Decentralization of Euro regional Co-operation on the Eastern Border of the European Union: Perspectives for Ukrainian Self-government

Kish Yeva

Doctor of Historian Science (D.Sc.)
Professor, Head of the Department of Hungarian History and European Integration
Uzhhorod National University, Ukraine

DOI:10.13165/VPA-19-18-2-07

Abstract. The main aim of our research is to discover the core theoretical and juridical aspects of Euroregional co-operation on the eastern border of the European Union. The main objectives of our research are to discover the essence of the institutional system of the Carpathian Euroregion and the problems around Euroregional co-operation as related to Ukraine. By using the methodology of functional analysis and analogy, and a comparative analysis of the systematic research of Euroregional co-operation we will examine on the essence and experience of Euroregional co-operation.

Decentralization is a structurally decisive factor as related to Euroregional co-operation development in Ukraine and efficiently acting Euroregions of Ukraine in the European comparative context. It means that Euroregions are built from below, based on imitative from self-government authorities; maximum involvement of co-operation of regions; delegating real competencies to self-government authorities of Ukraine.

This article is focused on analyzing Euroregional co-operation. As of today Euroregional co-operation in Ukraine is a tool for the development of border regions while at the same time a factor for implementing its European integration aspirations.

Key words: Ukraine, European Union, region, self-government, decentralization, Euroregional co-operation, border.

Raktiniai žodžiai: Ukraina, Europos Sąjunga, regionas, savivaldos, decentralizacija, Euro-regioninis bendradarbiavimas, siena.
Introduction

Euroregional co-operation entered a phase of active implementation based on a significant decrease in the barrier character of internal EU state borders. In turn this becomes a tool for successful implementation of joint regional policy, the principle of subsidiarity, the decentralization of power, etc., and in wider context, the construction of a holistic “Europe of regions”.

The question is to what extent can Ukrainian Euroregions maximally use the benefits of the EU enlargement and engage with the joint implementation of interregional international programs. As of today, Euroregional co-operation in Europe is at the phase of system-level changes.

The main aim of our research is to discover the essence of the theoretical and juridical aspects of Euroregional co-operation on the Eastern border of European Union. The main objectives of our research are to discover the essence of the institutional system of the Carpathian Euroregion and the problems around Euroregional co-operation in relation to Ukraine. By using the methodology of functional analysis and analogy, and a comparative analysis of the systematic research of Euroregional co-operation, we will dwell on the essence and experience of Euroregional co-operation.

Regions as main subjects of interregional relations are legally authorized exclusively within the frameworks of competencies delegated to them according to international agreements and decisions of the state competence centre in regards to independent activities at the international level. The clear contemporary all-European trend towards a decentralized orientation of the expansion of powers of local authorities, territorial communities, and the delegation of some competencies from the state centre is a positive contribution to further Euroregional co-operation development.

Border areas on both sides of the new eastern borders of the EU and Ukraine have traditionally lagged behind in regards to the socio-economic development relative to their country’s industrial centres. They are not in a position to solve their complex economic problems independently, exclusively with the help of their own internal resources. The Ukrainian state does not yet have a powerful regional policy to serve as a tool for periphery development. Therefore, it is advisable to engage external resources for solving regional problems and as a result, an important aspect of dynamic Euroregional development is financing.

On the other hand, at new external EU borders, Euroregional co-operation transforms into an efficient tool for the intensive development of relations between the European community and all border states along the perimeter. At the same time, for many non-EU states like Ukraine, Euroregional co-operation with bordering EU member states under new conditions is an extremely important way to be practically involved in pan-European integration processes.

