

CONSULTATION



The review of the EGTC Regulation (European Grouping for Territorial Cooperation)

- Executive summary -

This consultation has been a joint initiative of the Committee of the Regions, the Trio of Presidencies of the Council of the European Union (Spain-Belgium-Hungary), the European Commission and the INTERACT programme. With a view to the revision of Regulation (EC) 1082/2006 on the EGTC, it is intended to gather the views of Member States, established EGTC and EGTC under preparation, local and regional authorities and other stakeholders. The consultation focuses mainly on the legislative aspects that should be improved or modified for the next revision, and also considers the added value and potentialities of this legal instrument.

Contributions have fed into the own-initiative opinion *The review of the EGTC Regulation* to be delivered by the Committee of the Regions at the beginning of 2011¹, and the subsequent legislative work of the institutions. Regulation (EC) 1082/2006 lays down that by 1 August 2011 the Commission will forward a report to the European Parliament and the Council on the application of the EGTC Regulation and proposals for amendments, where appropriate.

The Committee of the Regions has received 91 contributions. Virtually all the effective EGTC stakeholders have participated, including 15 EGTC setups, out of 16 existing ones, 15 EGTCs in the process of being set up, 13 cross-border structures of other kinds (mostly euroregions), 26 local and regional authorities, 8 national governments (7 Member States and Switzerland), 7 main associations and 7 contributions from other experts and stakeholders, including INTERACT. The geographical scope of the contributions encompasses 23 Member States, directly or indirectly. The EGTCs created or being set up that have responded encompass 20 Member States.

The consultation has quantitative and qualitative questions referring to: Legal aspects related to the EGTC, including Regulation (EC) 1082/2006 and its implementation by the Member States; legal and political suggestions to enhance the EGTC; the EGTC and the European Territorial Cooperation; experience of EGTC, tasks performed, obstacles met and future development, and the role of the EGTC in European integration.

¹

CdR 100/2010, rapporteur Mr Alberto Nuñez Feijoo (EPP/ES), President of Galicia.

Summary of the conclusions:

- The respondents consider that **the Regulation needs to be changed** and focus on making it easier to operate EGTCs and by improving how they are set up.
- The principal legal issue concerns the **differences in the legislation of the individual Member States**. In particular, this relates to the diverse legal status of existing EGTCs, which stem from the divergent decisions taken by Member States as part of the national implementation process, as permitted under the Regulation. Difficulties have also been reported with defining the content of conventions and statutes as well as their approval procedures. In general, there is a need to simplify procedures.
- **Information, communication and technical assistance** are needed at European and national level. Respondents are in favour of a European structure and support the networking, communication and support carried out by the CoR.
- Most respondents have drawn attention to the need for EGTCs to hire their own **staff** and to identify which legislation is applicable. The staff issue represents one of the main legal concerns.
- Most respondents are in favour of allowing **private entities to participate** in EGTCs, but only under specific conditions.
- The issue of **third country** participation reveals a stark difference between the position of the Member states, which believe that the participation of third countries should be limited, and that of the other stakeholders (EGTCs, LRAs, Associations and experts) who are in favour of revising the present rule and introducing less stringent provisions.
- Most respondents are very positive about EGTCs acting as a **managing authority** and joint technical secretariat, as this embodies the principle of subsidiarity. Some national authorities are reluctant to delegate programme management. There are many advantages to using EGTCs to implement European Territorial Cooperation (ETC) projects; the main problem, however, concerns EGTC eligibility.
- The EGTCs' tasks encompass a wide range of activities. In practice, EGTCs are either taking on the role of policy coordination and cooperation structures, or acting as new tiers of governance.
- The respondents consider the EGTC to be the EU's main legal instrument for **territorial cohesion**. It is also a laboratory for **multi-level governance**, creating a two-tier communication channel and acting via a bottom-up approach. It may act as facilitators to solve various border issues.

For more information, visit the EGTC portal of the Committee of the Regions:

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