

Challenges of Consolidation and Institutionalisation of Cross-border Cooperation in the Hungarian–Romanian–Serbian border region

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Abstract

This paper investigates the role of the Danube-Kris-Mureş-Tisa Euroregion and the Banat-Triplex Confinium European Grouping of Territorial Cooperation in the institutionalisation of the tri-border region of Hungary, Romania, and Serbia. From a rationalist perspective, the advantages of the EGTC mechanism primarily derive from its legal and institutional characteristics. There is an increasingly compelling argument for conceptualising the EGTC as a political instrument capable of structuring cross-border cooperation, particularly in peripheral external border regions. This paper examines practical solutions to overcome the legal and administrative obstacles preventing Serbian local and regional authorities from attaining full membership in an EGTC. This analysis is conducted through a multi-perspective analytical framework, incorporating thematic interviews and a systematic review of relevant legislation and regulations. The principal challenges identified as hindering the institutionalisation of the EGTC in the tri-border region include delayed legislative reforms, and a lack of political commitment.

Keywords: cross-border cooperation, tri-border region, Euroregion, EGTC, external border



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Introduction

Hungary is located in the Carpathian Basin and shares borders with seven countries: Austria, Slovenia, Croatia, Serbia, Romania, Ukraine, and Slovakia. Despite its relatively small size, it has a considerable number of border regions, with a total border length of approximately 2,246 km. These border areas play a vital role in shaping the country's regional development and cross-border cooperation. The Hungarian-Serbian and Hungarian-Ukrainian border regions currently form part of the EU's external borders.¹

The status of different border sections, whether they constitute the EU's internal frontier or lie within its external or Schengen Area borders, has a profound impact on the development and dynamics of border regions. This is particularly evident in the Carpathian Basin, where varying border statuses influence cross-border cooperation, economic integration and regional development. The significance of cross-border cooperation evolving along the external and internal borders of the European Union (EU) has been increasing since the last enlargements (in 2004, 2007 and 2013)²

Hungarian minorities in Romania have gained full access to the political, economic and legal order of the Union, whereas Hungarian communities in Serbia and Ukraine, particularly in the autonomous province of Vojvodina and the Transcarpathian region, remain outside the borders of the European Union. They experience integration only indirectly, through pre-accession and neighbourhood programmes. Serbia took a key step towards future EU membership on 29 April 2008, when it signed the Stabilisation and Association Agreement³. Similarly, on 27 June 2014, Ukraine signed the Association Agreement with the European Union⁴, establishing a comprehensive legal and political framework for political association and economic integration.

The borders are the 'scars of history'⁵. National borders often divide historically, geographically, socially and politically homogeneous areas, preventing interaction between the two sides and causing problems for minorities and their families who live on opposite sides of the border. In the Carpathian basin, frequent geopolitical changes have meant that ethnic boundaries and political boundaries often do not align. These developments have created the basis for deepening and widening cross-border cooperation. In border and cross-border regions a "back-to-back" existence must be transformed into a "face-to-face" co-existence, by dismantling barriers and impediments at borders.⁶

Cross-border cooperation is an essential part of European integration and regional development, particularly in areas where national borders intersect with historical, political, and socio-economic legacies. Such regions often face challenges arising from past conflicts, different governance systems, and uneven economic development. These factors can hinder cohesion and mutual trust. In this sense, cross-border cooperation in historically and politically sensitive areas serves as an instrument of regional policy, building confidence, and promoting reconciliation and shared development. The Hungarian-Serbian-Romanian tri-border area is distinctive in this regard, offering insights into the evolution of institutional frameworks for cooperation.

The border regions of EU member states have long called for the creation of a European instrument designed to promote flexible cooperation with neighbouring non-EU regions while maintaining substantial autonomy from central governments and national administrations.

This paper examines the role of the Danube-Kris-Mures-Tisa Euroregion (DKMT Euroregion) and the Banat-Triplex Confinium European Grouping of Territorial Cooperation (Banat-Triplex Confinium

¹ Zoltán Hajdú and James W. Scott: *Carpathian Basin – Hungarian Narratives of Re-integration and Neighbourhood*. Cross-Border Review Yearbook 2022. p.57.

