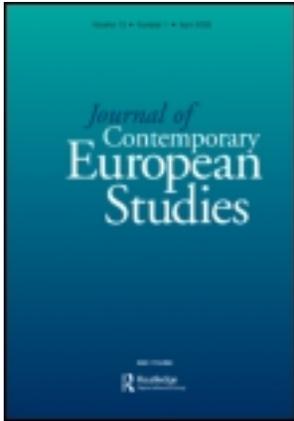


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Is Cross-Border Governance Emerging over the Border between Italy and Slovenia?

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ABSTRACT *The paper analyses the implications of cross-border activities on patterns of integration and governance in cross-border-regions following the implementation of EU cross-border co-operation programmes and Regulation 1082/2006 (i.e. European Grouping of Territorial Co-operation). It focuses on cross-border governance between Italy and Slovenia. It investigates the impact on the governance of the border by emerging and strengthening regional actors. First, it offers a brief theoretical background on the meaning of 'border' and 'cross-border governance' within the EU. Second, it investigates whether a type of transnational governance is emerging in cross-border regions, in which cross-border activities are empowering the regional-local level and permitting it to circumvent/supersede the national level. It will be shown that EU cross-border co-operation programmes are transforming the operation of power across the various levels of governance on a local/national/supranational level.*

KEY WORDS: Regulation 1082/2006, citizenship, multi-level governance, cross-border cooperation, sub-national actors

Introduction

Today Europe's main challenge is to manage and overcome internal and external borders. Territorial co-operation is becoming increasingly important within the European integration policy (Bufon, 2003; Engl, 2007) and it is perceived as a 'new' European polity characterized by 'multi-level public policy' (Perkmann, 2000, 2003, 2007).

It has been argued that cross-border regions (CBRs) are political laboratories on the micro level (Hall, 2008), where 'different political arenas are interconnected rather than nested, and subnational actors operate in both national and supranational arenas, creating transnational associations and transnational governance' (Knippenberg, 2004, p. 610). Blatter (2003, p. 505) has pointed out that cross-border regions may be seen as 'laboratories for international institution-building'. Indeed, as argued by Smith (2003) the Union tends to reproduce itself at the international and regional co-operation level, and CBRs clearly have a touch of EU strategies, institution building and policy co-operation

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(Hall, 2008). Stated differently, while CBRs emerge as political laboratories on the ‘micro level’ if the EU does not come to grips with issues of integration and co-operation on its internal borders, it is unlikely to do so on the external macro level either.

Focusing on the border between Slovenia and Italy, which has been marked in the past by violent ethno-political divisions and by the presence of significant ethnic minorities, and based upon interviewing evidence, this article contributes to this on-going debate, analysing first the implication of cross-border integration on patterns of governance, and second, how asymmetrical political relationships, which have been developed thanks to cross-border programmes, may have an impact on EU governance. Accordingly, through the analysis of European Initiative Communities (i.e. Interreg) and the new EU legal instrument known as the European Grouping of Territorial Co-operation (EGTC), the focus of the analysis is to examine the political relations developed in cross-border regions and to understand whether states are the main gate-keepers of EU policy making following a ‘zero-sum notion’.¹ Thus, the main question addressed here is to what extent emerging and strengthening regional actors have an impact on the governance of the border.

In the first part, the theoretical perspectives on governance and cross-border co-operation are introduced and the research approach is set out. The article reports on an extensive investigation on the cross-border co-operation between Italy,² Friuli-Venezia-Giulia³ and Slovenia⁴ in the Upper Adriatic area. Italy, Friuli-Venezia-Giulia and Slovenia are largely not homogeneous in terms of population, geography and economic capacity, setting aside history and culture. They have significantly different internal institutional set-ups⁵ therefore it is an ideal case study to analyse the governance dynamics which are emerging in the EU arena and to what extent cross-border mobilization can affect economic, cultural and linguistic differences and relations in cross-border regions.

The study of official national and EU documentation on cross-border co-operation in the area surprisingly revealed that the lack of a regional level in Slovenia had previously been considered mainly from an economic perspective. The ‘political’ implications of establishing relations between constitutionally very different state set-ups had been completely ignored in EU official documentation. Although limited to the relationship Italy, Friuli-Venezia-Giulia and Slovenia, this paper shows more generally that greater attention must be devoted to analysing the type of (trans-border) governance which emerges when asymmetrical relationships are developed between regional and national actors within these co-operation programmes in order to understand better the effects of European policies on both sub-national and national actors.

Theoretical Framework

Both the European Parliament and the Commission have made clear that the abolition of borders and co-operation across EU borders lie at the heart of European integration (European Commission, 2002). Fifty years ago, Schuman (2010, p. 2f), advocated borders in Europe in a very ‘innovative’ way, declaring that ‘it is not a question of erasing ethnic and political borders. . . . What we want is to loosen up borders. In other words, to do away with their uncompromising hostility.’

For a greater conceptual clarity it is important to define the idea of ‘borders’. Geddes (2005) distinguishes three different types of borders: territorial; organizational; and conceptual. Territorial borders can be understood as boundaries through which

the sovereign state exercises 'exclusion'. Organizational borders refer to 'membership conditions', such as labour market, the welfare state and national citizenship. Finally, conceptual borders refer to the notion of belonging and identity that can be linked to sub-national, transnational or national communities. For the relevance of this paper, I will mainly focus on the first and third meaning of the border, due to the fact that this article contributes to the investigation whether through cross-border co-operation activities and in cross-border regions it is possible to single out the transition from government (i.e. centralized, hierarchical) to governance (more fluid, multi-scalar and network multi-level based forms of decision making operating above, below and within the cracks of interstate hierarchies and markets). Furthermore, whether the boundaries within and between the private and public sector are blurred (Knippenberg, 2004; Kramsch, 2001).

