

Arbeitsgemeinschaft Europäischer Grenzregionen (AGEG)
Association of European Border Regions (AEBR)
Association des régions transfrontalières européennes (ARFE)
Asociación de Regiones Fronterizas Europeas (ARFE)
Comunità di lavoro delle regioni europee di confine (AGEG)
Werkgemeenschap van Europese grensgebieden (WVEG)
Europæiske grænseregioners Arbejdsfællesskab (AGEG)



AEBR's new electronic newsletter - October 2004

The Association of European Border Regions (AEBR) is pleased to present its new **electronic newsletter: "PARTNERSHIP IN A EUROPE WITHOUT BORDERS"**.

This newsletter will be published quarterly in order to inform the border regions and their friends about the latest news on cooperation in European border and cross-border regions and the collaboration with other European institutions and associations.

It will be distributed in English, French and German.

This newsletter "Partnership in a Europe without borders", October 2004, can also be downloaded from AEBR's homepage: www.aebr.net

In the years 2003 and 2004, the **Association of European Border Regions (AEBR)** focused particularly on the following **developments and activities**:

- The special reference to cross-border cooperation and the territorial cohesion as well as a polycentric development in the European Constitutional Treaty;
- Safeguarding cross-border cooperation as a one of the priorities of European cohesion and regional policy;
- The consideration of **all** border regions in the future structural fund regulation of the EU;
- Consequences of the EU enlargement for border and cross-border regions (New Neighbourhood Instrument, common programmes, legal systems);
- Monitoring of topical issues in Europe (both in the Council of Europe and the EU) with respect to their effects on border regions;
- Cooperation with other European regional organisations.

In 2003/2004, the study "Towards a new community legal instrument facilitating public law based transeuropean co-operation among territorial authorities in the European Union" was carried out as special project, which was externally funded (European Commission). Furthermore, the

INTERREG-III-C-Project "RFO Change on Borders" started, which will be funded until the year 2007.

On the occasion of the EU enlargement 2004, the **General Assembly and Annual Conference of AEBR 2004** took place in Szczecin (PL), Euroregion Pomerania (DE/PL/SE) under the patronage of the President of the Republic of Poland, Mr. Aleksander Kwasniewski, from 7 to 9 October 2004. The main subject of the conference was "New Ways towards a new Europe".

More info: www.aebr.net

Euroregion Pomerania, host region of the AEBR Annual Conference 2004, published a special edition of the Polish monthly magazine "Regiony" with a foreword of the Polish State President (No. specjalny/pazdziermik 2004, ISSN-1732-1905). Mr. Jens Gabbe, Secretary General of the AEBR, is the author of the introduction of this special edition containing important articles dealing with the subject of the conference. The introduction is entitled "Euroregion Pomerania – A Bridge to the Partners in the Baltic Sea Region". This article offers important information with regard to the development and the tasks of this Euroregion and also points out the significance of Euroregion Pomerania for the AEBR.

In 1995, AEBR was the first European regional organisation to hold its General Assembly and Annual Conference in an associated country, i.e. in Szczecin, Poland. On this occasion, the "Charter of the European Border and Cross-Border Regions" was amended for the first time in order to take into account recent political developments. Almost 10 years later, and on the occasion of the EU enlargement, AEBR returned to the Euroregion Pomerania and to Szczecin to once again hold its General Assembly and Annual Conference here. Again, the recent developments in Europe required an amendment of the Charter. A number of important issues, including Europe as a community of values, the European Constitution, territorial co-operation, an EU legal instrument for decentralised co-operation and the importance of cross-border co-operation for EU integration, were on the agenda. The Euroregion Pomerania, which not only has in-depth experience in the area of cross-border co-operation but which also acts as a bridge to the new EU members and as an important co-operation partner in the Baltic Sea region, was an excellent venue for AEBR's Annual Meeting.

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AEBR's Executive Committee has repeatedly and intensively dealt with the **European Constitutional Treaty** during its last meetings. The Executive Committee emphasised that it is a genuine constitution, which formulates values and goals, individuals' rights, guarantees a state of law and creates the possibility of drawing up laws. It therefore does not just deal with the internal market and the economy. The constitution is not yet perfect but much has changed in a positive direction. Most of all, the constitution offers citizens the opportunity to express themselves on European topics and policies.

The European Constitutional Treaty establishes the European Union's future development with decentralisation, subsidiarity and citizens' co-decision rights. It emphasises the importance of the consideration given to border regions in Chapter III-116. National referendums on the European Constitutional Treaty would be dangerous in his view. They often reflect a current domestic-politics situation and create major risks for the EU if the vote produces a negative outcome. It is also emphasised that the European Union is now a community of values which extends far beyond economic cooperation. While an open internal market does exist, it incorporates social components. It is pointed out that national independence continues to take ample precedence over economic development. It is now important to reinforce the Parliament's rights and to distribute tasks more effectively in the EU. AEBR's work has successfully contributed to the positive modifications in the Constitutional Treaty.

The Executive Committee welcomes the adoption of the European Constitutional Treaty by the Heads of State and Government and in particular the fact that border regions are now mentioned in the constitution and emphasises the importance of fundamental values and subsidiarity in the constitution. The Executive Committee expresses reservations regarding the implementation of mixed competencies. It is afraid that the European Commission, if it perceives a need, could adopt mixed-competency initiatives itself and thus take over new tasks. This makes it all the more important to bolster the role of the European Parliament and its competencies.

