

DOI: 10.46340/eppd.2020.7.2.3

Rufat Mirzoiev

ORCID ID: <https://orcid.org/0000-0001-9248-5129>

Yaroslav Mydryi National Law University, Ukraine

THE COMPARATIVE STUDY OF THE CONCEPTS “TRANSFRONTIER” AND “CROSS-BORDER” COOPERATION IN THE DOCUMENTS OF THE COUNCIL OF EUROPE AND THE EUROPEAN UNION

The article hereof is devoted to the analysis of the meaning and correlation of the basic concepts in the sphere of the international co-operation between local and regional authorities from the point of view of the Council of Europe and the European Union, that are, respectively – “transfrontier” and “cross-border” co-operation. The documents of the Council of Europe define the international co-operation between local and regional authorities standing a common border as “transfrontier co-operation”, the documents of the European Union use the term “cross-border cooperation” instead. On the basis of the research the doctrinal conclusion is made, that the concept “transfrontier co-operation”, that is used in the documents of the Council of Europe, in particular, in the Madrid Convention (1980) and its Protocols, and the term “cross-border cooperation”, that is used in the documents of the European Union, have the similar meaning, because they stipulate the same international relations that arise on the local level between regional and territorial authorities under condition of the common border existence. The proposition is made, that the definition of the concepts “transfrontier co-operation” and “cross-border cooperation” should be presented by the Council of Europe and the European Union jointly.

Keywords: transfrontier co-operation, cross-border cooperation, trans-European cooperation, interterritorial co-operation, transnational co-operation.

1. Introduction

The transfrontier cooperation of contiguous regions is the important part of the European integration process. This type of cooperation is developing on the basis of economic, political, environmental, cultural, demographical and other relations within certain area that includes two or more regions that are situated in contiguous territories and unites them under common geographic and sociohistorical features.

The development and strengthening of the international co-operation between local and regional authorities is a part of domestic politics of merely all European countries, it is also a subject of various scientific researches. In order to specify the international relations aforementioned, the documents of the Council of Europe and the documents of the European Union apply several definitions, in particular: “transfrontier co-operation”, “cross-border cooperation”, “interterritorial co-operation”, “transnational cooperation”, “trans-European co-operation”, “decentralised co-operation”, “external co-operation”, “inter-regional co-operation”¹ and others.

As a result, there is no common understanding and explanation of the concept of “*transfrontier co-operation*” and other related concepts. In turn the inconsistency in regulation complexifies and slows down the process of the international co-operation between local and regional authorities of the European states.

Therefore, **the purpose of the current study** is to determine the content of the concept “*transfrontier co-operation*” and its correlation with other related concepts.

The achievement of the purpose is possible on condition of solving the **following tasks**:

– to indicate the content of the concept “*transfrontier co-operation*” in the documents of the Council of Europe;

¹ Tschudi, H.-M. (2002). *Promoting transfrontier co-operation: an important factor of democratic stability in Europe – CPR (9) 3 Part II*. <https://rm.coe.int/09000016807196f6#P77_8182> (2020, March, 25).

- to indicate the content of the concept “*cross-border cooperation*” in the documents of the European Union;
- to determine the correlation of the concepts “*transfrontier co-operation*” and “*cross-border cooperation*”.

The degree of scientific development of the issue

The international co-operation between local and regional authorities is the subject of scientific researches of a big number of European scientists, such as: I. Artomov¹, M. Baimuratov², P. Balchin, L. Sykora and G. Bull³, J. Gabbe, V. von Malchus, H. Martinos, R. Blomeyer⁴, G. Gorzelak⁵, A. Jakubowski, A. Miszczuk, B. Kawałko, T. Komornicki and R. Szul⁶, K.-H. Lambertz⁷, T. Marshall, J. Glasson and P. Headicar⁸, N. Mikula and V. Tolkovonov⁹, N. Mikula and V. Zasadko¹⁰, M. Niedobitek, S. Schmahl and M. Breuer¹¹, Tkachenko Yu. and Pustovar V.¹² H.-M. Tschudi¹³ and others.

2. Key findings

The European legal documents that define the meaning of the concept “*transfrontier co-operation*” and other related concepts can be divided into two groups, namely: the documents adopted within the Council of Europe and the documents adopted within the European Union. Let us consider them in detail.

