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European Instruments of Cross-border cooperation. Case study: the Romanian-Ukrainian border

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Abstract: The implementation of common policies established by the constitutive agreements of the Euroregions, and operational development of cross-border cooperation have led to the increase of contacts between Romanian and Ukrainian institutions. The European territorial cooperation at the European Union’s outer borders has two major components: Cohesion Policy and European Neighborhood Policy. Europe’s diversity is considered a valuable characteristic which should be exploited and promoted. This diversity can be noticed in the social and cultural life of all the countries and regions from Europe. The concept of Euroregion, as well as the cooperation in the international system form imposed in the European area is based on the strength and collaboration of the civil society and the mutual economic and political interests. According to this concept, the future Europe can be understood not only as a Europe of states, but also as a Europe of Regions having economic, political and military interests at an international level.

Keywords: cross-border cooperation, Romania, Ukraine, neighborhood policy, European instruments, euroregions

Introduction

The European territorial cooperation at the European Union’s outer borders has two major components: Cohesion Policy and European Neighborhood Policy. The Cohesion Policy is designed to reduce disparities between the more developed regions and Member States of the European Union and the less developed ones, while the European Neighborhood Policy is a new approach in the relations between the EU and its neighbours, an approach that exceeds the traditional one based on cooperation. The cross-border cooperation with Ukraine is included in the framework offered by the European Instrument for Neighborhood and Partnership. The Strategic Document on cross-border cooperation in the period 2007-2013 establishes that Romania should develop border cooperation activities which are to be financed by the European Neighborhood and Partnership with the Republic of Moldavia and Ukraine in a trilateral programme. Area eligible for this programme will include the four counties of Romania which lie at the border with Moldavia, plus the counties of Suceava and Tulcea at borders with Ukraine and Brăila county adjoining that area. According to the provisions of the draft strategy document, Romania also participates with two counties, Maramureș and Satu Mare (to these are it is added the adjoining area of Suceava), in the joint operational programme in quadruple format of cross-border cooperation with Hungary, Slovakia and Ukraine.

1 The paper European Instruments of Cross-border cooperation. Case study: the Romanian-Ukrainian border, was published in Identités, citoyennetés et démocratie, 20 ans après, sous la direction de Fabienne Maron, Grzegorz Pozarlik, Editions Bruylant, Bruxelles, 2010. p. 265-280
The frontiers represent the history’s after-effects. Europe’s diversity is considered a valuable characteristic which should be exploited and promoted. This diversity can be noticed in the social and cultural life of all the countries and regions from Europe. All along Europe’s history these social and cultural systems have led to the formation of some political and administrative structures and also some different political actions. Europe’s people were born and lived their lives in these different social and cultural backgrounds. So they are not willing to sacrifice their customs just to be in harmony with the rest of Europe, especially if this results in losing the diversity. Despite the freedom of moving all over Europe and the elimination of frontiers, the social and cultural differences (including different structures and administrative systems) will still continue to exist from now on and will face each other at the border. Not a single country within or outside the European Union will try and change their traditional structures, power or competence due to problems around the border area. Moreover, no country will ever be able to totally harmonize their laws with the ones of neighbour countries, and the consequences are going to be felt in a longer period of time: economical, social and juridical problems and the obstacles met along this process of cooperation will affect the people on both sides of the frontier.\(^3\)

Transboundary cooperation is not a new phenomenon. People and goods have moved across the shifting borders of Europe with varying degrees of ease during the last several centuries. Following World War II, however, Western and Eastern Europe were divided into two opposing ideological as well as geographical entities. In Eastern Europe, the political role of international borders was strengthened and their degree of openness decreased accordingly. Crossing borders became difficult, if not impossible; borders became almost impenetrable barriers between peoples.\(^4\) By contrast, in Western Europe the political and economic function of international borders gradually diminished as the European Community concept took hold.

Bilateral or trilateral local or regional cooperation is thus a key point in preventing not only conflicts or psychological barriers but most of all to ease the foundation of partnerships which will reduce the differences existent in the Euro regions or similar structures. Cross-border cooperation is, in consequence a European objective which should be implemented locally or regionally in partnership.

