EUROPEAN GROUPING OF TERRITORIAL COOPERATION (EGTC)

European Groupings of Territorial Cooperation (EGTCs) were set up to facilitate cross-border, transnational and interregional cooperation between Member States or their regional and local authorities. EGTCs enable these partners to implement joint projects, exchange experience and improve coordination of spatial planning.

LEGAL BASIS


Regulation (EU) No 1302/2013 of the European Parliament and of the Council of 17 December 2013 amending Regulation (EC) No 1082/2006 on a European grouping of territorial cooperation (EGTC) as regards the clarification, simplification and improvement of the establishment and functioning of such grouping

BACKGROUND

The objective of a European Grouping of Territorial Cooperation is to facilitate and promote cross-border, transnational and interregional cooperation between Member States or their regional and local authorities. An EGTC may be given the job of implementing programmes cofinanced by the European Union or other cross-border cooperation projects that may or may not have EU funding. Examples of such activities include:

— running cross-border transport facilities or hospitals;
— implementing or managing cross-border development projects;
— exchanging experience and good practices;
— managing joint cross-border programmes that can finance projects of common interest for EGTC partners.

There is currently one EGTC (the European Urban Knowledge Network) whose members do not share a geographical border. It is a platform for exchanging ideas and experience in the field of urban development.

The creation of an EGTC brings its members many advantages:

— it allows its members to create a single legal entity and use a single set of rules to implement joint initiatives in two or more Member States;
— it allows stakeholders in two or more Member States to cooperate on joint initiatives without needing to sign an international agreement requiring ratification by the national parliaments;
it allows Member States to respond together and directly to calls for proposals issued under EU territorial programmes and to act as a single Managing Authority for them.

THE STRUCTURE

An EGTC can be created by partners based in at least two Member States and belonging to one or more of the following categories:

- Member States;
- regional authorities;
- local authorities;
- bodies governed by public law;
- associations consisting of bodies belonging to one or more of these categories.

EGTCs act on behalf of their members, who adopt their statutes by means of special conventions describing the organisation and activities of the EGTC. The scope of these activities is limited to the field of cooperation chosen by the members. Furthermore, the powers of EGTCs are limited by the respective powers of their members. Public authority powers, e.g. policy and regulatory powers, cannot be transferred to an EGTC.

The law to be applied for interpreting and enforcing the convention is that of the Member State in which the EGTC has its registered office. Members can decide whether their EGTC should be a separate legal entity, or whether its tasks should be delegated to one of the members.

The members adopt the EGTC’s annual budget estimates, in respect of which an annual activity report is produced and certified by independent experts. Members are financially liable for any debts in proportion to their contribution to the budget.

ACHIEVEMENTS

To date, 46 European Groupings of Territorial Cooperation have been set up, covering 18 EU Member States. Seven new EGTCs were created in 2012 and eleven in 2013. 19 additional EGTCs are currently under construction. The EGTC Register is managed by the Committee of the Regions.

ROLE OF THE EUROPEAN PARLIAMENT

Regulation (EC) No 1082/2006 on EGTCs took on board Parliament’s requests concerning a clear definition of territorial cooperation, the need to spell out the financial liability of Member States, as well as the jurisdiction and the rules governing publication and/or registration of an EGTC’s statutes. In addition, the Council accepted Parliament’s suggestion that an EGTC should be governed by the law of the Member State in which the EGTC has its registered office.

At the end of 2013, the regulation on EGTCs was amended by Parliament and the Council. The goal of this amendment was to clarify the existing rules and to make the creation and functioning of EGTCs simpler. The revised EGTC regulation will apply from 22 June 2014. As legislation relating to cohesion policy it was prepared under the ordinary legislative procedure, with Parliament and the Council thus having an equal say.

Parliament keeps a close eye on the effectiveness of the establishment of new EGTCs. In its resolution of 21 October 2008 on governance and partnership at national and regional levels
and a basis for projects in the sphere of regional policy (P6_TA(2008)0492)[1], Parliament also called on those Member States which had not yet amended their national law to make provision for the establishment of EGTCs to do so as soon as possible.

Jacques Lecarte
11/2017