2.1. The documents of the Council of Europe

The first and the essential European regulatory act that defines the concept “*transfrontier co-operation*” is the European Outline Convention of Transfrontier Co-operation between Territorial Communities or Authorities (ETS No. 106), Madrid, 21/05/1980¹⁴ (hereinafter “Madrid Convention”). In particular, according to the Article 2(1) of the Madrid Convention for the purpose of this Convention, “*transfrontier co-operation*” shall mean any concerted action designed to reinforce and foster neighborly relations between territorial communities or authorities within the jurisdiction of two or more Contracting Parties and the conclusion of any agreement and arrangement necessary for this purpose.

The analysis of the provision hereof infers that the “*transfrontier co-operation*” means the international cooperation *only* between local territorial authorities that are situated in geographically contiguous territories, i.e. *in border region*.

Substantiating the statement aforementioned, the Preamble of the Protocol No. 2¹⁵ to the Madrid Convention can be cited: “in order to perform their functions effectively, territorial communities or authorities are increasingly co-operating not only with *neighbouring authorities* of other States (*transfrontier co-operation*), but also with foreign non-neighbouring authorities having common interests (interterritorial

¹ Артѡмов, І. В. (2009). *Транскордонне співробітництво в євроінтеграційній стратегії України*. Ужгород: Ліра.

² Баймуратов, М. О. (2009). *Муниципальное право Украины: підручник*. 2-ге вид., доп. Київ: Правова єдність.

³ Balchin, P., Sykora, L., Bull, Gr. (2002). *Regional policy and planning in Europe*. Taylor & Francis.

⁴ Gabbe, Je., von Malchus, V., Martinos, H. (2000). *Practical Guide to Cross-border Cooperation*. European Commission. Third Edition.

⁵ Gorzelak, G. (1996). *The regional dimension of transformation in Central Europe*. Regional policy and development series: 10. J. Kingsley.

⁶ Jakubowski, A., Miszczuk, A., Kawałko, B., Komornicki, T., Szul, R. (2019). *The EU's new borderland: cross-border relations and regional development*. 1st Edition. Routledge.

⁷ Lambertz, K.-H. (2009). *The state of transfrontier co-operation in Europe. Draft report Working Group on Inter-regional Co-operation*. 17th Plenary Session CG(17)5, appendix 1. Chamber of Regions of the Congress of Local and Regional Authorities. <<https://rm.coe.int/168071a7a6>> (2020, March, 25).

⁸ Marshall, T., Glasson, J., Headicar, P. (2002). *Contemporary issues in regional planning*. Ashgate.

⁹ Мікула, Н.А., Толкованов, В.В. (2011). *Транскордонне співробітництво*. Київ: Крамар.

¹⁰ Мікула, Н.А., Засадко, В.В. (2014). *Транскордонне співробітництво України в контексті євроінтеграції*: монографія. Київ: НІСД.

¹¹ Schmahl, S., Breuer, M. (2017). *The Council of Europe: Its Law and Policies*. Oxford University Press. 1 edition.

¹² Tkachenko, Yu., Pustovar, V. (2014). Approaches to the Definition of Cross-Border Cooperation: Discussion Points. *The Russian Academic Journal*, 29, 3, 39-42. <<http://oaji.net/articles/2014/1391-1417702602.pdf>> (2020, March, 25).

¹³ Tschudi, H.-M. (2002). *Promoting transfrontier co-operation: an important factor of democratic stability in Europe – CPR (9) 3 Part II*. <https://rm.coe.int/09000016807196f6#P77_8182> (2020, March, 25).

¹⁴ *European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (ETS No. 106), Madrid, 21/05/1980*. <<https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/106>> (2020, March, 25).

¹⁵ *Protocol No. 2 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning interterritorial co-operation (ETS No. 169), Strasbourg, 05/05/1998*. <<https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/169>> (2020, March, 25).

co-operation), and are doing so not only within the framework of transfrontier co-operation bodies and associations of territorial communities or authorities but also at bilateral level”.

In other words, Protocol No 2 introduces a new term – “*interterritorial co-operation*” and in the Article 1 of the Protocol No 2 it is stated that for the purpose of this Protocol, “*interterritorial co-operation*” shall mean any concerted action designed to establish relations between territorial communities or authorities of two or more Contracting Parties, *other than relations of transfrontier co-operation of neighbouring authorities*, including the conclusion of co-operation agreements with territorial communities or authorities of other States¹.