The advent of euro regional phenomenon in Europe is linked to the evolution of local autonomy and regionalization, the collaboration within the euro regions consists in creating direct relations between the regions and the communities found on one side and the other of frontiers. In Western Europe these euro regions work very efficiently and the advantages of such cooperation can be seen in the increase of economical and commercial relations between the member states, the cultural, artistic and scientific exchanges, the contacts between people, the cooperation in the field of environment, the development of cross-border cooperation in various fields. An important role in this cooperation is represented by the allowance from the European Union and other financial international organizations of funds for investments and cooperation programs in these regions.

\(^3\) Amalia Sturza, Cross-Border Cooperation and Neighborhood Programs Between Romania and Ukraine, in Ioan Horga, Suli-Zakar (coord.), Challenges and Perspectives in the Regional and Euroregional Issues in the New Europe, Oradea-Debrecen, 2006, p. 182

\(^4\) Ibidem
1. The European stimulating instruments of a good neighborhood between Romania and Ukraine

In the region of Central and Eastern Europe, Ukraine is the largest country and the way it builds and develops the relations with the neighbouring countries is very important both for Ukraine and for other states and also for Europe’s stability and security. From this point of view, Romania’s relationship with Ukraine is very important, especially after Romania’s integration in EU. As an EU state Romania manages around 1800 km external EU border including the border along the Danube and the open border along the Black Sea. EU supports Romania in strengthening its efforts continuing to have good relations with Ukraine.

Ukraine took advantage of TACIS programme of Cross-Border Cooperation which was launched in 1996 to finance the cross-border activities on the western border of the EU countries, the countries from the west of Russia: Belarus, Ukraine, Moldavia. The CBC TACIS programme is focused on the border network such as facilities of crossing the border, cross-border cooperation and the environment. TACIS CBC is a subprogram of TACIS which seeks to give assistance for the economical reform and reconstruction of the new independent states of Mongolia. TACIS CBC mainly concentrates upon:

- The importance of cross-border cooperation projects: stable relationships and partnerships, identification of weaknesses and strong point of their partners, understanding the motivations and the aims.
- Durable cooperation: activities local support, the implication of the local partner, capacities transfer, the impact on the group and the beneficiaries.

In this respect the European Commission suggests that besides the already existent co-operation instruments (PHARE CBS, INTERREG, TACIS, CARDS), they should introduce a new neighbouring instrument meant to help countries found on the border. So a New Neighbouring Instrument starting from 2007 will function, the objectives of which are the following:

- Promoting sustainable economic and social development in the border areas;
- Working together to address common challenges in the fields of environment, public health, the prevention of and against organised crime;
- Ensuring secure and efficient borders;
- Promoting local “people-to-people” type actions.

The Common Romania-Ukraine-Moldova 2007-2013 Operational Programme - European Neighborhood and Partnership Instrument. The Common Operational Programme ENPI CBC Romania-Ukraine-Moldova 2007-2013 sets the framework for cross-border cooperation in the European Neighborhood Policy which aims to avoid creating new dividing lines between the EU and its neighbors and also to provide them the opportunity to participate in various EU activities through closer political cooperation, economic, cultural and security. According to paper, the following areas constitute the main area of the program: the Romanian counties of Suceava, Iași, Botoșani, Vaslui, Galați and Tulcea the Ukrainian “oblasts” Odesska and Chernivetska and the territory of Moldavia. In addition, adjacent regions that may influence the positive cooperation in the border area, were included in the program area: Romanian county of Brăila, Ukrainian “oblasts”
Ivano Frankivsk, Vinniyska ten districts of oblasti Khmelnyitska and twelve districts of Ternopilska.

Its aim is to improve the economic, social and environmental programme in the area, in the context of secure borders, intensifying the contacts between partners on each side of the border.

The general objectives of the Strategic ENPI CBC Document will be followed by three priorities:

Priority 1. Towards a more competitive economy of the border area, aimed at improving economic performance of the frontier zone by diversifying and modernizing the economy in a sustainable manner.

