

CROSS-BORDER COOPERATION AS INTENSIFICATION SPACE FOR LOCAL AND REGIONAL SELF-GOVERNING POLICY

Definition

During a brief reflection of cross-border relations in modern world, we will focus on cross-border relations in which are “spatial” subjects, administrative and territorial units (municipalities and associations of municipalities) or space-regional (self-governing regions). This means that we will not be dealing with cross-border intensification, as a part of economic, cultural and social, political or other subjects, if they are not justified or if they don’t take part in cross-border policy of the above mentioned “spatial” subjects.

What are the theoretical bases?

The concept of overcoming marginalization was important during euro regional idea in fifties of the XX century; it should help to solve the marginalization of border regions. Especially, in the borderland of Germany – Netherlands – Belgium. (Schulz, Ch., 1998, c. 177). The European Charter of border and cross-border regions since 1994 is also based on this concept.

The concept of institutional autonomy – it presents A. Gasparini when determining euro regions as “a cross-border territory with a direction to the institutional autonomy for improving cooperation and support of development of these territories” (Gasparini, A., 2004, c. 33).

The concept of network is based on the assumption of a “network as the organizational principle for spatial interaction of people, goods and information which underlies in “the idea of a European network (or even trans-European networks)...” (Peter Nijkamp, 1993, c. 11)

The concept of barrier – P. Nijkamp, summing up the theoretical approaches also defines the concept of a barrier, when borders are barriers which are in different legal systems, different

competences and regulation systems. Barriers can be physical and non physical. (Peter Nijkamp, 1993, c. 11)

The problems of cross-border relations as a subject of scientific research interest

Scientific interest on the border problems in its spatial or social sense as Remigio Ratti suggests, was manifested in early 20's, and in the following years of XX century, but it was more intense in the 70th, 80th and 90's of the XX century. This interest is based on different theoretical approaches, whether on functional working in the categories "centre - periphery", regional systems, approaches of strategic planning, etc. (Remigio Ratti, 1993, c. 30 – 49). In most of theoretical approaches the economic dimension plays an important role.

The legislative basis for cross-border cooperation in Slovakia

New possibilities for activation cross-border cooperation for the spatial subjects bring the situation of socio-political change in late 1989. It is connected with the concept of municipal and regional self-government. There were defined the rights or competence in cross-border relations:

- "A law on municipalities No.369/1991" as amended later – especially in 11 and 21 paragraphs which determine the respective powers:

- § 11

The Municipal Council

4 The Municipal Council makes decision on the main issues of the municipality's life, especially reserves the right:

To adopt the agreement on international cooperation and municipal membership in international association according to paragraph 21, section 1

- §21

International cooperation

Chapter 1

The municipality has a right within its competence to cooperate with the local and self-governing units or with departments of other

states that perform local functions. It has the right to become a member of the international association of territorial units or territorial bodies.

- “A law on self-government of higher territorial units No. 302/2001” (a law of self-government regions)

§ 5 The international cooperation

(1) The self-governing region has the right, within its competence to cooperate with territorial and self-governing units or departments of other states which perform regional functions. It has the right to become a member of the international association of territorial units or territorial bodies.

Formally-institutional level of cross-border cooperation

- Cooperation on the basis of the international treaties was realized on the basis of bilateral agreements between neighboring countries. The example may be a small border movement on the Slovak-Polish border.

- Cooperation on the basis of agreements of higher territorial units with border partners - After formation of WTO and legislation which allows to cooperate with territorial and self-governing units, the preconditions were created that WTO can begin to formulate its own “foreign policy” based on agreements with partner administrative-territorial self-governing units, including those who were concluded on the contact border. As an example it can be Presov self-governing region (WTO) has partnership agreements with Malopolskie (Krakow) or Subcarpathian Voivodship (Rzeszov) as well as the Transcarpathian region (Uzhhorod) (www.po-kraj.sk). Similarly we can define cooperation and agreements in the case of other self-governing regions in Slovakia, as each of these regions situated on the border.

Cooperation with euro regional associations

Between the adoption and the fear – After 1990, the idea of European regions began to spread on the territory of the former Czechoslovakia. On the one hand, this idea was associated with hope for faster and more efficient solving the border and by the time marginal territory of the state; on the other hand, there were fears at

the political level, the reason of which were mistrust or even hostility. In former Czechoslovakia it spreads on the Czech-Hungarian and Slovak-Hungarian relations (Falt'an, L., 2004, c. 75-76) Similar fears with historical experience and economic imbalances of contact regions in the western part of Poland are available in this country. (Jałowicki, B., 1993, c. 40).

