eixo.../08-as%20eurorrexions.pdf](http://www.eixoatlantico.com/eixo.../08-as%20eurorrexions.pdf)> 14<sup>th</sup> December 2010.

Bacsi, Z., & Kovács, E. (2006). The Role of Cross-Border Cooperation in Rural Development - A New European Perspective. *Proceedings from the First International Conference on Agriculture and Rural Development*, (pp. 485-488). Topusco, Croatia.

Blatter, J. K. (2001). Debordering the World of States: Towards a Multi-Level System in Europe and a Multi-Polity System in North America? Insights from Border Regions. *European Journal of International Relations*, Vol. 7(2), pp. 175-209. <[www.unilu.ch/.../blatter-ejir-debordering-the-world-of-states.pdf](http://www.unilu.ch/.../blatter-ejir-debordering-the-world-of-states.pdf)> 19<sup>th</sup> May 2010.

Blatter, J. K. (September de 2004). 'From Spaces of Place' to 'Spaces of Flows'? Territorial and Functional Governance in Cross-border Regions in Europe and North America. *International Journal of Urban and Regional Research*, Vol. 28.3, pp. 530-548. <<http://emc.elte.hu/.../from%20spaces%20of%20place%20to%20spaces%20of%20flow.pdf>>. 19<sup>th</sup> May 2010.

Bufon, M., & Markelj, V. (2010 de May de Year XII, no. 1). Regional Policies and Cross-Border Cooperation: New Challenges and New Development Models in Central Europe. *Revista Româna de Geografie Politică*, pp. 18-28. <[http://rrgp.uoradea.ro/art/2010-1/02\\_OK\\_Bufon+Markelj.pdf](http://rrgp.uoradea.ro/art/2010-1/02_OK_Bufon+Markelj.pdf)> 09<sup>th</sup> November 2010.

Castro, L. D. (2004). Europa e a Fronteira Luso-Galaica: História e Reencontro. In Castro, L. D.; Venade, N.; López-Rodríguez, J.; Proença, M.; Silva, M. C.; Cardoso, A., *As Euro-Regiões e o Futuro da Europa: O Modelo da Euro-Região Galiza-Norte de Portugal* (pp. 3-51). <[www.eixoatlantico.com/eixo.../08-as%20eurorrexions.pdf](http://www.eixoatlantico.com/eixo.../08-as%20eurorrexions.pdf)> 14<sup>th</sup> December 2010.

Convenção entre a República Portuguesa e o Reino de Espanha sobre a Cooperação Transfronteiriça entre Instâncias e Entidades Territoriais of 3rd October 2002. *Diário da República No.º 51 – 1 Série A*. Presidência da República and Assembleia da República. Valencia. <<http://www.galicia-nortept.org/index.php/es/documentos>> 7th December 2010.

Council Regulation (EEC) No. 2137/85 of 25 July 1985 on the European Economic Interest Grouping (EEIG). *Official Journal L 199*. Council of the European Communities. Brussels. <<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31985R2137:EN:HTML>> 23<sup>rd</sup> October 2010.

Draft Protocol No. 3 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning co-operation groupings (ECGs) of 15<sup>th</sup> June 2009. *Doc. 11951*. Parliamentary Assembly. Council of Europe. <<http://assembly.coe.int/Main.asp?link=/Documents/WorkingDocs/Doc09>> 24th November 2010.

Engl, A. (Março de 2007). Future Perspectives on Territorial Cooperation in Europe: The EC Regulation on a European Grouping of Territorial Cooperation and the Planned Council of Europe Third Protocol to the Madrid Outline Convention concerning Euroregional Co-operation Groupings. *European Diversity and Autonomy Papers (EDAP)*. <[http://aei.pitt.edu/8901/01/2007\\_edap03.pdf](http://aei.pitt.edu/8901/01/2007_edap03.pdf)> 24<sup>th</sup> November 2010.

European Charter of Local Self Government of 15<sup>th</sup> December 1985. *European Treaty Series – No. 122*. Council of Europe. Strasbourg. <<http://conventions.coe.int/Treaty/en/Treaties/Html/122.htm>> 29<sup>th</sup> November 2010.

European Economic and Social Committee. (11 de July de 2007). Opinion of the European Economic and Social Committee on 'Euroregions'. *Official Journal of the European Union*. Brussels. <<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2007:256...EN..>> 12<sup>th</sup> November 2010.

European Outline Convention on Transfrontier Co-Operation between Territorial Communities or Authorities of 21st May 1980. *European Treaty Series – No. 106*. Council of Europe. Madrid. <<http://conventions.coe.int/Treaty/en/Treaties/Html/106.htm>> 29th November 2010.