Priority 2. Environment and prepare for emergencies in order to support long-term solutions to environmental problems facing the border areas, particularly those related to environmental emergencies in which a coordinated approach is essential.

Priority 3. Promoting people to people activities aimed at promoting an increased interaction between people and communities living in the frontier zone.

The Technical Assistance of the Program is aimed at effective and efficient implementation of the program through administrative and technical support and strengthened by the support of the preparation and monitoring.

The general financial contribution of the EU to the program will be 126,718,067 million Euros. The partner countries will contribute from their own resources to co-finance the projects (except technical support) with a minimum of 10% of the EU.’s contribution.

Given the long border, the Joint Technical Secretariat for the Operational Program will work in two locations: Regional Office for cross-border cooperation Suceava (headquarters) and the Regional Office for cross-border cooperation Iasi. Joint Technical Secretariat will have, during the implementation, the following tasks:

a) performing information, advertising and public relations activities on the opportunities offered by the Operational Cooperation Romania-Ukraine-Moldova;

b) coordinating the generation of projects activity by organizing info-days of public sessions for potential applicants on the procedures for submitting applications, establishment of help-desk organizations to provide consulting writing projects

c) collect and register applications, organize the evaluation sessions and provide the secretary of evaluation committees;

d) coordinates and supervises the work of the Joint Technical Secretariat offices;

e) cooperate with organizations, institutions and networks relevant to the program;

f) assist the beneficiaries in the implementation process, with support offices, organizes and coordinates the monitoring program, including field visits.

The operational programme of Romania - Ukraine - Hungary - Slovakia cross-border cooperation

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6 http://cbc.mie.ro/Moldova/1pub/read.php?art_name=7_1%20postaderare%20coop%2E%20transfrontaliera%20-%20RO#2_1_1 (accessed March 10, 2009).
According to the provisions of the draft strategy Document, Romania participates with two counties, Maramures and Satu Mare in the program.

**Area eligible:**
- Hungary: the Szabolcs-Szatmár-Bereg
- Romania: Maramureș counties, Satu Mare
- Slovakia: Regions Presovský kraj, Kosicky
- Ukraine: Zakarpatska region, Ivano-Frankovsk

The Strategic ENPI CBC 2007-2013, establishes general policies and objectives of the EU activities in transboundary cooperation. These are:

- Promotion of economic development and social development in border areas;
- A common approach to common challenges in fields such as environment, public health and prevention and fight against organized crime;
- Provide a safe and efficient borders;
- Promoting a local action of “people-to-people”.

Measures are grouped into priorities, each having its own target, as follows:

Priority 1.: Promote economic and social development
Priority 2.: Improving environmental quality
Priority 3.: Increased efficiency in border management
Priority 4.: Supporting cooperation “people to people

**The operational programme of Black Sea basin cross-border cooperation**

Under this program are participating 10 countries: Bulgaria, Moldova, Ukraine, Russia, Georgia, Armenia, Azerbaijan, Turkey and Greece and the Managing Authority will work in Romania.

The **Romanian eligible area**: South East Region Bulgaria: Severoiztochen, Yugoiztochen Russia: Rostov, Krasnodar, Adygea, Ukraine: Odessa, Nikolayev, Kherson, Crimea, Sevastopol Zaporosh'ye, Donetsk, Moldavia, Georgia, Armenia; Azerbaydzhan: the whole territory; Greece: Kentriki Makedonia, Makedonia Thraki Anatoliki, Turkey: Istanbul, Tekirdag, Kocaeli, Zonguldak, Kastamonu, Samsun, Trabzon

The **overall objective** of the program is to support a more powerful economic and social development in the Black Sea basin based on strong partnerships and close regional cooperation. This objective is based on promoting local development, local common values, promote equality, particularly reducing gender discrimination and valuing women's contribution to economic and social development, improving the sustainability of the environment, especially those with regional impact, and promoting cultural integration and mutual exchanges between the Black Sea basin.

The budget of each program comes in 50% of the European Regional Development Fund, representing the allocation of the participating Member States and it is supplemented with a similar assignment (50%) from the “Foreign Relations” budget that represents the community financing according to the third states. The two sums come

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8 Ibidem
up with a common budget that can be used jointly for the benefit of both countries-
member state or a third country.