The debate around the contested transition from government to governance, finds on one side scholars, such as Kooiman (2003), who argue that not only does the State still exercise a hierarchical and top-down control over private, public and semi-public actors, but also that it enforces political decisions, delivers public goods and services and exercises a strong control over the economy, and policy making in a 'zero sum notion game'. While on the other side, scholars such as Hooghe and Marks (2010) have postulated a multi-level understanding of governance (MLG) underpinning EU governance. According to Marks (1993, p. 392), a multi-level governance is a 'system of continuous negotiation among nested government at several territorial tiers, i.e. supranational, national, regional and local'. Authority and decision making are dispersed between a wide range of bodies through a process of negotiation (multi-actor). Policy making is no longer a state-centred and state-driven activity, but is based on a complex mix of hierarchies, networks and markets. Particularly, it has been argued that cross-border territories are the arenas where a 'share of sovereignty' is at play because, although it is necessary to keep in mind that the degree of autonomy of sub-national actors in cross-border co-operation activities varies with respect to different national, regional and local institutional traditions (Hall, 2008), the literature on cross-border regions tends to agree that sub-national actors have managed to create a niche for constructing cross-border linkages and where elected local and regional authorities are more involved in EU policies (Perkmann, 2007).

Indeed, since the 1960s, the EU has actively tried to encourage networking and, if possible, an intense involvement of public authorities and political institutions, especially in those territories which, according to the Council of Europe, are characterized by homogeneity and functional interdependencies (Markusse, 2007). Cross-border co-operation activities, which are actions designed to reinforce and foster neighbourly relations between territorial communities and authorities within the jurisdiction of other contracting parties, are perceived by sub-national actors as the 'doors' which allow them to engage with tasks previously reserved to nation-states exclusively. Cross-border co-operation occurs in cross-border regions, which are 'institutionalised collaboration between contiguous sub-national authorities across national borders' (Perkmann, 2003, p. 156).

It is important to keep in mind that before the 1960s–1970s 'various bi-lateral and multilateral governmental commissions were established without granting access to local authorities' (Perkmann, 2003, p. 154). The last thirty years have instead witnessed a wide proliferation of non-central governments co-operating across borders. The large number of actors, private and public, reinforces the position of those who argue that power transcends state boundaries and crosses the public/private border (Harlow & Rawlings, 2006). The three major factors driving to a new transnational form of governance were

first, the EU enlargement process, which necessitated the development of a more cohesive and integrated policy not only among ‘old’ member states, but also with new members and accession countries; second, the promotion of an effective integrated and flexible multi-layered strategy to help future EU member states adhere to the EU through common co-operation projects; finally, the necessity of securing borders which were unstable.

These three factors influenced Eastern European countries also. Due to their past communist regimes, they were and are from an administrative, political and social point of view more underdeveloped vis-à-vis western countries (Roman, 2010). In addition, most Eastern European countries lack a regionalized structure relying on a centralized political system. The Commission promoted the implementation of specific cross-border co-operation programmes for Central and Eastern European countries, such as PHARE, launched in 1989, and also the Instrument for Pre-Accession Assistance (IPA), covering the period 2007–2013.

Many studies on cross-border co-operation in Eastern European countries contrast that while cross-border co-operation stemmed from the local and regional level (bottom–up) in western countries, it was instead top–down (European level) in Eastern European countries. The Commission aimed to maintain such co-operation as already existed in those countries and build upon these programmes as a potential generator of further cross-border co-operation (Halas, 2007; Roman, 2010).

Empirical studies on Germany’s eastern border on the German–Polish–Czech border triangle (Leibenath, 2007; Yoder, 2003), on the Hungary and Poland border (Bruszt, 2008) and on the Dutch–German–Belgian border (Kramsch, 2001), all show that although cross-border co-operation programmes and Euroregions have aimed at achieving more integration and cohesion across the border, in practice the results thus far have been disappointing. This is due to several reasons. First, the collapse of geographical and economic boundaries does not always correspond to the disappearance of mental borders or an improvement in cross-border interaction (Knippenberg, 2004). Second, as was highlighted by Kramsch (2001), Euroregions do not always succeed in enhancing transparency, in creating knowledge, in building market/fiscal/cultural bridges or in developing common organizational structures on both sides of the national border. Finally, cross-border co-operation can be ineffective in those countries that lack a long tradition of autonomy and cross-border co-operation activities (Perkmann, 2003).