Facal, X. L. (2000). A Rexión Galaico-Duriense: Dimensión Económica e Dinámica de Conxerxencia. *Revista Galega de Economía, Vol. 9, No.1*, pp. 331-350. <[www.usc.es/econo/RGE/Vol.9\\_1/.../A%20rexión%20galaico-duriense...pdf](http://www.usc.es/econo/RGE/Vol.9_1/.../A%20rexión%20galaico-duriense...pdf)> 19<sup>th</sup> January 2011.

Gabbe, J. (2006). *Legal status of cross-border co-operation structures - past, present and prospects*. Vilnius: AEBR. <[www.cor.europa.eu/COR\\_cms/ui/ViewDocument.aspx?...](http://www.cor.europa.eu/COR_cms/ui/ViewDocument.aspx?...)> 15<sup>th</sup> November 2010.

INTERACT. (2006). European Grouping of Territorial Cooperation - The first EU instrument providing a legal framework for territorial cooperation. *INTERACT News* (Programme Management).

INTERACT. (2008). INTERACT Handbook on the European Grouping of Territorial Cooperation (EGTC). What use for European Territorial Cooperation programmes and projects? INTERACT, European Union. <[www.espaces-transfrontaliers.org/document/handbook\\_EGTC.pdf](http://www.espaces-transfrontaliers.org/document/handbook_EGTC.pdf)> 15<sup>th</sup> November 2010.

Lejeune, Y. (2005). Twenty-five years of the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities. *25th Anniversary of the Madrid Outline Convention - the role of transfrontier and interterritorial co-operation in the process of integration and unification of the continent, Introductory report* (p. 16). Warsaw: European Conference on Transfrontier Co-operation organized by the Republic of Poland in the framework of its Chairmanship of the Committee of Ministers of the Council of Europe, 21-22 April. <<https://wcd.coe.int/com.instranet.InstraServlet?command=com...>> 29<sup>th</sup> November 2010.

LR-IC (Committee of Experts on local and regional government institutions and co-operation). (2002a). *Rapport sur l'état de l'application de la convention-cadre européenne sur la coopération transfrontalière des collectivités ou autorités territoriales*. Strasbourg: Council of Europe. <[http://www.coe.int/t/dgap/localdemocracy/WCD/TC\\_Local\\_Regional\\_fr.asp#](http://www.coe.int/t/dgap/localdemocracy/WCD/TC_Local_Regional_fr.asp#)> 25th January 2011.

LR-IC (Committee of Experts on local and regional government institutions and co-operation). (2002b). *Rapport sur l'état actuel du cadre administratif et juridique de la coopération transfrontalière en Europe*. Strasbourg: Council of Europe. <[http://www.coe.int/t/dgap/localdemocracy/WCD/TC\\_Local\\_Regional\\_fr.asp#](http://www.coe.int/t/dgap/localdemocracy/WCD/TC_Local_Regional_fr.asp#)> 25th January 2011.

Martins, C. (2008). Contextualização Teórica do Processo de Integração dos Mercados Ibéricos no Contexto da União Europeia. In Iva Pires (ed.), *A integração dos Mercados Ibéricos: um Processo Dependente e Territorialmente Diferenciado?* (pp.9-39). Lisboa: Centro de Estudos Geográficos, Universidade de Lisboa.

Medeiros, E. (1-3 de Novembro de 2007). 16 Anos de Cooperação Transfronteira no Âmbito do Interreg-A. *Actas do III Congresso de Estudos Rurais (III CER), Universidade do Algarve, Faro*. <[www.sper.pt/IIICER/Comunicacoes/EduardoMed\\_com.pdf](http://www.sper.pt/IIICER/Comunicacoes/EduardoMed_com.pdf)> 14<sup>th</sup> September 2010.

Medeiros, E. (2009). Redefinir o Conceito de Euroregião. <[www.fl.ul.pt/pessoais/...Medeiros/.../PUB\\_PAP\\_EM\\_Redefinir\\_Euroregiao.pdf](http://www.fl.ul.pt/pessoais/...Medeiros/.../PUB_PAP_EM_Redefinir_Euroregiao.pdf)> 7<sup>th</sup> September 2010.