Currently scholars and specialists in the field of Euroregional co-operation and relations pay great attention to the issue of Euroregional and interregional co-operation between the western regions of Ukraine (Kiss, E., 2016, 2017, Lendel, M., 2015,
Problematic issues of Euroregional co-operation and decentralization in Ukraine

It is a fact that in Ukraine Euroregions are not ready for the process of joining the European Union. Ukraine’s Euroregions cannot adapt fast enough for the new requirements of the European Union. Moreover, they cannot pass the requirement for the current declarative political co-operation’s regional frameworks. Cross-border co-operation has to transform completely in Ukraine. The roles and the frameworks of Euroregions are dynamically changing in today’s international system; scholarship is needed taking into consideration new methodical perspectives and approaches as well as the everyday reality and Ukraine’s strategic perspectives. Global and regional development creates wide scale aspect, synthesis and significant tendency. The situation between the Euroregions of Ukraine and cross-border co-operation with Eastern European countries has improved, which has to be appreciated.

It is important that the border region between Ukraine and the European Union is not burdened by political or economic problems. Euroregional co-operation will be more successful and effective than relations between other non-bordering countries. The hope for Ukraine is to improve cross-border co-operation with the European Union and the Central and Eastern European countries because Ukraine will benefit from these relationships during integration into the European Union. Euroregions are capable of creating a diversified coordinated system between the border region of Ukraine and the neighboring Central European countries (European Union members), which will not be influenced by political or economic changes that might occur in general Ukraine-European Union relations. It is essential to mention that effective Euroregion activity also helps progress of and the likelihood of integrating into the European Union.

Methodology and theoretical issues

By using the methodology of functional analysis and analogy and a comparative analysis of the systematic research around Euroregional co-operation we will dwell on the essence and experience of Euroregional co-operation. Decentralization is a structurally decisive factor for the development of Euroregional co-operation in Ukraine and the Ukrainian Euro-regions acting in the European comparative context. It means that Euro-regions are built from below imitating self-government authorities including maximum involvement of and co-operation between regions and the delegating of real competencies to self-government authorities of Ukraine.
According to my opinion, a European region’s geographical situations is not only defined by one administrative unit but through social-economic integration. This includes enhancing regional mobility by connecting secondary and tertiary nodes to Trans-European Transport Network (TEN-T) infrastructure, including multimodal nodes as well as providing local populations in border regions, authority and self-governments, regional institutions, organizations and institutions that provide public services in border regions, and professional institutions. The characteristics and criteria for Euroregions are as follows. Institution criteria: nodes of regional and local authorities from both sides of the international border, sometimes in a parliamentary setting with experts and a permanent secretariat and administrative team. This all depends on international contracts as well as civil rights, and also has a controlling power from the perspective of the regional authorities.

Euroregions as a method of work: these are focused on development and strategy oriented co-operation, fundamentally cross-border, not as a national border region, not in a new level of economics, working as a “rotating disc” over all cross-borders relations, including citizens, politicians, institutions, economics, social partners, culture assignee, and a level of balance between the different structures and jurisdiction on both sides of the border, as well as form a psychological perspective.

Research results and discussion

In Ukraine, the regional factor is considered to be something less intrusive, insignificant and unimportant when compared to the more important sphere of international relations. The principles of subsidiarity and decentralization, responsibility and capacity of the regions of Ukraine have not gained the same political clout as demonstrated by, for instance, our closest neighbours – Poland, Hungary and Slovakia. Local self-governments should play a key role in developing the Euroregional system of cross-border co-operation in Ukraine. At the same time, the uncertainty of the scope of competence of local self-governments within the national laws and as the international law subjects mentioned above to participate in interregional cross-border international relations does not allow for efficient international relations at this level.

It is crucial to formulate an integrated system in Ukraine according to European standards of interregional co-operation with clearly defined priorities, forms, types and scientifically well-grounded, specific mutually beneficial cross-border programmes and projects for joint implementation at bilateral and multilateral levels.