Thus, the **Protocol No 2 to the Madrid Convention** specifies and regulates international relations that can arise between local territorial communities or authorities of the regions that are located in the geographically *non-contiguous territories*.

It is to be noted that, Article 5 of the **Protocol No 2 to the Madrid Convention** sets out that for the purpose of the present Protocol, “*mutatis mutandis*” means that in the Madrid Convention and in the Additional Protocol the term “*transfrontier co-operation*” shall be read as “*interterritorial co-operation*” and that the articles of the Outline Convention and of the Additional Protocol shall apply unless otherwise provided by the present Protocol². Consequently, the **Protocol No 2 de facto spreads the effect of the Madrid Convention** on the international co-operation between local and regional authorities that are situated not only in the geographically *contiguous territories* but also on the *not neighbouring territories*.

The text of the Protocol No 3³ to the Madrid Convention therefore successively delimits the concept “*transfrontier co-operation*” from the concept “*interterritorial cooperation*” (namely in the **Preamble, in the Article 1(2) and in the Article 15**)⁴.

2.2. The documents of the European Union

The politics of the European Union was always targeted to support and develop the cooperation on the local and regional levels. Considering the legal nature of the European Union as the supranational entity, it is worth mentioning, that cooperation between contiguous regions of the EU states is focused on the accession of the highest integration of near-border space within the Union, that is why this kind of cooperation differs from the similar cooperation between regions that are situated beyond the EU borders. Regarding the purpose of the current study, it is deemed necessary to concentrate on the international cooperation of contiguous regions that arises between EU-members and non-EU member states.

The cooperation between neighbouring states on the regional level is the key element of the EU policy towards its neighbours. It supports sustainable development along the EU’s external borders, helps reducing differences in living standards and addressing common challenges across these borders⁵. It was first recognised as such in the Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument (ENPI)⁶ for the period 2007–2013. Afterwards Regulation (EU) No 1638/2006⁷, which expired on 31 December 2013, was replaced by the Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument (ENI) for the period 2014–2020⁸.

¹ *Protocol No. 2 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning interterritorial co-operation (ETS No. 169), Strasbourg, 05/05/1998.* <<https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/169>> (2020, March, 25).

² *Ibid.*

³ *Protocol No. 3 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning Euroregional Co-operation Groupings (ECGs) (CETS No. 206), Utrecht, 16/11/2009.* <<https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/206>> (2020, March, 25).

⁴ *Ibid.*

⁵ Cross Border Cooperation. <https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/cross-border-cooperation_en> (2020, March, 25).

⁶ *Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument. OJ L 310, 9.11.2006, p. 1–14.* <<https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32006R1638>> (2020, March, 25).

⁷ *Ibid.*

⁸ *Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument. OJ L 77, 15.3.2014, 27–43.* <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014R0232>> (2020, March, 25).

It is essential, that EU regulations stipulated the concept “*cross-border cooperation*” to indicate the international co-operation between local and regional authorities. Herewith, the EU regulations do not contain the direct definition of this concept, but the analysis of the provisions devoted to the mentioned international relations allows to draw conclusions that “*cross-border cooperation*” in the documents of the European Union means cooperation of local territorial authorities under the condition of border existence between them. More specifically, point (a, ii) of Article 6(1) of the Regulation (EC) No 1638/2006¹ sets up that cross-border cooperation programmes ... deal with cooperation between one or more Member States and one or more partner countries, taking place in regions *adjacent to their shared part of the external border* of the Community.

Point (c) of Article 6(1) of the Regulation (EU) No 232/2014² also stipulates the similar provision that indicates that cross-border cooperation programmes addressing cooperation between one or More Member States, on the one hand, and one or more partner countries and/or Russian Federation (other cross-border cooperation participating countries), on the other hand, taking place *along their shared part of the external border* of the Union.