The formation of euroregions in Slovakia

The beginning of euro regions in Slovakia connected with 1993, when Slovakia was the initiator of the euro region "Karpaty". This, however, immediately caused political problems, and Slovakia during many years (until 1999) was only an observer. Euro regions formed municipalities (urban and rural), based on "A law on municipalities" which allows to create municipal associations with foreign partners (municipalities). Nowadays, in the Ministry of Internal affairs registered the following euro regions:

- ▶ Karpatský euroregion («Карпатський євроregion»);
- ▶ Euroregion Tatry (євроregion «Татри»);
- ▶ Euroregion Beskydy (євроregion «Бескиди»);
- ▶ Euroregion Bílé-Biele Karpaty(євроregion «Білі Карпати»);
- ▶ Euroregion Podunajský trojspolok;
- ▶ Euroregion Ipeľ (євроregion «Ипель»);
- ▶ Euroregion Váh-Dunaj-Ipeľ(євроregion «Ваг – Дунай – Ипель»);
- ▶ Euroregion «Neogradiensis»;
- ▶ Euroregion Slana-Rimava (євроregion «Слана – Рімава»);
- ▶ Euroregion Kras.

(www.minv.sk/?euroregiony)

The problem of imbalance

Euro regions appeared as a result of the cooperation attempt on the contact territories in its micro-regional sense, but also as macro-regional objects, where the cross-border neighbor was very far.

- Imbalance in the spatial and socio-demographic volume – As an example in Slovakia it is the Carpathian Euro region which integrates territories of Poland, Slovakia, Ukraine, Hungary and Romania, forming a large area, combining million inhabitants.

Such a situation was criticized by T.Komornitsky on the example of Polish experience and states: “Unfavorable is /.../ the excessive creation of new structures (euro regions “Karpaty”, “Bug”, “Neman”, “Baltika”). This limited the emergence of smaller, potentially effective subjects”. (**Komornicki, T., 2007, c. 298**)

- Imbalance of competences – we also note an imbalance in the competencies, owned by partnership European regions, the component of which is Slovak is an example of media euro regional micro-projects. In Slovakia their carriers and distributors is the WTO, while partner euro regional party has in its competence, it multiplies its weight as a player in cross-border cooperation and important subject when connecting municipality to the CBC.

- Imbalance is also available in the forms of cooperation with regional bodies of self-government – there are many problems, when cooperation between euro regions and WTO is minimal or sporadic, while euro regional cross-border partners announce good cooperation in many cases also specific financial assistance.

Euro regions, municipalities and cross-border cooperation

In some cases in Slovakia we observe the situation when municipalities declare belonging not only to one euro region, which partners haven't from another side of border. It's an obstacle during formation of euro regional identity.

Population centers, located especially on the border, have also realized bilateral or multilateral cross-border activities. There are also situations when municipalities in the border regions on the Slovak side are not even aware of the existence of the euro region on the territory, the part of which they are.

Euro-regional cooperation and Schengen border

Before the entry into European Union the majority of countries of Central Union was “on the other hand” on the Schengen border. The formation of euro regions will help to overcome barriers of “border” between neighboring countries outside the European Union and the boundaries between neighbors, when one party was outside, and the second was in the European Union. Nowadays, from the point of Slovakia this “barrier of Schengen” is on the eastern border of

Slovakia – on the border of Ukraine. A significant factor in this case is the existence of a “hard” barrier, the real border with its limitations (a visa, border control, restriction of goods movement, etc.). Cross-border cooperation with non-EU member of European region is more complicated, during the implementation of local euro regional action. This is evidenced by the results of research of the VEGA project “Search for new socio-spatial form as an impulse for local and regional development” (2011-2013). There is also an imbalance because of more intensive implemented activities and cooperation with cross-border neighbor which is in the EU, than with a neighbor which is on the other hand of Schengen border.

Membership in EU as a weaken factor?

Membership in EU and significant weakening of the border as a barrier, on the one hand, and possibility of regional administrative and self-governing subjects form a cross-border (international) sphere, on the other hand, according to the preliminary results of our research in Slovakia weaken or reduce the sphere of euro regional cooperation. A significant part of activity sphere adopted by regional governments, and other institutional entities, acting in cross-border space (economic, educational, cultural, civic, etc.), which don’t need the supporting role of euro regions. Specific signals in this direction, despite the intensions of the end 90-s of the XX century and the first years of XXI century to establish official euro regions on the Slovak- Austrian border and no one euro region is not officially registered. It appears that cross-border cooperation is performed within other institutional forms.

The new situation is clearly understand the EU and seeking a new format (including financial) to support cross-border cooperation at the level of the Association of municipalities.

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Summary

The contribution does analyze the phenomenon of Euro-regions in the context of theoretical and real systems of functioning in the Slovak socio-political area. At the present, when Slovakia is a member of the EU, as well as the majority of his neighbor's, but also at the Schengen border the existing Euro-regions will be facing a necessity of a new assessment of the situation, to confirm their existence in a competitive environment of various forms of cross-border cooperation.