The Carpathian Euroregion was established on 14 February, 1993, with the aim to facilitate and coordinate multi-sectoral cross-border co-operation among the member regions of five post-communist countries: Poland, Slovakia, Ukraine, Hungary and Romania. The territory of the Carpathian Euroregion represents a unique region of Europe (Association of European Border Regions). This border region has a very heterogeneous ethnic, cultural and religious makeup as well as a difficult history of frequent border changes. The regions of south-eastern Poland, north-eastern Hungary,
north-western Romania, western Ukraine and eastern Slovakia are the poorest areas in their home countries. They are all some distance from capitals with more developed economic and social infrastructure. The Carpathian Euroregion operates through its institutions, including the Central Secretariat, National Branch Offices, and Working Commissions. Considering these facts and circumstances, there was an understandable rationale for establishing a network of common interests and a cooperative structure aimed at minimising and avoiding potential tensions and misunderstandings among the peoples living in this border area.

One great example of this plan is the Carpathian Euroregion – is an interregional structure that moves along a wide scale which is located on the shared border region of Poland, Slovakian Republic, Hungarian, Ukrainian and Romanian border regions. It was the first Euroregion after the political and economic transition to integrate several administrative units from the former Eastern Bloc with a common history, parallel economic development and similar traditions. The long-established Interregional Carpathian Euroregion Association represents neither a supra-state nor a supranational entity, but rather a framework for facilitating interregional co-operation (a joint advisory and coordinating body). The Carpathian Euroregion is composed of four parts: the Council (consisting of 15 members) with Presidium and Chairman, International Secretariat, National Offices and Working Committees. The supreme body of the Carpathian Euroregion is the Council, which consists of three representatives from each member country.

The Carpathian Euroregion is an Interregional Co-operation between Hungary, Poland, Romania, Slovakia, and Ukraine border region territories. The Carpathian Euroregion is one of the Euroregions Ukraine participates in (established in Debrecen, Hungary on February 14, 1993). At that geopolitically unstable time, the area of the Carpathian Euroregion was 53,000 km² with a population of 5 million. After the joining of the Slovakian and Romanian partners it reached 161,000 km² and today it has 16 million inhabitants. The mission of the Carpathian Euroregion is to improve the quality of life, to preserve peace, to form good relationships between the people in the border area, to reduce the dividing function of the border, and to ensure the permeability of the border.

The total area of the Carpathian Euroregion is 145,000 km² today and out of this Ukraine has the biggest part -- 39%. Slovakia has the smallest share of the territory with only 11%. The 14.2 million people are spread similarly in the area: Ukraine and Poland have significantly more inhabitants. The regional and the county headquarters are represented by the biggest cities. Out of these cities some of them play a significant role in the economic and transportation relations between the countries (for example: Lviv, Chernivtsi, Ivano-Frankivsk, Košice, Debrecen). (The Carpathian Euroregion Strategy). From the polycentric perspective of development, there is a great risk that the population rate of these chief county towns according to the total population is very high. On the other hand, it can be a good example for every other Euroregion as a harmonized polycentric development experience. It is not just the unfortunate
changes, though; even without them, the Carpathian Euroregion – while offering a unique co-operational potential – is not without its inherent difficulties.

According to the Constitution of the Carpathian Euroregion, Hungary, Poland, Romania, Slovakia, and Ukraine have shared territories (which are located in the Carpathian mountains and at the cistern of the river Tisza) and their representatives for the principles of mutual advantage and equality co-operate in the framework of the Carpathian Euroregion Interregional Association. International acknowledgement comes in the fact that the Carpathian Euroregion has been accepted by the Association of European Border Region as a full member since the jubilee conference held in the city of Rheine, Germany, November 14-16, 1996, in an agreement assigned the 56th number code. The annual Council of the Board of Directorship fully enabled the Carpathian Euroregion as a legitimate member of the Presidency and Expertise Committee at the meeting in Nizza in November 1998 (A Kárpátok Eurorégió Alapszabálya, 1993-2018).