The Romanian eligible border area is situated in the North Western, North Eastern and South Eastern part of the country and consists of five counties that are administrative units of NUTS III level: Satu Mare county, Maramureş county, Suceava county, Botoşani county and Tulcea county. The area has a surface of 32,760 km² that is 13.74 % of Romania’s total area. The number of inhabitants living in the area is 2,366,179. This represents 10.56% of the total population of Romania. The population density in the region has big disparities: in Botosani county it is as much as 93.35 inhabitants/km², while Tulcea county has the lowest density with 30.9 inhabitants/km².

The Ukrainian eligible border is situated in the South Western, South Eastern and Northern Eastern part of the country. The Ukrainen border is made up of five regions: Chernivtsi, Zakarpatska, Ivano-Frankovsk, Odesa. The area has a surface of 68,100 km² that is 11.2% of the total area of Ukraine. The number of inhabitants living in the area is 6,654,900, this representing 12.6% of the total population of Ukraine.

The economical relationships between the two countries are quite few. Even though the imports and exports on the border area are higher than in the rest of the country, they are still irrelevant. The same holds true for the direct investments. The degree of economical development at the border is pretty low, the GDP being lower than the national one. The Odesa region is the only exception where the local GDP is higher than the national one. One possible way of accelerating the economical development in the eligible area would be the development of SME (Small and Medium Size Enterprises) sector in the area as a solution for the closing down of the old enterprises and the economical reforms. The analysis shows that the eligible area has a big potential for tourism which could be better exploited if there was a closer cooperation between the two countries.

The Development of the Small and Medium Enterprise Sector is a very important issue in this area as both countries have difficulties in this respect. Most part of SME on Romania’s border are involved in commerce, industry and services. The SME development in both countries is impeded by the lack of information regarding the long term credits that could be obtained for investments and in some cases by the local authorities’ support which double the taxes together with other administrative barriers.

Regarding the tourism development the problems occur from the lack of tourist facilities (the access to the public utilities in the rural area is limited, especially in Ukraine), the lack of an integrated information system that could allow the access from one country to the other, the lack of border-cross points, the lack of some trained persons in the tourist sector. The main tourist attractions in the area are the natural landscape (the Danube Delta, mountains, lakes), the painted churches located in Suceava, many of which are protected by UNESCO, the historical and architectural monuments, natural reservations, festivals, traditions and fairs.

The infrastructure represents another problem which affects both countries. In the eligible area the roads are in poor condition and the transport network is inadequate for cities and villages’ development. The railways and roadways’ development on the border area is below national average. Water supply system on Romania’s border has improved, especially in urban area, but in the eligible zone there is a poor development of sewerage system and water treatment. For Ukraine the situation is even worse. The water supply
systems are old and the country need a lot of investments in this field. The total length of Romania and Ukraine’s border is of 649.4 km, out of which 273.8 km land, 343.9 km river and 31.7 km sea. There are only 9 roads, 5 railways and 4 cross-border points on this border.

Taking into consideration all these aspects we feel the need of a regional cooperation between these two countries and a SWOT analysis for this neighbourhood programme was created, the data used was provided by both authorities involved in cross-border cooperation.

2. Euroregions – organisms of the cross-border cooperation

The term Regio comes from the Latin regere, meaning to draw a line or border. In ancient Rome the “Regio” was used for demarcating an area rather than governing it. It did not correspond to any legislative or governmental institution. The Euroregions or other forms of cross-border cooperation “are not aimed at the establishing new structures of regional governance through voluntary association of different administrative structures or natural borders”\(^{10}\). Euroregions can be defined as areas or regions of economic interference and not only, in which two or more States jointly exploit the material and human resources by initiating and carrying out agricultural, industrial, transport and communications, tourism, business activities and programmes\(^{11}\). By means of these programmes there are established not only relationships between equals in the common interest, but also there are given powers to local authorities in the international order\(^{12}\). The concept of Euroregion, as well as the cooperation in the international system form imposed in the European area is based on the strength and collaboration of the civil society and the mutual economic and political interests. According to this concept, the future Europe can be understood not only as a Europe of states, but also as a Europe of Regions having economic, political and military interests at an international level\(^{13}\).