Before analysing in detail the Slovenia–Italy case study a brief caveat is needed in order to understand better how EU cross-border co-operation programmes developed, focusing on Interreg programmes. So far, three Interreg programming periods (1989–1993; 1994–1999; 2000–2006) have been implemented by the Commission. Further to Interreg, the Commission also created community financial instruments for cross-border co-operation at external borders (starting with Phare cross-border co-operation in 1994 and Tacis cross-border co-operation in 1996) (Interact, 2010). The academic literature and official EU documents agree that Interreg I and the first generation of transnational programmes (Interreg IIC) represented an experimental ‘familiarization’ with cross-border co-operation and transnational programmes that as such achieved few concrete results, especially in relation to transnational cross-border projects (Faro, 2003; Interact, 2010; Pedrazzini, 2005). It has been shown that most projects involved local or sub-regional authorities sharing experiences on common issues of a local character rather than truly transnational issues. Focusing on Interreg III, this Community Initiative Programme was still weak at programming, implementing joint projects and overall in effectively

enforcing and achieving greater social-economic cohesion and Sub-national actors mobilization (Faro, 2003; Interact, 2010). Integrated management was especially complicated at external borders due to differences between the administrative systems and incompatibilities between Interreg on one side and Phare cross-border co-operation on the other side (Interact, 2010). Having said that, it is important to stress here that the novelty of Interreg III is the set-up of the Joint Managing Authority (JMA) and the Joint Technical Secretariat (JTS) during the period 2000–2006.⁶

To date, the new programme, Interreg IV 2007–2013 organized around three objectives (convergence, competitiveness and territorial co-operation), has ceased to be a separate Community Initiative and has grown to become one of the mainstream objectives of ‘European territorial co-operation’ (Interact, 2010). A major novelty in the 2007–2013 funding period was Regulation 1082/2006 on ‘European Grouping of Territorial Co-operation’ (EGTC) which has enabled regional and local authorities from different EU countries to set up co-operation groupings as legal entities for projects of cross-border and trans-European significance (such as health services or transport). This Regulation represents important progress towards the institutionalization of territorial trans-border governance structures. The EGTC is understood as a very good example of multi-level governance because it has the capacity to create a web of transnational jurisdictions involving regional government leaders, government leaders, associations of local authorities, regional council representatives which can work on similar competencies and resources.

Focusing on the Italy–Slovenia border by way of case study the next part of this article draws on thirty-seven in-depth interviews.⁷ Consequently, the analysis will focus on the ways sub-national actors mobilize within ‘semi-federal’ and unitary states. Hence it will investigate whether and when sub-national actors are able to make use effectively of Interreg programmes to promote their own interests, exercise power and competencies and finally ‘re-shape’ their own ‘identity’. It will assess whether sub-national actors develop links with actors operating at different governmental levels. Finally, this article generally evaluates the changing nature of the ‘state’ and the ‘region’ in Europe due to cross-border co-operation activities and the implementation of the EGTC.

Case Study: Italy—Sub-National Actors vis-à-vis the State

Although Italy has transferred considerable powers and competences to its regions, whether a true federal system is at play here is still under discussion (interviews with Italian national and regional officers, 2007–2010; Bilancia *et al.*, 2010). It has been argued that the Italian state is attempting to re-centralize prerogatives that had previously been decentralized to the sub-national level, especially in relation to the external activities of the regions (Palermo, 2007). In particular, some regions, including Friuli-Venezia-Giulia, which enjoy special or autonomous status and have their own regional statute approved as a constitutional law of the state. Accordingly, they enjoy considerably more legislative, administrative and financial autonomy than other (ordinary) regions in Italy, and the ability to negotiate their laws directly with the national government, by-passing the national parliament (Bilancia *et al.*, 2010). Furthermore, even though Italian regions cannot formally carry out foreign policy activities which are expressly reserved for the central state (Art. 117 § 2a of the Italian Constitution), the 2001 constitutional reform granted these especially favoured regions treaty-making power with other states. Although Palermo argues this innovation remains ‘cosmetic’ only because states usually prefer to

enter into international agreements with other states rather than with regions, and regions rarely have jurisdictions that may interest states, this development has nonetheless been an important constitutional acknowledgement of the existence of the regional administrations' power to engage in foreign policy (Palermo, 2007).

Several studies have pointed out that cross-border co-operation activities may be considered as a 'back-door' through which Italian regions and SNAs can establish agreements with foreign bodies and therefore, exercise some degree of foreign policy. Nonetheless, there are two basic limits to regions' foreign activities. First, regions must inform the state; second, the state can stop regional actions if they are in breach of the state's guidelines for national foreign policy (Coen, 2006). Further analysis, focusing on the relationship between Italian regions and the Italian state, has established that a lack of representation of SNAs at the national level and a low degree of interregional co-operation and co-ordination in Italy have hampered the development of both vertical and horizontal ties (Ciaffi, 2001; Gualini, 2004).

Despite these tensions, which have been reported by official regional documents, Interact reports, academic studies and the interviews carried out for this article, it seems clear that Friuli-Venezia-Giulia stands out for its international and active role in cross-border co-operation projects (Benoit & Panjek, 2006; Coen, 2006). Indeed this region has been dynamic and attentive in seizing the opportunities provided by the EU in order to internationalize and develop a network of cross-border and EU-level links.

In addition, Friuli-Venezia-Giulia maintains an office in Brussels (2001) enabling the region to directly lobby at the EU level and build stronger bonds with other SNAs (horizontal ties). Initially, the opening of this office was hindered by 'the Italian Foreign Minister, who perceived it as more of a *political* body, and not merely a technical support for the region' (interview with G. Tessarolo, Regional Director of International Affairs, Friuli-Venezia-Giulia until 2008, 6 November 2008).