² Fejes, Zsuzsanna – Ocskay, Gyula. "The Cross-Border Cooperation Tool-Box of EU Cohesion Policy". *Európai Tükör* 26(4), 2023. p. 45.

³ Stabilisation and Association Agreement between the European Communities and their Member States of the one part, and the Republic of Serbia, of the other part. OJ L 278, 18.10.2013.

⁴ Association agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part. OJ L 161, 29.5.2014

⁵ Association of European Border Regions (AEBR). European Charter for Border and Cross-border Regions. New version. Gronau, 7th October 2004. p. 3.

⁶ Association of European Border Regions (AEBR). European Charter for Border and Cross-border Regions. New version. Gronau, 7th October 2004. p. 4.

EGTC) in the institutionalisation of the tri-border region of Hungary, Romania and Serbia. These two cooperative frameworks demonstrate how institutional mechanisms can facilitate the transformation of historically divided border areas into cohesive, collaborative regions.

The Council of Europe and the European Union have sought to address the longstanding lack of cross-border cooperation by establishing legal frameworks and policy initiatives that encourage collaboration between regions divided by political borders. Unlike the Madrid Outline Convention of 1980⁷, which was adopted by the Council of Europe and lacked binding legal force, Regulation (EC) No. 1082/2006 on the European Grouping of Territorial Cooperation⁸ establishes a public legal entity with its own legal personality that is directly applicable across the European Union.

This paper hypothesises that while the primary strength of the EGTC lies in its legal and institutional design, its potential goes beyond mere technical coordination. In politically sensitive border regions, the EGTC can promote long-term regional cohesion and facilitate deeper integration by acting as a political instrument. This is particularly significant in EU regions bordering external borders, where geopolitical and political factors continue to influence cross-border cooperation.

The paper is structured as follows. The first section emphasises the Council of Europe's and the EU's role in promoting the institutionalisation of cross-border cooperation. It examines how legal frameworks, policy tools, and funding mechanisms have fostered internal collaboration while acknowledging that challenges persist at the Union's external borders. The second section examines the role of the DKMT Euroregion in cross-border governance, emphasising its institutional framework, collaborative mechanisms, and impact on regional integration. The third section explores the influence of state-centric political traditions and enduring administrative legacies on the development and institutionalisation of cross-border relations in the case of the Banat Triple Confinium EGTC.

Methodology

This paper provides a critical assessment of the academic literature and draws on three main sources of empirical research: official documentation, thematic interviews, and laws and regulations. Core empirical evidence comprises publicly available official documents and in-depth thematic interviews with key stakeholders in cross-border cooperation, including local political representatives and coordinators of cross-border initiatives. These interviews were designed to elicit detailed qualitative insights into the governance dynamics, institutional mechanisms, and socio-cultural dimensions that underpin cross-border cooperation.

This paper adopts a multi-perspective analytical framework to examine cross-border cooperation. Alongside the traditional normative legal approach, the territorialist, institutionalist, and governance perspectives are applied to analyse the dynamics, mechanisms, and outcomes of collaboration. This integrated approach provides a comprehensive understanding of the legal, institutional, and political dimensions relating to the establishment or participation in a European Grouping of Territorial Cooperation.

The territorialist perspective highlights how state borders and national sovereignty constrain cross-border cooperation, as illustrated by the Banat-Triplex Confinium EGTC, where Serbia's reluctance to transfer authority to a supranational legal framework hindered collaboration. (Faludi 2018, Kahn 2014, Sack 1986)

Within this framework, the institutionalist approach focuses on the governance structures, procedural mechanisms, and policy coordination frameworks that shape cross-border cooperation. However, empirical cases such as the DKMT Euroregion and the Banat-Triplex Confinium EGTC reveal a more nuanced reality: the effectiveness of CBC initiatives depends not only on institutional structures but also on the ability of local, regional, and national actors to navigate, mediate, and reconcile competing interests across multiple governance levels. (Perkmann 2003, Spinaci – Vara-Arribas 2009, Jančová et al. 2023)

In recent decades, legal and political scientists have increasingly examined the changing role of nation states in European integration. Governance is viewed as an alternative to the traditional hierarchical

⁷ Council of Europe. European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities. 1980. CETS No. 106.