The main goals and tasks of the Association are to organize and coordinate the activities that will help the economic, ecological, cultural, scientific, and educational co-operation between members. The International Secretariat is the executive and administrative representative and consists of the members assigned by the International Partners that are the Permanent International Congress. The International Secretariat is responsible for these operative tasks: administration, coordination of the daily activities, organising Council meetings, ensuring the relationships between the national parts, building relationships with international organisations, organizing shared projects, taking an active role in finding sources for all the Alliance members, and annual reports about activities. The main element of the Carpathian Euroregion is the Working Committee, and they are de facto responsible for the practice of the plans and activities that the International Secretariat accepts and supports.

The Carpathian Euroregion has its rainbow organization function because in its framework the two and three sided co-operations receives emphasis. The shared projects some members of the Carpathian Euroregion (regions, counties, cities, smaller settlements) support direct co-operation in harmony in accordance with the fundamental principals of the Carpathian Euroregion.

The European Council recognized the importance of cross-border contracts for building mutual trust, taking into consideration tensions resulting from past military conflicts, in order to awaken the lost mutual faith towards each other. In the European Union’s definition, “A Macroregional strategy is an integrated framework endorsed by the European Council, which may be supported by the European Structural and Investment Funds among others, to address common challenges faced by a defined geographical area relating to Member States and third countries located in the same geographical area, which thereby benefit from strengthened co-operation contributing to the achievement of economic, social and territorial cohesion” (Documents of the European Council).
“Euroregional Co-operation Groupings” can also be an ideal solution for the stronger and more formalized collaboration within the Carpathian Euroregion. Protocol No. 3 of the Madrid Convention of the Council of Europe provides for the legal status, establishment and operations of “Euroregional Co-operation Groupings” (European Outline Convention, 1980). There are two kinds of co-operation in the Madrid Convention. The first is the exchange of information and activities on agreed matters, such agreements and contracts that refers to a specific judicial relation. These are the fundamental norms and values of the European Council and Cross-Border Co-operation as defined in the European Frame Agreement (European Frame Agreement, 2009). The Madrid Frame Agreement (international judicial norm over the border region), after ratification by Ukraine, became the part of Ukraine’s national constitution and holds privilege over internal law thanks to the Vienne Frame Agreement for the international judicial contract’s 27th paragraph.

According to our opinion the activation of the border region co-operation depends on the European Frame Agreement’s fundamental regulations, whether it corresponds with the international law and the realistic demands, decentralization, subsidiarisation, municipality and partners principal.

In every case it is obvious that the structures of the euroregions are leading to five categories of problems that need solutions. Whether these problems arose at the time of foundation or as the result of the member countries activity remains unclear. These categories can be found in the foundation pact about the regional and consists of the following fields: economics and employment, transportation (tourism) and telecommunications, culture and education, medical care and the services sector, space design and environment.

The Carpathian Euroregion had a geopolitical and international mission, but especially since the V4 countries’ accession to the European Union, the intensity of the co-operation has changed. This might be the direct consequence of the changed political and economic environment in the area and the fact that co-operation within the European Union can be achieved by other methods and approaches, and the role of Carpathian Euroregion is no longer the same as it was at the beginning of its existence. Although the Carpathian Euroregion can get additional resources due to the EU-membership of participating countries and several CBC programs including Ukraine, it has lost its international importance and political significance (Kiss, 2016).

Identifying and analysing possible strategic alternatives has made it clear that we are in the final hours: stakeholders need to think about the future of the Carpathian Euroregion. Whatever the outcome may be, the most important thing is to have a real dialogue between the representatives of the partner regions. Such a dialogue has been ignored for far too long and is one of the key reasons behind the current decline of this once dynamic co-operation initiative. It is imperative that decision-makers understand how critical the situation actually is, and that key decisions regarding the future of this co-operation need to be made. They also need to see that the Carpathian Euroregion as a co-operation initiative currently facing various operational (and also other) challenges still offers lots of potential value to its members. To exploit this potential, however, the partners need to be proactive. This analysis has also demonstrated that without
real commitment from all the partners, funding and dedicated resources, no results or benefits can be expected. Finally, it has also become clear that there is no one ideal option or solution; each option has its advantages and disadvantages, as well as risks. These all need to be considered before one of them is selected.