Besides, Article 8 of the Regulation (EU) No 232/2014³ sets up that cross-border cooperation programmes referred to in point (c) of Article 6(1) can be established: a) for land borders covering the territorial units corresponding to Nomenclature of territorial units for statistics (NUTS)⁴ level 3 or equivalent *along the land borders between Member States and the other cross-border cooperation participating countries ...*; b) for maritime borders covering the territorial units corresponding to NUTS level 3 or equivalent *along maritime borders between Member States and the other cross-border cooperation participating countries*, separated by a maximum of 150 km ...; c) around sea basin covering the costal territorial units corresponding to NUTS level 2 or equivalent *facing a sea basin common to Member States and the other cross-border cooperation participating countries*.

Presuming all mentioned above, it is deemed obvious that “*cross-border cooperation*” within the meaning of EU steering bodies is the cooperation between the territories which are contiguous to the external borders of the EU member states. In support to the point hereof, the documents that regulate establishing and functioning of the institutional forms of cross-border cooperation, namely EGTC, can be cited. Article 3a of the Regulation (EU) No 1302/2013⁵ amending Regulation (EC) No 1082/2006⁶ on a European grouping of territorial cooperation (EGTC) as regards the clarification, simplification and improvement of the establishment and functioning of such groupings stipulates ... for the purposes of this Regulation, a third country or an OCT shall be considered to be neighbouring a Member State, including its outermost regions, where the third country or the OCT and that Member State *share a common land border* or where both the third country or OCT and the Member State are eligible under *a joint maritime cross-border* or transnational programme under the European territorial cooperation goal, or are eligible under another cross-border, sea-crossing or sea-basin cooperation programme, including where they are separated by international waters. ...3. For the purposes of paragraphs 1 and 2, third countries *neighbouring a Member State*, including its outermost regions, include maritime borders between countries concerned.

¹ Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument. *OJ L 310, 9.11.2006*, 1-14. <<https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32006R1638>> (2020, March, 25).

² Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument. *OJ L 77, 15.3.2014*, 27-43. <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014R0232>> (2020, March, 25).

³ Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument. *OJ L 77, 15.3.2014*, 27-43. <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014R0232>> (2020, March, 25).

⁴ Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS). *OJ L 154, 21.6.2003*, 1-41. <<https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:02003R1059-20180118&qid=151913658593>> (2020, March, 25).

⁵ 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 groupings. *OJ L 347, 20.12.2003*, 303–319. <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32013R1302>> (2020, March, 25).

⁶ Regulation (EC) No 1082/2006 of the European Parliament and of the Council of 5 July 2006 on a European grouping of territorial cooperation (EGTC). *OJ L 210, 31.7.2006*, 19-24. <<https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32006R1082>> (2020, March, 25).

2.3. Comparative study of the Council of Europe documents and the documents of the European Union

Comparing documents of the Council of Europe and European Union discussed above, it becomes obvious that *basic concepts* in the field of the international co-operation between local and regional authorities according to the Council of Europe and the European Union are respectively – “transfrontier” and “cross-border”. The Council of Europe documents define the international co-operation between local and regional authorities standing a common border as “*transfrontier co-operation*”, the documents of European Union use the term “*cross-border cooperation*” instead. With this regard, an issue of correlation between the concepts of “*transfrontier*” and “*cross-border*” arises, as well as an issue of correlation of mentioned concepts with other related concepts.

Currently, there isn't any document both within the Council of Europe and European Union that could officially justify and harmonize the framework of categories and concepts applicable to define the international cooperation on the local and regional levels. However, one of the first attempts to standardize and characterize all the forms of the international cooperation between local and regional authorities was, probably, made in the Opinion of 13 March 2002 of the Committee of the Regions on “Strategies for promoting cross-border and inter-regional co-operation in an enlarged EU – a basic document setting out guidelines for the future”¹.

In particular, point 7 of the Opinion mentioned stipulates that, all forms of cooperation taken together are referred to as “*trans-European cooperation*”. Distinction may be drawn between the following forms of cooperation:

- “*cross-border co-operation*” implies bi-, tri- or multilateral co-operation between local and regional authorities (semi-public and private players may also be involved in this context) operating in geographically contiguous areas. This applies also in the case of areas separated by sea;
- “*inter-territorial co-operation*” implies bi-, tri- or multilateral cooperation between local and regional authorities (semi-public and private players may also be involved in this context) operating in non-contiguous areas;
- “*transnational co-operation*” implies co-operation between national, regional and local authorities in respect of programmes or projects. This form of co-operation covers larger contiguous areas and involves players from at least two EU Members States and/or non-EU states”².