⁸ 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 L210, 31.7.2006.

model of government, focusing on vertical partnerships and horizontal networks. Cross-border structures, such as Euroregions and European Groupings of Territorial Cooperation (EGTCs), comprise networks of democratically elected local and territorial representatives whose legitimacy is derived from their electoral mandate. This creates a new space for cross-border democratic governance. (Zapletal 2010, Lepik 2009, Hooghe – Marks 2001)

Cross-Border Cooperation and Institutional Evolution in the European Union

Historically, the Carpathian basin countries had closed borders with the West. In the 1990s, however, a paradigmatic shift occurred as these borders transformed from rigid barriers into potential sites of connectivity, opening up new opportunities for interaction. Initially, cooperation was largely spontaneous, with informal bottom-up systems gradually evolving. Meanwhile, in Western Europe, formalised cooperation had been increasing since the 1950s, as exemplified by ‘twin towns’ formed through official agreements between local authorities in different countries. The concept of territorial cooperation emerged more fully in the 1960s, accompanied by decentralisation processes that enhanced the autonomy of cross-border regions.⁹

The Assembly of European Border Regions (AEBR) distinguishes between two types of organisation: short-term project-level collaborations, and long-term strategic-level collaborations. The latter often takes the form of an institutionalised structure through the formulation of a common strategy.¹⁰ The first organisation dedicated to cross-border regions was the Euroregion, which was further reinforced by the Madrid Outline Convention in 1980, which provided a legal framework for formalising bottom-up initiatives.

Establishing cooperation requires the conclusion of bilateral or multilateral agreements between the contracting parties. These public entities consist of partners from two or more cross-border regions in different European countries.¹¹ However, the Convention only authorises regional and local bodies to sign cooperation agreements under the supervision of national-level authorities. Consequently, the state retains the right of veto as the sole authority on foreign affairs.¹² Neither Euroregions nor other forms of cooperation established under the Madrid Outline Convention are legally recognised on either side of the border. This limits their ability to implement joint projects effectively.

Today, only a few Euroregions remain active on the Hungarian borderlands. Most were dissolved after the establishment of the EGTC, but the Carpathian Euroregion and the Danube-Kris-Mures-Tisa Euroregion were able to persist due to their well-established cross-border networks, ongoing regional projects, and institutional frameworks, which enabled them to adapt to the EGTC model.

Table 1: Legal framework of cross-border cooperation

International Law	<ol style="list-style-type: none"> 1. Multilateral and bilateral agreements 2. International regulations of cooperative system <ul style="list-style-type: none"> • European Outline Convention on Transfrontier Cooperation (1980) • Draft European Charter of Regional Self-government (1997) • European Charter of Local Self-government (1985)
EU law	<p>EGTC Regulation (2006)</p> <ul style="list-style-type: none"> • (with supplement of national provisions)

source: compiled by the author

⁹ Studzieniecki, Tomasz – Mazurek, Tomasz. “European Union Funds in the development of European Groupings of Territorial Cooperation (EGTCs) in Europe”. *EJSM* 27(2), 2018. p. 416.

¹⁰ Association of European Border Regions (AEBR). *Gyakorlati Útmutató a Határon Átnyúló Együttműködésekhez*. Gronau: European Commission, 1997. B2. pp. 13-14.

¹¹ Sielker, Franziska. “The European Commission’s proposal for a cross-border mechanism (ECBM): Potential implications and perspectives”. *Journal of Property Planning and Environmental Law* 10 (3), 2018. p. 4.

¹² Soós, Edit – Fejes, Zsuzsanna. *Határon átnyúló együttműködések Magyarországon*. Szeged: Pólay Elemér Alapítvány, 2009. p. 58.

Alongside these efforts, the European Union has developed a strategic, multi-layered toolkit designed to assist local and regional authorities on both sides of a border in addressing shared challenges and realising the territorial potential of functionally integrated cross-border regions. The first instrument in this toolkit was the INTERREG Community Initiative, launched in 1989, which laid the foundations for a more structured and policy-driven approach to cross-border cooperation.¹³

During the past few decades, the process of European integration has played a significant role in transforming internal border regions from peripheral areas into dynamic zones of growth and opportunity. The internal border regions of the EU cover approximately 40% of the Union's territory and are home to around 30% of its population, roughly 150 million people. Moreover, these regions account for about 30% of the EU's gross domestic product, highlighting their significant economic role within the broader European framework.¹⁴

A new milestone in the development of cross-border cooperation was reached in 2006 with the adoption of the Regulation establishing the legal framework for European Grouping of Territorial Cooperation in 2006.¹⁵ The novelty of the EGTC lies in providing a directly applicable and binding framework across all EU member states. The establishment of the grouping is based on the experience gained from implementing the INTERREG and Phare CBC programmes.