A Euroregion is, by definition, located along a country's borders often at some distance from the capital. In Central and Eastern Europe, these border areas are especially affected by the negative results of the transformation taking place in the region: unemployment is high; development, poor; foreign investment, absent; state enterprises, weak. Attracting private sector development and foreign investment could build confidence in the border areas and begin to address the volatile economic, social and political problems with their potential for conflict. One of the premises of the Euroregion is to create the possibility for transboundary economic, social and political cooperation. In some parts of Central and Eastern Europe - and especially in the Carpathian Euroregion - this race between conflict and cooperation is underway.

Romania has ratified the agreement on cross-border cooperation in 1998 so that the legal framework for cross-border cooperation is set and the local authorities, communities or organisms which can associate with their neighbours from across the border can begin

\(^{10}\) Alexandru Ilieș, România. Euroregiuni, Editura Universității din Oradea, Oradea, 2004, p. 23
\(^{11}\) Silviu Neguț, Les eurorégions, in Revue Roumaine de Géologie, Géophysique et Géographie, 1998, tome 42, p. 148
their cooperation. According to Romania’s legal system the institutions appointed to represent these interests are the county and local councils. Currently Romania takes part in 11 Euroregions: the first Euroregion is the Carpathian Euroregion, then the Danube-Kris-Mures-Tisza Euroregion, the Danube 21 Euroregion, Siret-Prut-Nistru Euroregion, Upper Prut Euroregion, Lower Danube Euroregion, Giurgiu-Ruse Euroregion, Danubius Euroregion, Danube South Euroregion, Danube-Dobrogea Euroregion, the “Middle Danube - Iron Gates” Euroregion, and adding the Bihor-Hajdu Bihar Euroregion and Bihor – Hajdu-Bihar Euroregion.

The Euroregions represent a new cooperation model to which Romania has familiarized step by step in opposition to the disproof coming from the social and political mediums which did not understand the phenomena. Even though the local authorities still have administrative and financial problems with the cooperation process, Romania has finalized a lot of projects and gathered a lot of experience which will be lucrative after Romania’s integration in the EU. In Western Europe the euregions are very efficient and they are directly supported by the European Commission which allocates funds to encourage this type of cooperation through the INTERREG programme for the countries that are already part of the European Union and through PHARE programmes for the countries on the border or which are about to become part of the European Union. Then the cross-border cooperation with Ukraine is included in the framework of the European Neighborhood and Partnership, through the operational programmes of cross-border cooperation.

2.1. The Euroregions with Romanian and Ukrainian participation

The three euroregions which include both Romania and Ukraine are: the Carpathian Euroregion, the Lower Danube Euroregion and the Upper Prut Euroregion.

The Carpathian Euroregion (1993) is the single largest Euroregion in terms of area (104,989 km2) and population (about 10 million people). It covers parts of five countries (Hungary, Romania, Slovakia, Ukraine and Poland) and contains a mosaic of nationalities, cultures and religions. In the words of the The Institute for EastWest Studies, the Carpathian Euroregion is “a microcosm of the new Europe, containing a potentially volatile mixture of nations and peoples”. There are at least three principal dimensions to this volatility: ethnicity, religion and isolation. The area of the Carpathian Mountains and the Tisra River was considered by many international experts as a region of enormous volatility, a former Yugoslavia awaiting a spark. The Carpathian Euroregion, states the Institute’s 1994 report, “is one of the greatest friction plates in Europe, with significant potential for conflict and cooperation.

Furthermore, this remote and economically underdeveloped region has been largely overlooked by central governments and by Western assistance programs.

The objectives of the Carpathian Euroregion are:

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14 Alexandru Ilieș, op. cit., p. 9-12
16 Amalia Sturza, op. cit., p. 183
18 Ibidem
- Promoting local interests of the involved regions by raising economic, cultural, scientific and tourist contacts in neighboring states;
- influencing the lowering of tensions and building good neighbourhood relations;
- making lobby with the national authorities in order to improve cross-border traffic by opening new border crossings.
- Romania’s priorities in the Euroregion concerns the improvement and development of the crossing point from Halmeu and Tarna Mare.