- METIS GmbH. (2009). *The European Grouping of Territorial Cooperation (EGTC): state of play and prospects*. Belgium: European Union. <<http://www.cesci-net.eu/analyses-studies-and-other-brochures>> 17<sup>th</sup> October 2010.
- Mission Opérationnelle Transfrontalière. (2006). *PRACTICAL GUIDE TO TRANSFRONTIER CO-OPERATION* <<https://wcd.coe.int/com.instranet.InstraServlet?command=com...>> 15<sup>th</sup> November 2010.
- Mission Opérationnelle Transfrontalière. (November de 2009). The third protocol to the Madrid Outline Convention (in brief). *Cross-border news, MOT Newsletter No. 54* . <<http://www.espaces-transfrontaliers.org/en/>> 17<sup>th</sup> November 2010.
- O'Dowd, L. (2002). The Changing Significance of European Borders. *Regional & Federal Studies*, 12:4 , pp. 13-36. <<http://dx.doi.org/10.1080/714004774>> 29th April 2010.
- Otočan, O. (22-25 de Fevereiro de 2010). Euroregion as a Mechanism for Strengthening Transfrontier and Interregional Co-operation: Opportunities and Challenges. *Interregional and Transfrontier Co-operation: Promoting Democratic Stability and Development, UNIDEM Campus Trieste Seminar* . Trieste, Italy: Council of Europe. <[www.venice.coe.int/docs/2010/CDL-UDT\(2010\)008-e.pdf](http://www.venice.coe.int/docs/2010/CDL-UDT(2010)008-e.pdf)> 27th January 2011.
- Pedrosa, M. (2008). Las Cumbres Luso-Españolas. In Iva Pires (ed.), *Contextualização Teórica do Processo de Integração dos Mercados Ibéricos no Contexto da União Europeia* (pp. 41-54). Lisboa: Centro de Estudos Geográficos, Universidade de Lisboa.
- Perkmann, M. (1999). Building Governance Institutions Across European Borders. *Regional Studies*, Vol. 33.7 , pp. 657-667. <<http://eprints.imperial.ac.uk/.../Perkmann%201999%20Regional%20Studies%20cross-border.pdf>> 21<sup>st</sup> November 2010.
- Perkmann, M. (2002). The rise of the Euroregion. A bird's eye perspective on European cross-border co-operation. *Department of Sociology, University of Lancaster, Lancaster* . <[www.lancs.ac.uk/fass/.../perkmann-rise-of-euroregion.pdf](http://www.lancs.ac.uk/fass/.../perkmann-rise-of-euroregion.pdf)> 17<sup>th</sup> March 2008.
- Pires, I. M. (2010). Borders as "slippery spaces in Iberian Peninsula". *Centro de Estudos Geográfico, University of Lisbon, Lisbon*.
- Regulation (EC) No 1082/2006 of 5 July 2006 on the European Grouping of Territorial Co-operation (EGTC). *Official Journal of the European Union*. European Parliament and Council of Europe. Strasbourg. <[http://ec.europa.eu/regional\\_policy/sources/.../regulation/.../ce\\_1082\(2006\)\\_en.pdf](http://ec.europa.eu/regional_policy/sources/.../regulation/.../ce_1082(2006)_en.pdf)> 25<sup>th</sup> November 2010.
- Spinaci, G., & Vara-Arribas, G. (February de 2009). The European Grouping of Territorial Cooperation (EGTC): New Spaces and Contracts for European Integration? *European Institute of Public Administration (EIPA)* , pp. 5-13. <[http://aei.pitt.edu/12379/01/20100114121643\\_Eipascope\\_2009\\_2\\_Article1.pdf](http://aei.pitt.edu/12379/01/20100114121643_Eipascope_2009_2_Article1.pdf)> 19<sup>th</sup> May 2010.

Venade, N. (2004). Galiza-Norte de Portugal: A Euroregião Necessária. In Castro, L. D.; Venade, N.; López-Rodríguez, J.; Proença, M.; Silva, M. C.; Cardoso, A., *As Euro-Regiões e o Futuro da Europa: O Modelo da Euro-Região Galiza-Norte de Portugal* (pp. 53-88). <[www.eixoatlantico.com/eixo.../08-as%20eurorrexions.pdf](http://www.eixoatlantico.com/eixo.../08-as%20eurorrexions.pdf)> 14<sup>th</sup> December 2010.

Vieira, Elvira (2010). Personal Interview. Head Office of the Comissão de Coordenação de Desenvolvimento da Região Norte (CCDR-N). 23<sup>rd</sup> December 2010. Porto.

Zapletal, J. (2010). The European Grouping of Territorial Cooperation (EGTC): a New Tool Facilitating Cross-Border Cooperation and Governance. *Questiones Geographicae*, 29 (4). <[http://geoinfo.amu.edu.pl/gg/current/QG294-015-26\\_Zapletal.pdf](http://geoinfo.amu.edu.pl/gg/current/QG294-015-26_Zapletal.pdf)> 13<sup>th</sup> January 2011.