This 'self-awareness' of the region became clear when the regional charter related to the statute of the region was introduced in 2008, because:

there were some competencies related to foreign policy, and Rome always felt the threat that the region wanted to place itself at the level of the state. Conversely, the Friuli-Venezia-Giulia region is not prepared to leave to 'Rome' the prerogative to decide on all EU issues. (Interview with T. Blazina, Regional Councillor, 17 December 2007)

Friuli-Venezia-Giulia plays a leading role in cross-border co-operation activities too. The region became the Joint Managing Authority (JMA) of Interreg Italy–Slovenia with the Community Initiative Programme Interreg IIIA 2000–2006, resulting in becoming the only referent for all programmes. Likewise, Friuli-Venezia-Giulia was re-appointed to this important role in the Interreg Italy–Slovenia 2007–2013 programme. This was due mainly to the 'principle of continuity' according to which 'an already existing JMA with a Commission approved management structure can be reappointed' (Interact, 2007, p. 10). The 'semi-federal' Italian state, although involved in establishing the different forms of co-operation, enjoys only a representative role in managing them.⁸ Importantly Friuli-Venezia-Giulia, as JMA, has power to create a system of management and control that operates independently from the central government. Interreg III and the new Objective 2007–2013 see the co-operation between Italian regions on one side (i.e.

Veneto and Emilia Romagna), and the Slovenian state on the other, with its national representatives and its municipalities, managed by a JMA with headquarters in the city of Trieste in Friuli-Venezia-Giulia. In other words, since 2000 Trieste has been the focal point to which all actors—regional, local, national and supra-national—refer when cross-border co-operation issues are at play (interviews carried out between 2007–2011).

Officers representing both Slovenia and Friuli-Venezia-Giulia have observed that the JMA is the vital ‘operative arm’ of the programme that represents all the partners involved in the programme equally. However, it is interesting that all the employees of the JMA in Trieste are ‘Italian regional officers’ (interview with D. Pur, Director of the European Territorial Co-operation Department, 8 March 2011). Therefore, ‘it is in its functions, more than in the personnel employed in it, that the JMA represents all the partners involved in Interreg IV’ (interview with M. Gavina, Slovenian national officer in the JTS, Trieste, 22 February 2011). Hence, Friuli-Venezia-Giulia in its role as JMA of the programme, clearly exercises social, political and economic influence. The analysis of interviews shows that the links developed in both Interreg III and IV challenge jurisdictional integrity, as the regional jurisdiction (Friuli-Venezia-Giulia in its role of JMA) relates to the national jurisdiction (Slovenia) in Interreg III and IV. This significant finding leads to the conclusion that actors, which belong to different levels, have been to some extent ‘equalized’ to the same governmental level in dealing with this programme.

Another aspect needing to be addressed in relation to governance, concerns the relationship between Italian regions within cross-border co-operation programmes. All Friuli-Venezia-Giulia and Slovenian officers interviewed commonly agreed that the influence Italian regions exercise both in relation to Italy, and to the Slovenian state, is often undermined by their mutual competitiveness. In line with the academic literature, most interviewees pointed out that rather than speaking with just one voice and co-operating, each Italian region often represents its own interest, especially in relation to the EU (Bilancia *et al.*, 2010; Palermo, 2007). This is a weakness for Italian regions because in the case of decisions taken by vote, the Commission agreed that each country would have one vote (thus the principle ‘one vote, one state’) whatever the number of representatives (Interact, 2007). Therefore, there is awareness at the regional level that they need to co-operate in order to strengthen their position vis-à-vis a state counterpart.⁹ Moreover, strong evidence shows that Italian regional officers have requested that they have one vote each.

Italian regions suggested this option presumably in order to overcome the weakness suggested above. Conversely, it may be hypothesized that this behaviour indicates that they were attempting to position themselves at the same level of a (small) state such as Slovenia. In the name of this ‘equality’ status, they thus claimed the ‘right’ to have a vote in the same way as the Slovenian state. What comes to the fore is a sort of confusion, an overlapping of different jurisdictions where sub-state jurisdictions claim to be comparable to national jurisdictions. Accordingly, following Skelcher’s (2005, p. 96) argument, I argue that Italian regions are ‘challenging and recasting existing patterns of governmental authority’ and the integrity of what pertains to each jurisdiction is more complicated.

At this point of the analysis, it is interesting to explore the reaction of the Italian state to the mobilization of its dynamic regions. In this respect, the Italian case shows quite a few ambiguities. On the one hand, Friuli-Venezia-Giulia has already established a dense network of ties with Slovenia as well as with sub-national actors across the border

through cross-border co-operation projects and agreements. On the other hand, many elements seem to demonstrate the will of the Italian state to act as a ‘gate-keeper’, controlling these activities and any new institutional set-ups. It is generally argued by academics (Gualini, 2004; Palermo, 2007) and Slovenian–Italian regional and supra-regional officers have confirmed this interpretation, that there is a kind of cleavage between the developed normative framework and the actual Italian practices in managing cross-border co-operation.

As Bilancia *et al.* (2010) show in their recent study, there is a shortage of vertical links between the regions and the state. As confirmed by the Director for European and International Affairs of the Conference of Italian Regions and Autonomous Provinces, this is one of the main reasons why Italy has still failed to develop a proper multi-level system (interview with A. Ciaffi, 3 April 2009). Furthermore, until recently the relationship between the state and its regions was based mainly on mutual competitiveness and a lack of trust. This view is supported by the findings presented here, which show that both the Italian government and the Friuli-Venezia-Giulia administrative level are concerned about their reciprocal role and implementation of European cross-border co-operation programmes and mistrust each other. Therefore, while dynamic regions, such as Friuli-Venezia-Giulia, aim to gain more room for manoeuvre in foreign policy through EU Community Initiative Programmes, the Italian state is trying to prevent this mobilization.