The bordering areas of the region are: for Hungary: Borsod-Abaúj-Zemplén, Hajdú-Bihar, Heves, Jasz-Nagykun-Szolnok, Szabolcs-Szatmár-Bereg counties, for Poland: Subcarpathian region, for Romania: Bihor, Botoșani, Maramureș, Salaj, Suceava, Satu Mare counties, for Slovakia: Kosice and Presov region, for Ukraine: Cernivska, Ivano-Frankivska, Odesa, Zakarpatská oblast (region).

**The Lower Danube Euroregion** (1997) includes regions from Moldavia, Ukraine and Romania. As a geographical position occupies a place in the Central-Eastern part of Romania, Moldavia and the South-West of Ukraine\(^{19}\). The euroregion covers 53.3 thousand km\(^2\) where there live around 4 million people. The bordering areas of the region are: Based on the Constitution Agreement, the “Lower Danube” Euroregion has the following members: for Moldavia: Cahul, Cantemir, Vulcanesti, for Romania: Brăila, Galați, Tulcea counties and for Ukraine Odessa oblast.

Among the projects\(^{20}\) proposed by the Euroregion we can mention: drawing up the strategy of Development of the “Low Danube Euroregion, the implementation of Romania-Ukraine-Moldova 2007-2013 cross-border operational programme; establishing of a border crossing point of Isaceea-Orlovca goods and passengers; improving the conditions of border crossing for people, the Tulcea Izmail route; creating a quick intervention unit in case of accidental populating of Danube and Danube Delta, creating a center of cross-border information, the promoting green tourism in the Euroregion, creating a map of cultural tourism in the Euroregional space, developing common tourism products in Tulcea and Odessa, establishing a center of first sale of fish in Galati to represent an outlet for Euroregion partners, the rehabilitation of Romania-R. Moldova-Ukraine road, the establishment of routes between Galați - Giurgulești (R. Moldova) - Reni (Ukraine), the establishment of direct routes between Odessa and Tulcea airports.

**The Upper Prut Euroregion** (1997) includes also regions from Moldavia, Ukraine and Romania. The bordering areas of the region are: for Romania: Suceava and Botoșani, for Moldavia: Bălți and Edinet counties and for Ukraine: Cernăuți (Chernivtsi) oblast. This Euroregion started due to the Romanian initiative and were included in the Treaty on good-neighborly relations and cooperation between Romania and Ukraine on 2 June 1997\(^{21}\). It has the status of a secretaryship and committees working on different themes and even the presidency, by rotation. Despite criticism that followed the signing of the Treaty, the Euroregion was an ingenious idea, offering solutions to maintain direct contacts with Romanian ethnicity on Ukrainian territory and solving problems of the North-East part. There were organized international scientific conferences on problems of interethnic relations and environmental protection, exchange of experience in

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\(^{19}\) Alexandru Ilieş, *op. cit.*, p. 95


\(^{21}\) Alexandru Ilieş, *op. cit.*, p. 74
administrative, socio-economic, cultural, educational field, taxes cancellation and local payments to the state border crossing by individuals and legal persons residing or registered in the Euroregion. The Euroregion falls into the category of those with potentially high functional level and requires the identification of solutions for the interconnection of two systems with common traditions but which differ from the point of view of their position towards the EU.

Conclusions
The regional development policies have different promoting features. In the EU countries the policies are oriented toward creating the necessary conditions which would allow the regions to make the best of their area and in this way would be more powerful in the national economies. For the countries on the way to become EU members, the regional development is oriented toward the proper development of economic relationships, minimizing the differences between the regions from the point of view of unemployment and existing infrastructure.

The extension of the European Union favoured the development of regional programmes designed to stimulate cross-border cooperation between Romania and Ukraine. The implementation of common policies established by the constitutive agreements of the Euroregions, and operational development of cross-border cooperation have led to the increase of contacts between Romanian and Ukrainian institutions.

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