One of the key advantages of the EGTC is that it has a single legal personality, governed by the law of the Member State in which its registered office is located. This legal framework applies across borders, enabling enforcement on both sides. In terms of its structure, separate bodies do not need to be established on either side of the border because the EGTC operates as a single institution under a harmonised legal regime. EGTC members (member states, regional authorities, local authorities, and public-law bodies) can deliver joint services without the need for an international agreement to be signed and ratified by national parliaments. The authors indicate that “the EGTCs gained a rather cross-border governance role of local and regional municipalities located in border regions with a special focus on cross-border institutional cooperation and territorial developments”.¹⁶ Consequently, emphasis was placed on the collaborative management of the territorial and institutional assets of the region by municipalities.

Currently, 86 registered EGTCs operate across the internal border regions of the European Union.¹⁷ While the EU has achieved considerable success in promoting cross-border cooperation within its borders, such initiatives are relatively rare along its external borders, with only four EGTCs in progress. One of these is the Tisza EGTC, which includes partners from Hungary and Ukraine. In addition, three other EGTCs involve members from non-EU countries: EUCOR – The European Campus and the Interregional Alliance for the Rhine-Alpine Corridor EGTC (both with Swiss partners), and the Amphictyony EGTC, which includes a Palestinian member.

The Danube-Kris-Mureş-Tisa Euroregion. Challenges and Opportunities

The Hungary-Serbia-Romania border is an active site of cross-border cooperation. This is evident in initiatives such as the DKMT Euroregion, established in 1997, and the Banat-Triplex Confinium European Grouping of Territorial Cooperation, established in 2009. These initiatives operate in a region where shared landscapes and a distinct regional identity transcend national borders. This is particularly evident along Hungary's southeastern border, where the Great Hungarian Plain extends seamlessly into Romanian and Serbian territory. Szeged is the region's main centre, while the nearby town of Mórahalom

¹³ Since its inception, *Interreg* has evolved through successive programming periods: *Interreg I* (1990–1993), *Interreg II* (1994–1999), *Interreg III* (2000–2006), *Interreg IV* (2007–2013), *Interreg V* (2014–2020), and the current *Interreg VI* (2021–2027).

¹⁴ European Commission: Communication from the Commission to the Council and the European Parliament. Boosting growth and cohesion in EU border regions. Brussels, 20.9.2017. COM(2017) 534 final, p. 1.

¹⁵ 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 L210. 31.7.2006.

¹⁶ Hesz, Roland – Jankai, Norbert – Jaschitz Mátyás – Ocskai, Gyula – Svensson, Sara. *Overview of the EGTCs around Hungary*. Edited by Ocskai, Gyula – Svensson, Sara. Budapest: Central European Service for Cross-Border Initiatives Budapest Observatory of Borders, 2016. p. 29.

¹⁷ European Committee of the Regions. List of European Groupings of Territorial Cooperation. 22/07/2025. Retrived from: https://cor.europa.eu/sites/default/files/2024-11/Official_List_of_the_EGTCs.pdf

has played a key role in strengthening cross-border ties with Vojvodina. The continuity of natural geography and historical cultural ties in this area provides a solid basis for regional cooperation and integration.

The Danube-Kris-Mureş-Tisa Euroregion is considered the main cross-border organisational structure in the tri-border area of Hungary, Romania, and Serbia. Founded on 21 November 1997, it now includes two Hungarian counties, three Romanian counties, and the Autonomous Province of Vojvodina in Serbia. Bilateral cooperation agreements preceded the process of institutionalisation.