EU's legal instrument on decentralised cooperation of territorial authorities – AEBR's proposals 2004

In March 2004, the Secretariat General of AEBR submitted the final version of the study "TOWARDS A NEW COMMUNITY LEGAL INSTRUMENT FACILITATING PUBLIC LAW

BASED TRANSEUROPEAN CO-OPERATION AMONG TERRITORIAL AUTHORITIES IN THE EUROPEAN UNION" together with the area specific reports to the European Commission. The elaboration of this study had started in August 2003. The Commission didn't raise any objections with regard to the content and the study was approved in July 2004.

In addition to the contract, the Secretariat General had also drawn up a comprehensive position paper available in five languages. The important thing is that two instruments (special-purpose associations operating under public law, and a public-sector agreement) cover all forms of cooperation, thereby enabling both strategic and programme- or project-oriented cooperation. Furthermore, this solution also offers the opportunity to draw up and implement INTERREG programmes locally under public law.

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A short version of AEBR's position paper has also been published in the Polish monthly magazine "Regiony", entitled "A NEW LEGAL INSTRUMENT" (Dr. v. Malchus). A special edition of this magazine was published on the occasion of AEBR's Annual Conference in Szczecin (PL) in October 2004. The summary of AEBR's position paper is entitled "A new legal instrument for transeuropean cooperation among territorial authorities in Europe".

On 14 July 2004, the cabinet of DG REGIO adopted the proposal for a 'Regulation of the European Parliament and of the Council establishing a European grouping of cross-border co-operation".

This document can be downloaded from:

http://europa.eu.in/comm/regional_policy/sources/docoffic/official/regulation/newregl0713_en.htm

AEBR elaborated an opinion with regard to this proposal in which it is emphasised that the current EU text does not really permit meaningful cross-border, interregional and transnational cooperation. Substantial improvements and clarifications would have to be made. On the occasion of AEBR's Executive Committee meeting on 3 September 2004 in Joensuu (FIN), the opinion of the Secretariat General was adopted. The EU Regulation was dealt with at the Annual Conference of AEBR in Szczecin (PL). The topic remains on the Executive Committee's agenda.

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Proposals of the Commission for the European Regional Development Fund, the European Social Fund and the Cohesion Fund

The AEBR has developed statements concerning these regulations proposed by the Commission. The regulation on the structural fund is considered to be mostly positive. Above all in the section territorial cohesion, many proposals made by AEBR in the year 2000 have been taken over, e.g. an independent regulation on territorial cohesion. Based on 20 years of experience in the field of cross-border cooperation and in nearly all INTERREG-A and PHARE-programmes since 1990, AEBR recommends:

- to realise an “EU legal instrument on decentralised cooperation amongst regional authorities”;
- to maintain "cooperation including cross-border cooperation in the whole EU" in the third Cohesion Report as a priority;
- to improve the quality of INTERREG as of 2006 by means of an EU definition in a future independent INTERREG communication with regard to the following points:
 - o What is a cross-border programme?
 - o What is a cross-border structure?
 - o What is a jointly managed account?
 - o What is a genuinely shared cross-border project?

AEBR is involved in European level consultations, including in conjunction with the Committee of the Regions. Numerous working papers on the content, administration and financing of cohesion policy have been developed by AEBR. As such, the future shape of cohesion policy, regional policy and Community initiatives have been the focus of the next Annual Conference in Szczecin. AEBR would be delighted to receive proposals and requests concerning the development of this important topic by all border regions.

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In 2004, AEBR has revised the **‘European Charter of Border and Cross-Border Regions’**. The Charter had first been published in 1981, and in 1995 had been adopted with amendments in Szczecin (PL). The recent accession of the new EU Member States is an excellent opportunity to amend the Charter in line with the new needs of the border regions in Europe.

The present text of the Charter differs substantially from the previous draft. In the past, individual members had found it useful to use the Charter as a sort of instruction manual, and as such, a section had been included detailing a number of measures. Now, though, the Charter should be more of an instrument for political strategy. The section of measures was therefore converted into an action programme for implementing the Charter, and was updated. This process can now be repeated at any time without having to amend the Charter itself. The well-known texts on “The added value of cross-border cooperation” and “Cross-border cooperation as a task and political objective for the EU” have been added to the Charter. The current draft of the Charter, which has been adopted by AEBR’s Executive Committee, has been approved by the General Assembly in Szczecin on 7 October 2004.

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AEBR’s Executive Committee adopted the draft of the **Action programme on the Charter of European Border and Cross-Border Regions** on 3 September 2004. It contains measures and information on the implementation of the Charter. The action programme is medium-term oriented and provides practical assistance to border regions in day-to-day affairs. It can easily be modified and further developed. The Action Programme has been approved by the General Assembly in Szczecin on 7 October 2004.

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„Partnership in a Europe without borders“ is quarterly published by the Association of European Border Regions (AEBR) – www.aebr.net. If friends of the AEBR are interested in receiving this newsletter, please send their e-mail address to info@aebr.net. Thank you!