**Discussions**

What is the status of the border region in terms of the international law in the context of its actions, acceleration of the state’s European integration? The Framework Madrid Convention on Transfrontier co-operation of 1980 along with two supplementary protocols constitutes the general legal framework for cross-border co-operation between the regions of the countries of Europe, including Ukraine. According to the basic pan-European documents, the most effective way to study the place and role of a region in cross-border co-operation is to do it systematically and comprehensively – in the evolution context of present-day international, cross-border and interregional relations of administrative and territorial entities, especially those in the adjacent European countries. In other words, in line with the unified development concept of interstate and interregional levels of international relations. At the same time it is necessary to take into account the fact that international relations at regional level in the context of cross-border co-operation is a system of relations, that functions according to its own specific features, but still it is just a subsystem – an integral part (sublevel) of a higher rank system – international relations between states.

The Carpathian euro-region is a good example of the model of self governments co-operation and Euroregional exercise. Nowadays, in the process of the EU integration, the new external border of the European Union runs across the territory of the Carpathian Euroregion. The role of the Carpathian Euroregion and the co-operation methods inside and outside of the European Union becomes more important.

Related to the topic it is substantial to mention the name of the expert Majorne Laszlo Brigitta the Chairman of the Interregional Association of the Carpathian Euroregion. It is a fact that in the international acknowledgement of the Carpathian Euroregion the Hungarian party has a significant role in the person of the International Secretariat Chairman who leads the work and the co-operation between the member countries. The Chairman is elected every two years to manage the meetings and to represent the Carpathian euro-region to the outside world. The Association besides all that represents the Carpathian Euroregion in the Association of European Border Regions (AEBR) and also organizes and runs shared projects with the Maas-Rajna Euroregion. “The role of the Carpathian Euroregion will change in the next couple years and it will be more important in the process of the European Integration. Some of the member countries will join the EU, however, the joining won’t be at the same time for each country. Furthermore, there will be a couple countries that won’t be joining the EU in the near future. This fact in itself is a challenging task.” Majorne Laszlo Brigitta was referring to the present situation (Majorne Laszlo Brigitta, 2004).
Professor Süli-Zakar István, one of the very first members of the Carpathian Euroregion, who has been following the association’s activity with attention from its inception, helps to work out the international association’s short term and long term strategies, and introduces them so they can be acknowledged, in several big volumes of publication relates the history of the Carpathian Euroregion including past experiences, current problems and future plans (Közös múltunk, 2014).

**Conclusion**

The pragmatic essence of Euroregional co-operation is the utmost involvement of the external factors for all-around social and economic development of the border regions in order to prevent the threat of their transformation into backward periphery provinces in their countries. The levels of regional development of border regions and inland areas are equalized in the same way.

1. First, the overall goal of Euroregional co-operation is not just to secure self-sustainable development of border regions with autocratic elements, which is not possible alone, but to strengthen the state in general through harmonized, compound development of the regions and a deepening of their participation in the international integration processes.

2. Secondly, Euroregional co-operation cannot be performed beyond the existing legal and constitutional framework of the state. Realization of specific regional interests in the process of cross-border interaction should not in any way contradict the national interests of a particular country, and hence of Ukraine.

3. Thirdly, the Carpathian Euroregion, given its peripheral location to both its own national centres and leading international organizations, as well as in terms of its geopolitical location, serves as a unifier for international co-operation of the regions. Frankly speaking, this very segment of the regions’ activity is used inefficiently and in its essence, is a perspective one. We mean the special role the EU attaches to its new eastern borders and its eastern policy. Consequently, the principles and priorities of the regional development strategies of the regions in the Carpathian Euroregion are the key ones and basic for development of an effective regional development strategy.