Herewith, Hans-Martin Tschudi³ in his report titled “Promoting transfrontier co-operation: an important factor of democratic stability in Europe” on the meeting of Congress of Local and Regional Authorities of Europe (June 4, 2002)⁴ emphasizes, that *the most established concept*, which originally covers every kind of international co-operation between local and regional authorities, is the “*transfrontier co-operation*”⁵. Thus, consequently, from his point of view, the transfrontier co-operation in Europe ... refers to the wider concept of trans-European co-operation. This latter term will therefore be used to refer to the three types of co-operation listed [in the point 7 of the Opinion of 13 March 2002⁶].

¹ Opinion of 13 March 2002 of the Committee of the Regions on “Strategies for promoting cross-border and inter-regional co-operation in an enlarged EU – a basic document setting out guidelines for the future” (2002/C 192/09). *OJ C 192, 12.8.2002, 37-42*. <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52000AR0180>> (2020, March, 25).

² Opinion of 13 March 2002 of the Committee of the Regions on “Strategies for promoting cross-border and inter-regional co-operation in an enlarged EU – a basic document setting out guidelines for the future” (2002/C 192/09). *OJ C 192, 12.8.2002, 37-42*. <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52000AR0180>> (2020, March, 25).

³ Hans-Martin Tschudi – Swiss representative on the IX meeting of the Congress of Local and Regional Authorities in Europe (Strasbourg, 4–6 July 2002).

⁴ *Recommendation 117 (2002) on “Promoting transfrontier cooperation: an important factor of democratic stability in Europe”*. Debated and approved by the Chamber of Regions on 4 June 2002 and adopted by the Standing Committee of the Congress on 6 June 2002 (see Doc. CPR (9) 3, draft recommendation presented by Mr. H. M. Tschudi, rapporteur). <<https://rm.coe.int/-promoting-transfrontier-co-operation-an-important-factor-of-democrati/1680718bd0>> (2020, March, 25).

⁵ Tschudi, H.-M. (2002). *Promoting transfrontier co-operation: an important factor of democratic stability in Europe – CPR (9) 3 Part II*. <https://rm.coe.int/09000016807196f6#P77_8182> (2020, March, 25).

⁶ Opinion of 13 March 2002 of the Committee of the Regions on “Strategies for promoting cross-border and inter-regional co-operation in an enlarged EU – a basic document setting out guidelines for the future” (2002/C 192/09). *OJ C 192, 12.8.2002, 37-42*. <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52000AR0180>> (2020, March, 25).

However, in the later document of Congress of Local and Regional Authorities of Europe – the Opinion 24(2004) on the draft outlook report of the Committee of the Regions on a new legal instrument for cross-border co-operation – the terms “*transfrontier*” or “*cross-border*” are used as *synonyms*. More specifically, due to the point 14 of the Opinion 24(2004) for the Council of Europe, “*transfrontier*” or “*cross-border*” co-operation is co-operation between territorial communities or authorities in an area straddling a common border¹.

With this regard, it can be concluded that the documents of the Council of Europe and the European Union use *different* terminology to define the *identical* international relations. Thus, the term “*transfrontier co-operation*”, that is used in the documents of the Council of Europe, more specifically in the Madrid Convention and its Protocols and the term “*cross-border cooperation*”, that is used in the documents of the European Union, have the *similar* meaning, because stipulate the *same* international relations that arise on the local level between regional and territorial authorities under the condition of the common border existence.

At the same time, the ambiguous understanding of the concepts of the international co-operation between local and regional authorities still exists among European regulatory acts. This issue is discussed in the Section 2.2. “Terminology” of the Congress of Local and Regional Authorities Draft report titled “The state of transfrontier co-operation in Europe”².

In particular point 7 of the Draft report sets up that in the Council of Europe, a different terminology is used to that in the EU, making understanding more difficult for non EU members especially (eg “*transfrontier*” instead of “*cross border*”, “*interregional/international*” and “*transnational/trans-European*” with a different context). Thus, it is strongly recommended to *adopt a common terminology* in the future to avoid misunderstandings, especially along the external borders of the EU and outside the EU (point 10 of the Draft report)³.