To give one example, many regional officers perceived negatively the fact that the Italian state, backed by the EU Commission, was going to cover 15 per cent of the budget previously covered by the regional level in the 2007–2013 Programme (interview with L. Comelli, Director, Managing Authority for the Programme 2007–2013, 19 December 2007). This manoeuvre by the state was perceived by Friuli-Venezia-Giulia as a way of regaining some competency vis-à-vis a region which had achieved too much power, not least being JMA of the programme. The Director of the JMA in Trieste expressed her concerns saying that she was ‘convinced that the ministry will intervene in defining the “strategic projects” which are at the core of the Programme’ (interview with L. Comelli, 19 December 2007). It is worthwhile noting that the empirical reality contradicts this pessimistic view. Two years later, the same interviewee pointed out that the JMA kept its autonomy and that the Italian state supported the programme (interview with the author, 14 September 2009).

The problematic relationship between the Italian state and its regions emerged in full when the application of Regulation 1082/2006 came into play. The Italian state did not implement the EGTC Regulation in 2007, as the regulation required. On the contrary, the first attempt to implement it met with the negative opinion of the Italian Council of State (Opinion of 7 November 2007). To date, Italy has instead implemented the EGTC Regulation through the so-called ‘Legge Comunitaria’ 2008 of 29 July 2009 (articles 46, 47 and 48). According to the Legge Comunitaria, the EGTC established on Italian territory has public law personality; the two types of public authorities allowed to participate in this EGTC are ‘regional authorities’ (i.e. Italian Regions and Autonomous Provinces of Trento and Bolzano) and ‘local authorities’. It is interesting here to observe the procedure of authorization for the prospective members, which is extremely complex. In fact, it requires the consent from the Presidency of the Council of Ministers and, in addition, a mandatory opinion from the following authorities: the Ministry of the Foreign Affairs; the Ministry of the Interior; the Ministry of Economy and Finances; the Ministry for the Economic Development; the Department for Community Policies; and the Department for the

Regional Affairs. This complexity reveals the Italian state's concern about the potential irregularities, which may emerge in the constitutive phase of an EGTC.

From the standpoint of the Ministry of Foreign Affairs and of the Italian government, such an instrument presents several problems of a political as well as a legal nature, because it provides the possibility of creating interregional organs governing transnational relations. Furthermore, an EGTC may become a managing authority of transnational programmes within an EU Community legal framework. In other words, while at present JMAs are still under their states' legal framework, EGTCs would be independent from their states, with EU legal personality. They would directly interact with the EU level, thus by-passing the state; and would represent their members jointly, as equals (interview with G. Tessarolo, 6 November 2008). These issues are highly important since the Regulation envisages that states, in their entirety, can participate in an EGTC. This means that states and SNAs engage on an equal level within this new legal institution.

In short, although my findings support those documents and scholars who argue that Regulation 1082/2006 is an achievement for SNAs, it was broadly acknowledged that Italy was very reluctant to apply the EGTC, although it is a decentralized state. The Italian state felt threatened by those dynamic regions (among them Friuli-Venezia-Giulia) which were pressing it to introduce this new instrument. Indeed, 'Friuli-Venezia-Giulia with its special statute is almost a small state. Therefore, unsurprisingly the Italian state is very concerned that local and regional authorities might develop international agreements outside its border. And the EGTC can potentially allow it.'¹⁰

In the Upper Adriatic there is the plan to implement a 'local' EGTC (north-eastern/micro-Euroregion also known as the 'Upper Manin Adriatic Euroregion') (interviews carried out between 2007 and 2011) which includes the Veneto and Friuli-Venezia-Giulia regions, the Izola, Koper and Piran municipalities (Slovenia) and the Istria and Primorje-Gorski counties (Croatia).

The 'problem' of the 'micro' Euroregion is represented by Slovenia, which, although not yet regionalized, would enter as a state. As argued, 'there is thus a problem of balancing the relationship between a region (Friuli-Venezia-Giulia) on one side, and a state (Slovenia with its regional development Ministry) on the other' (interview with S. D'Eredità, 4 February 2010; F. Terruso, Committee of the Regions, Administrator, 2 April 2009). Furthermore, the Friuli-Venezia-Giulia region, and specifically the city of Trieste would be the place where the EGTC office would be set up. Hence, as regional Friuli-Venezia-Giulia officers highlighted during official meetings (Villa Manin, 2007) and repeatedly during the interviews carried out for this article, Friuli-Venezia-Giulia will have a major role within the EGTC, because the city of Trieste will co-ordinate cross-border co-operation activities. Therefore, 'all the members of the EGTC will have equal dignity and Friuli-Venezia-Giulia will not be superior to the other actors which will comprise the EGTC' (interview with G. Tessarolo, 9 January 2007). In saying that 'all actors are equal' it is implied that Friuli-Venezia-Giulia puts itself on the same level as national ones, given that Slovenia would join the EGTC as a whole.

In short, although the EGTC is an ideal instrument to bring together a very complex geographical area joining very different economic and political entities, its application is still fraught with difficulties. Additionally, it is very interesting to notice that Italian regions 'fight' with one another in order to play a central role within this body. Accordingly, it appears highly unlikely that the Italian state will easily delegate all cross-border co-operation prerogatives to the EGTC institution. The Italian Foreign Ministry appears firm in keeping its 'grip' on the EGTC because it is very aware that within the

EGTC structure, the Friuli-Venezia-Giulia region, as its JMA, may be unwilling to act in the interest of the Italian state (interview with I. Gottardo, Italian regional councillor, member of the CoR since 1998 and President of the EPP Group since 2003, 4 July 2008). Finally, Friuli-Venezia-Giulia, being the focus of the EGTC in the Upper Adriatic region, would become officially recognized as direct interlocutor of a state such as Slovenia.