However, the clear common-European decentralization tendency at the present stage, as well as the maximum use of the basic Euroregional co-operation principles aimed at expanding the powers of local authorities and territorial communities, delegation of a part of the centre’s powers to them, including in the sphere of international relations, positively contributes to further development of cross-border co-operation of Ukraine in the context of gaining full membership in the European Union.

In this sense, applying of the European Euroregional, interregional and cross-border co-operation principles in the context of new institutional self-regulation forms development in the system of international relations of Central European countries acquires particular significance for Ukraine. An extremely important task is to implement the basic EU regional policy principles in theory and practice as applied to the Euroregional
co-operation of Ukraine. This will contributes to a better understanding of interregional and cross-border co-operation perspectives for Ukraine with the European Union. The implementation of the main EU regional policy principles in the national laws of Ukraine will contribute to the overall objective of Ukraine’s foreign policy, i.e. it will accelerate the establishment of clear EU criteria for Ukraine to acquire the EU member status. And finally, it contributes to the establishment of relevant infrastructure as a system of institutions and structures to regulate Euroregional policy in Ukraine, as a harmonization of territorial division, taking into account the specific administrative division in Ukraine, as the most acquis communautaire – is an indispensable EU accession prerequisite for any state, hence for Ukraine too.

References

6. European Frame Agreement. www.eurofound.europa.eu
20. Regional Policy of EU http://europa.eu.int/comm/regional_policy

Kish Yeva

Euro-regioninio bendradarbiavimo decentralizavimas prie Europos Sąjungos rytinės sienos: Ukrainos autonomijos perspektyvos

Santrauka

Pagrindinis tyrimo tikslas yra išnagrinėti teorinius ir teisinius Euro-regioninio bendradarbiavimo aspektus prie rytinės Europos Sąjungos sienos. Pagrindiniai tyrimo uždaviniai yra išanalizuoti Karpatų euro zonos institucinės sistemos esmę ir Ukrainos bei Euro zonos bendradarbiavimo problemas. Sisteminę Euro-regioninio bendradarbiavimo tyrimų analizė bus grindžiama Euro-regioninio bendradarbiavimo esme ir patirtimi, taip pat pasitelkiant funkcines analizės ir analogijos metodologiją.

Decentralizacija yra lemiamas veiksnys struktūriniu požiūriu vertinant Ukrainos ir Euro zonos regionų bendradarbiavimo plėtrą Europos lyginamosios politikos kontekste. Tai reiškia, kad Europos regionų savivaldos yra kuriamos nuo pamatų, remiantis savivaldos institucijų pavyzdžiu; maksimaliai bendradarbiaujant regionams; dalinantis esminėmis kompetencijomis su Ukrainos savivaldos institucijomis.

Šiame straipsnyje didžiausias dėmesys yra skiriamas Euro-regioninio bendradarbiavimo analizei. Pastaruosiu metu, Euro zonos bendradarbiavimas su Ukraina yra esminis instrumentas pasienio regionų plėtrai bei veiksnys, padedantis įgyvendinti Euro integracijos siekius.

Kish Yeva – Doctor Habilitatus of Historian Science, Professor, Head of the Department of the Hungarian History and the European Integration of Uzhhorod National University, Director of Research Centre of European Integration and National Minorities. Uzhhorod National University. 88000, Uzhhorod, University Str.14, Ukraine
E-mail: kish.eva15@gmail.com

Kish Yeva - Istorijos mokslų profesorius habilituotas daktaras, Užhorodo nacionalinio universiteto Vengrijos istorijos ir Europos integracijos katedros vedėjas, Europos integracijos tyrimų centro ir Tautinių mažumų direktorius. Užhorodo nacionalinis universitetas. 88000, Užhorodas, Universiteto g. 14, Ukraina
El. paštas: kish.eva15@gmail.com