Similar proposition is presented in point 13 of the abovementioned Opinion 24(2004): it would be preferable to harmonize the terminology used by the Council of Europe, the European Commission and the Committee of the Regions in the field of trans-European co-operation between regional and local authorities, especially the terms “*transnational*”, “*transfrontier (cross-border)*”, “*interterritorial*” and “*interregional*” co-operation⁴.

3. Conclusions

1. The documents of the Council of Europe and the European Union analyzed hereof, indicate the absence of the single harmonized framework of categories and concepts, that results in misunderstanding of the international co-operation between local and regional authorities of the European states.

2. The comparative analysis proves, that the term “*transfrontier co-operation*”, that is used in the documents of the Council of Europe, namely, in the Madrid Convention and its Protocols, and the term “*cross-border cooperation*”, that is used in the documents of the European Union, have the *similar* meaning, because they stipulate the *same* international relations that arise on the local level between regional and territorial authorities under condition of the common border existence.

3. Notwithstanding the different legal nature of the Council of Europe, as a classical international governmental organization, and the European Union, as a supranational entity, the concepts “*transfrontier co-operation*” and “*cross-border cooperation*”, that are used in the international cooperation of regional and territorial authorities of the European states, should be jointly defined among these subjects of international law, because the majority of the Council of Europe member-states are at the same time members of the European Union.

¹ *Opinion 24(2004) on the draft outlook report of the Committee of the Regions on a new legal instrument for cross-border co-operation. Adopted by 11th Session, 25 to 27 May 2004, Congress of Local and Regional Authorities of Europe, Council of Europe.* <<https://rm.coe.int/opinion-of-the-congress-of-local-and-regional-authorities-on-the-draft/1680719340>> (2020, March, 25).

² Lambertz, K.-H. (2009). *The state of transfrontier co-operation in Europe. Draft report Working Group on Inter-regional Co-operation.* 17th Plenary Session CG(17)5, appendix 1. Chamber of Regions of the Congress of Local and Regional Authorities. <<https://rm.coe.int/168071a7a6>> (2020, March, 25).

³ Lambertz, K.-H. (2009). *The state of transfrontier co-operation in Europe. Draft report Working Group on Inter-regional Co-operation.* 17th Plenary Session CG(17)5, appendix 1. Chamber of Regions of the Congress of Local and Regional Authorities. <<https://rm.coe.int/168071a7a6>> (2020, March, 25).

⁴ *Opinion 24(2004) on the draft outlook report of the Committee of the Regions on a new legal instrument for cross-border co-operation. Adopted by 11th Session, 25 to 27 May 2004, Congress of Local and Regional Authorities of Europe, Council of Europe.* <<https://rm.coe.int/opinion-of-the-congress-of-local-and-regional-authorities-on-the-draft/1680719340>> (2020, March, 25).

Further research perspectives

Further scientific articles are to be devoted to the analysis of the Ukrainian transfrontier co-operation practice.

References:

1. Tschudi, H.-M. (2002). *Promoting transfrontier co-operation: an important factor of democratic stability in Europe – CPR (9) 3, II*. <https://rm.coe.int/09000016807196f6#P77_8182> (2020, March, 25). [in English].
2. Artomov, I. V. (2009). *Transkordonne spivrobotnytstvo v yevrointehratsiinii stratehii Ukrainy: monohrafiia* [Transfrontier co-operation in the Ukraine's European integration strategy: monograph]. Uzhhorod: Lira. [in Ukrainian].
3. Baimuratov, M. O. (2009). *Munitsypalne pravo Ukrainy: pidruchnyk* [Ukraine's municipal law: textbook]. Kyiv: Pravova yednist. [in Ukrainian].
4. Balchin, P., Sykora, L., Bull, Gr. (2002). *Regional policy and planning in Europe*. Taylor & Francis. [in English].
5. Gabbe, Je., von Malchus, V., Martinos, H. (2000). *Practical Guide to Cross-border Cooperation*. European Commission. Third Edition. [in English].
6. Gorzelak, G. (1996). *The regional dimension of transformation in Central Europe*. Regional policy and development series: 10. J. Kingsley. [in English].
7. Jakubowski, A., Miszczuk, A., Kawa?ko, B., Komornicki, T., Szul, R. (2019). *The EU's new borderland: cross-border relations and regional development*. 1st Edition. Routledge. [in English].
8. Lambertz, K.-H. (2009). *The state of transfrontier co-operation in Europe. Draft report Working Group on Inter-regional Co-operation*. 17th Plenary Session CG(17)5, appendix 1. Chamber of Regions of the Congress of Local and Regional Authorities. <<https://rm.coe.int/168071a7a6>> (2020, March, 25). [in English].
9. Marshall, T., Glasson, J., Headicar, P. (2002). *Contemporary issues in regional planning*. Ashgate. [in English].
10. Mikula, N. A., Tolkovanov, V. V. (2011). *Transkordonne spivrobotnytstvo: posibnyk* [Transfrontier co-operation: manual]. Kyiv: Kramar. [in Ukrainian].
11. Mikula, N. A., Zasadko V. V. (2014). *Transkordonne spivrobotnytstvo Ukrainy v konteksti yevrointehratsii: monohrafiia* [Ukraine's transfrontier co-operation in the context of European integration: monograph]. Kyiv: NISD. [in Ukrainian].
12. Schmahl, S., Breuer, M. (2017). *The Council of Europe: Its Law and Policies*. Oxford University Press. 1 edition. [in English].
13. Tkachenko, Yu., Pustovar, V. (2014). Approaches to the Definition of Cross-Border Cooperation: Discussion Points. *The Russian Academic Journal*, vol. 29, no. 3, 39-42. <<http://oaji.net/articles/2014/1391-1417702602.pdf>> (2020, March, 25). [in English].
14. *European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities (ETS No. 106), Madrid, 21/05/1980*. <<https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/106>> (2020, March, 25). [in English].
15. *Protocol No. 2 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning interterritorial co-operation (ETS No. 169), Strasbourg, 05/05/1998*. <<https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/169>> (2020, March, 25). [in English].
16. *Protocol No. 3 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities concerning Euroregional Co-operation Groupings (ECGs) (CETS No. 206), Utrecht, 16/11/2009*. <<https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/206>> (2020, March, 25). [in English].
17. Cross Border Cooperation. <https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/cross-border-cooperation_en> (2020, March, 25). [in English].
18. Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument. *OJ L 310, 9.11.2006*, 1-14. <<https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32006R1638>> (2020, March, 25). [in English].
19. Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument. *OJ L 77, 15.3.2014*, 27-43. <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32014R0232>> (2020, March, 25). [in English].
20. Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS). *OJ L 154, 21.6.2003*, 1-41. <<https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:02003R1059-20180118&qid=151913658593>> (2020, March, 25). [in English].
21. 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 groupings. *OJ L 347, 20.12.2003*, 303-319. <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32013R1302>> (2020, March, 25). [in English].

22. Regulation (EC) No 1082/2006 of the European Parliament and of the Council of 5 July 2006 on a European grouping of territorial cooperation (EGTC). OJ L 210, 31.7.2006, 19-24. <<https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32006R1082>> (2020, March, 25). [in English].
23. Opinion of 13 March 2002 of the Committee of the Regions on "Strategies for promoting cross-border and inter-regional co-operation in an enlarged EU – a basic document setting out guidelines for the future" (2002/C 192/09). OJ C 192, 12.8.2002, 37-42. <<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52000AR0180>> (2020, March, 25). [in English].
24. *Recommendation 117 (2002) on "Promoting transfrontier cooperation: an important factor of democratic stability in Europe"*. Debated and approved by the Chamber of Regions on 4 June 2002 and adopted by the Standing Committee of the Congress on 6 June 2002 (see Doc. CPR (9) 3, draft recommendation presented by Mr. H. M. Tschudi, rapporteur). <<https://rm.coe.int/-promoting-transfrontier-co-operation-an-important-factor-of-democrati/1680718bd0>> (2020, March, 25). [in English].
25. *Opinion 24(2004) on the draft outlook report of the Committee of the Regions on a new legal instrument for cross-border co-operation. Adopted by 11th Session, 25 to 27 May 2004, Congress of Local and Regional Authorities of Europe, Council of Europe*. <<https://rm.coe.int/opinion-of-the-congress-of-local-and-regional-authorities-on-the-draft/1680719340>> (2020, March, 25). [in English].