It can thus be concluded that a 'post-national' understanding of governance is difficult to achieve on the ground, and actors are still largely playing in a 'zero-sum game'. Having said this, I contend that the EGTC could redefine the understanding of what a 'region' is, leading to an overlap between what usually pertains to a state and what now sits under 'regional jurisdiction'. Hence, governmental authority is not only challenged and recast, but a new 'governance' dimension will be constructed.

The next section of this article analyses whether Slovenian SNAs have become dynamic actors through cross-border co-operation and have acquired political, social and economic influence comparable to Italian SNAs. It investigates how Slovenia has reacted to EU governance and may react to the asymmetrical governance scenario that could emerge from the application and implementation of an EGTC in the Upper Adriatic area.

Slovenian Sub-National Actors and the Slovenian State

There is a general consensus among both Slovenian and Italian interviewees that Slovenian SNAs do not have much influence in cross-border co-operation, because, although they participate in cross-border co-operation programmes, in reality the central state is the real interlocutor of the EU (Andreou & Bache, 2010). In order to understand the kind of participation and influence Slovenian SNAs have in Interreg, it is necessary to address the regionalization issue in Slovenia.

Many Italian regional officers and Slovenian non-governmental officers as well as scholars defined the process of regionalization in Slovenia as ambiguous. Since the creation of Slovenia, the Commission made its belief clear that regionalization would be the best means of ensuring subsidiarity. However, through Phare initially, and Interreg subsequently, Slovenia had to decentralize some power to its municipal, rather than regional, level in order to adapt to the EU *acquis* (Faro, 2004). What is more, the Commission 'has not (yet) led to significant decentralization or the empowerment of regional actors in countries with highly centralized political systems' (Faro, 2004, p. 11).

Accordingly, although the Slovenian government devolved some competencies to local authorities, a process of regionalization has not yet taken place. In tune with the overwhelming majority of scholars who have dealt with cross-border co-operation in Eastern European countries (Brusis, 2002), my findings highlight that the Commission does not exercise any real pressure towards regionalization or decentralization. Officially, the Commission rejected the regionalization plan in Slovenia in 2000 (European Commission, 2001, p. 72). Hence, at present, Slovenia is a unitary state with two administrative levels, and 210 municipalities (Andreou & Bache, 2010). As such, the Slovenian state is the gate-keeper of cross-border co-operation activities and projects (Andreou & Bache 2010; Lindstrom, 2005).

Furthermore, the status of Slovenian municipalities cannot be compared to that of Italian regions in terms of power, autonomy, financial resources and administrative capacity (Lindstrom, 2005). This view is supported by interview findings, which show that Slovenian communes are organized differently from Italian ones (Börzel, 2002; Jeffery,

2000; Lindstrom, 2005). Slovenian SNAs do not yet have the necessary experience and bureaucratic framework to implement cross-border co-operation programmes and projects alone (Bache & Andreou, 2010). The literature on cross-border co-operation shows that a clear political-administrative asymmetry emerges when eastern and western SNAs are compared (Roman, 2010). Slovenian municipal and national officers interviewed for this research agreed, stating that they feel threatened by their western SNA counterparts which are perceived as stronger actors, being able to rely on longer cross-border co-operation experience and thus able to make better use of EU tools. Hence, while Slovenian SNAs would happily welcome their own nation-state to be the direct interlocutor with western SNAs, instead, they felt they had been 'abandoned' by their own state.¹¹

In relation to Interreg, while the 2007–2013 programme is entirely co-ordinated by the JMA in Trieste (Friuli-Venezia-Giulia), which directly relates to the supra-national level (2007–2013 programme, p. 16), officially the authorities of the programme area are the Italian 'governing council' and the Slovenian government. A brief analysis of the 2007–2013 programme document shows that the state of Slovenia links both to three Italian regions—Friuli-Venezia-Giulia, Emilia-Romagna and Veneto—engaged in Interreg IV (the areas where the funds should be spent are under evaluation) and to the Italian nation-state (concerning national budgets). In explaining how and why Slovenia participates in cross-border co-operation programmes, a Slovenian national officer presented the following insight: 'since Slovenia does not have regions, it has both a national and regional nature. Hence, it is necessary to include these two dimensions in the process' (interview with I. Piry, Secretary at the Slovenian Government Office for Local Self-Government and Regional Policy, 11 May 2009).

This 'dual' institutional nature of Slovenia clearly emerges in Interreg IV. Interestingly, in all the cases where Slovenia is engaged in cross-border co-operation programmes (with Austria, Hungary and Croatia), Slovenia is JMA of the programmes. By contrast, in Interreg IV 2007–2013, as discussed above, Friuli-Venezia-Giulia acts as JMA. A Slovenian national officer who deals with Interreg Italy–Slovenia remarked that this was because Slovenia could not be JMA for all the border programmes it engages with.¹² In reality, there are no formal rules that prevent a state from being JMA in all the cross-border co-operation programmes it is dealing with.

Furthermore, while the Friuli-Venezia-Giulia JMA comprises Italian regional officers, the Slovenian counterpart comprises Slovenian national officers, and has its office in Stanje. Interviewees emphasized that the office in Stanje is an office of the (Slovenian) Ministry, and it plays the role of National Authority. The employees who work there come from a governmental state level. Similarly, the Joint Technical Secretariat comprises nine Italian regional officers and six Slovenian state officers. Again, this shows an asymmetric relationship between different governmental levels.

Graphically, as depicted below, on one side there is the Friuli-Venezia-Giulia JMA and the Italian state, which has a representative role, whereas on the other side there is the Slovenian state level, which retains political and economic authority in cross-border co-operation (see Figure 1).

Furthermore, Slovenia relates to the Italian regional level (JMA) in relation to management issues linked to the 2007–2013 programme, while conversely it relates to the Italian central state level when strategic or co-finance issues are at stake (interviews with M. Gavina, 22 February 2011; D. Pur, 8 March 2011). In this latter case, it behaves as a state dealing with another state. It is clear here that Slovenia plays a dual or 'hybrid'

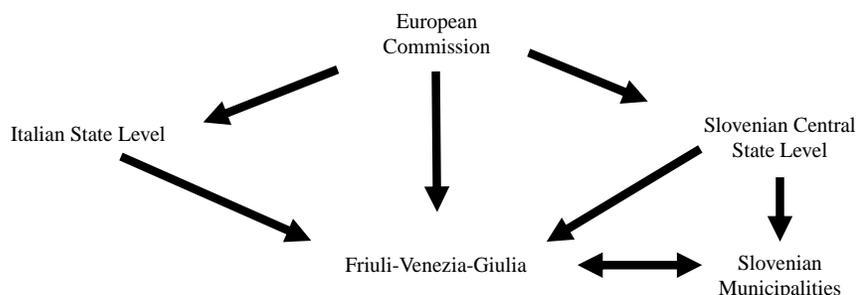


Figure 1. Interrelationship between national, sub-national and supra-national actors in the border Italy–Slovenia. *Note:* The graphic shows that Friuli-Venezia-Giulia, a sub-national actor, relates directly both to the Slovenian central state level as JMA in Interreg IV, as well as to the Italian state and the EU Commission. Conversely, Slovenian municipalities relate to the Slovenians central state level, and the Friuli-Venezia-Giulia JMA as leading partner of a project, but not to the Italian state.

(region-state) role in Interreg IV. The asymmetrical network arrangement, which connects Slovenia to both the Italian regional and national levels, thus creates unbalanced relationships and jurisdictional confusion.

Many Italian and Slovenian officers also pointed out that Slovenia felt undermined in its role as a state in having to deal with the Friuli-Venezia-Giulia region instead of with the Italian state.¹³ Slovenia strongly pursued the principle ‘one vote, one state’, particularly in order to reaffirm itself as a state vis-à-vis Italian regions.

This issue clearly emerges when the approach of the state of Slovenia towards the creation of an EGTC in the Upper Adriatic is analysed. Particularly focusing on the small EGTC (the Upper Manin Adriatic Euroregion), the first step for the actual implementation of this Euroregion was taken on 17 October 2005 in Friuli-Venezia-Giulia in ‘Villa Manin’. On this occasion, two main issues arose, in relation to both Italy and Slovenia. All regions interested in the creation of an EGTC¹⁴ attended the meeting (except Slovenia) in order to elaborate a ‘Declaration of intent’. To render the ‘Declaration of intent’ effective, the two Italian regions sent the text to the Department of Regional Affairs of the Prime Minister’s Office and the Ministry of Foreign Affairs which refused to sign it because they argued that Slovenia lacked ‘domestic territorial agencies’ and the two regions were not allowed to sign bilateral agreements with the said country.¹⁵

In relation to Slovenia, while the state participated in the first meeting, it did not sign the agreement to be part of the ‘founding’ working group. Prime Minister Jansa clearly stated that Slovenia should enter the Euroregion as a state. Officially Slovenian governmental representatives were not present at the second Villa Manin meeting because the Slovenian state did not agree with building a ‘small’ Euroregion but instead wanted to create a larger Euroregion EGTC, which included the territories of Stiria (Austria) and Hungary.

My findings show however that Slovenia’s reservation about becoming part of the Upper Manin Adriatic Euroregion EGTC was politically based. As explained to me, Friuli-Venezia-Giulia was envisaged to play a ‘strategic’ role, with the city of Trieste as the ‘capital’ of this Euroregion EGTC; and Slovenia, entering the EGTC as a ‘unitary state’, would not accept that the official capital of the EGTC was going to be a mere regional capital. Apparently, the Slovenian state perceived the possibility of losing political

‘prestige’ in officially recognizing Trieste as Joint Managing Authority of the EGTC. The Republic of Slovenia thus suggested Ljubljana, the capital of the state, as the central city of a future EGTC. In this way, the state of Slovenia sought to become the barycentre of this EGTC and thus ‘restore’ its own main role over a region which is already Managing Authority of Interreg 2007–2013.

While in Interreg III and IV Slovenia had to accept that a region such as Friuli-Venezia-Giulia would gain the main role of Joint Managing Authority, in the EGTC Slovenia aims to upset this ‘asymmetrical balance’ and to re-affirm its role as a state. The fact that Slovenia wants to be the centre of this EGTC, and therefore, to become Managing Authority of the Upper Manin Adriatic Euroregion, suggests that it is trying to regain what it perceived to be a loss of prestige in dropping to the level of a mere region in Interreg III and IV.

Conclusion

The two major concerns of this article were first to understand whether multi-level governance is emerging in the EU through the implementation of cross-border co-operation programmes, and second, whether power and sovereignty rather than being conceived as a zero-sum game, should be regarded as a way of dealing with interdependent tasks cutting across boundaries of national governments. In analysing the extent to which SNAs mobilize either in competition with, or in support of, their nation-state, this article has shown that a ‘zero-sum game’ formula is still at play on the ground.

Although a significant distribution of policy competences between the national and sub-national level has occurred due to EU cohesion policy, the actors involved, belonging to different governmental levels, are reluctant to join together in a governance network where they become equal partners. The relationship between the state and the regional level is still ambiguous and it varies between decentralized and unitary states. On one hand there are dynamic regional actors that have been able to play a strategic ‘international’ role thanks to the implementation of Interreg and have become able to deal directly with foreign states without the supervision of their central government (western SNAs). On the other, there are local actors who are still very weak and rely on their state (eastern SNAs). This corroborates scholars who suggest that an empowerment of SNAs is likely where a previous regional decentralization has occurred and where a leadership role has been built up during the earlier versions of Interreg (Harguindéguy, 2007; Popescu, 2008).

Furthermore, the interview analysis has revealed ongoing rivalry between regions themselves and there seems, at times, to be strong competition between SNAs and the national level. This arises because they continue to still think through a win–lose formula and in terms of ‘boundaries’. In turn, Slovenia has explicitly shown its will to ‘re-establish’ the original hierarchical structure, re-construct jurisdictional boundaries between what should pertain to a region and which to a state, and play a major role in relation to a sub-national actor within the EGTC. Governance is thus still largely conceived as a zero-sum game, rather than a non-zero-sum game and the notion of ‘sharing power’ is still viewed with suspicion.

Nevertheless, one of the most significant contributions of this article is the novel way the EU has pushed states and regions to perceive themselves and deal with cross-border co-operation issues. This research has shown that in the case of a small unitary state

(Slovenia) there is a double effect due to the implementation of Interreg programmes, and the application of the EGTC. On the one hand, the state of Slovenia has been strengthened by cross-border activities, because it participates as ‘a state’. On the other hand, Slovenia is called to act both as a ‘region’—when it deals with a regional counterpart (i.e. Friuli-Venezia-Giulia Managing Authority) and as a ‘state’—when it deals with a state actor. I argue that Interreg is the driving force that blurs internal administrative barriers and ‘forces’ states to act as ‘regions’. Furthermore, it is becoming increasingly evident that while the Commission initially pressed new access member states to regionalize, now it is more concerned with blurring internal divisions instead of creating a rigid vertical governance structure within unitary states.

A further implication is a possible ‘spillover’ effect. Powerful regions may try to ‘emulate’ this ‘innovative model’ of behaving, learning to act in a ‘hybrid’ way, both as ‘regions’ and as ‘small states’ when they deal with a state counterpart. Conversely, other small states may have to learn to double up as regions as the price to pay to engage in cross-border co-operation. The Upper Adriatic case is symptomatic of this dynamic and it shows that not only the new form of governance which emerges within the EU affects the traditional nature of the state, but is also calling attention to the changing nature of the ‘region’.

Notes

- ¹ The ‘zero-sum notion game’ refers to a decision-making approach where one actor wins while the other loses. Considering two actors, A and B, if A wins 5, B loses 5, and the sum is zero. Conversely, a ‘non-zero sum notion’/‘positive-sum notion’ means that in a two-actors game, gains and losses are not necessarily equal. Thus, it is possible that both sides may gain (Viotti & Kauppi, 1987).
- ² 301,338 km²; approximately 60 million of inhabitants.
- ³ 7,856km²; 1,000,300 inhabitants of which approximately 80,000 are Slovenians descendants.
- ⁴ 20,273 km²; about 2 million inhabitants, of whom approximately 3,000 are members of an Italian minority.
- ⁵ Decentralized and quasi-federal in the case of Italy, ‘newly centralized’ in the case of Slovenia, while Friuli-Venezia-Giulia is an autonomous region of Italy enjoying a special statute.
- ⁶ The former has been responsible for the management of Interreg III (and nowadays Interreg IV) programmes, and their joint implementation (Interact, 2007). It is a *super-partes* body which represents *equally* all the actors who participate in Interreg and it is completely independent with regard to its operational and financial management functions from the state (Interact, 2007, p. 10). The latter also is a *super-partes* institution and it represents all the actors involved in the programme.
- ⁷ Interviews with Slovenian and Italian officials, representing national (Italy, Slovenia), local (in the case of Slovenia, which is still lacking a regional level) and regional authorities (in the case of the Friuli-Venezia-Giulia region) NGOs, cultural associations and business organizations.
- ⁸ Interviews with Italian regional officers and Slovenian national officers between 2007–2011.
- ⁹ Interviews carried out between 2007 and 2011.
- ¹⁰ Interview with S. D’Eredità, Project Manager of Informest, 4 February 2010; interview with E. Svab, President of the Euroservis, Trieste, 10 January 2008.
- ¹¹ Interview with an officer from the Regional Development Centre in Koper, 2009, who wished to remain anonymous.
- ¹² Interview with D. Pur, Director of the European Territorial Co-operation Department, 8 March 2011.
- ¹³ Interviews carried out in Slovenia and Italy between 2007 and 2011.
- ¹⁴ Friuli-Venezia-Giulia, Veneto, Carinthia, Istria and the Coastal-Mountain Region Croatia—Slovenian representatives were not present at this meeting, as will be explained afterwards.
- ¹⁵ Their reasoning was that Italy did not ratify the two added Protocols of the Madrid Convention, which would have allowed this to happen.

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