In 2003, the DKMT Euroregion underwent significant organisational reform aimed at improving the effectiveness of its activities and management. Within the DKMT action area, representatives of regional chambers of commerce and universities from the three countries, along with joint representatives of civil society, youth and trade union organisations, were granted the consultation right. In its expanded form, the General Assembly assumed the role of the DKMT's consultative and strategic decision-making body. It is responsible for developing and coordinating the Euroregion's development and cooperation programmes. The work of the General Assembly is supported by working groups whose experts provide input on decision-making processes. National coordinators, one elected political officer from each country, facilitate the reconciliation of interests. On 24 May 2003, the General Assembly established the DKMT Euroregion Development Agency Ltd., a legally recognised operational body. The agency was tasked with preparing, coordinating, and managing joint development programmes across the participating regions.

The management of external funding, particularly from EU sources such as the INTERREG and Phare CBC programmes, is a fundamental feature of the restructured organisation. This organisational reform has significantly strengthened the Euroregion's institutional capacity, exemplifying sustainable cross-border cooperation and regional development within the Carpathian basin.¹⁸

1. Despite significant achievements, the Euroregion cannot yet be regarded as a key actor in regional development. Several factors contribute to this situation. First, the limited institutional capacity and relatively modest financial resources available to Euroregional bodies restrict their ability to initiate and sustain impactful development projects. Furthermore, cooperation within Euroregions is often project-based and short-term, lacking the long-term strategic planning and institutionalisation required for deeper regional integration. Divergent political priorities and administrative structures between the participating local and regional authorities also hinder effective coordination and decision-making. Although European Union policies and funding mechanisms actively promote cross-border collaboration, their practical implementation often falls short of fully exploiting these opportunities, leaving the Euroregion with only marginal influence.

2. Looking ahead, the objective is to strengthen the DKMT Euroregion's capacity for cross-border cooperation by securing greater support from the central governments of Hungary, Romania, and Serbia. To achieve this, political commitment must be reinforced, adequate resources must be allocated, and decision-making competencies in cross-border development must be expanded. Such measures would enable more effective planning, coordination, and implementation of joint regional initiatives. These initiatives should be based on the principles of subsidiarity and partnership.

The Establishment of the Banat-Triplex Confinium European Grouping of Territorial Cooperation

Alongside the relevant national implementation rules, the EGTC Regulation establishes the legal framework governing the formation, operation, and oversight of European Groupings of Territorial Cooperation. In Hungary, this framework is set out in Act XCIX of 2007 on the European Grouping of Territorial Cooperation, which was adopted by the Hungarian National Assembly on 25 June 2007. Romania enacted its implementing provisions for the EGTC Regulation on 12 November 2007, thus creating the necessary national legal basis for the establishment and operation of EGTCs.

The process of establishing the Banat-Triplex Confinium European Grouping of Territorial Cooperation started with a meeting of mayors from the tri-border region in Mórahalom, Hungary, on 17 June 2009. At this meeting, the mayors decided to establish an EGTC based in Mórahalom. According to Article 3 of the EGTC regulation, it is solely the responsibility of participating entities to establish an EGTC. As local governments are decision-making authorities with a political mandate, any resolution concerning

¹⁸ Marosvári, Attila – Csókási, Eszter. *A DKMT regionális együttműködés*. In: Régió a hármashatár mentén. (Szerk: Soós, Edit – Fejes, Zsuzsanna) Szeged, 2010. pp. 43-44.

cooperation with local government bodies across national borders must be adopted by a qualified majority of the relevant governing assembly. The Convention was duly signed on 10 December 2009 by thirty-seven municipalities from Hungary, along with an equal number from Romania.¹⁹ Subsequently, the Statute of the EGTC was approved.²⁰

EGTC members must obtain authorisation from all relevant states. In Hungary, the Ministry of Public Administration and Justice acted as the approval authority, authorising the grouping in 2010. In Romania, the Ministry of Regional Development and Tourism issued the necessary authorisation. Regarding the third prospective participant in the EGTC, the councils of the Vojvodinian municipalities adopted a formal resolution in 2009 to join the Banat-Triplex Confinium EGTC. The competent authorities of the Republic of Serbia were notified of this intention. However, in September 2009, the Ministry of State Administration and Local Government rejected the local authorities' petition. This decision was upheld by the Ministry of Human and Minority Rights, State Administration and Local Government in May 2011.

The Ministry stated that the primary reason for the refusal was that the legal framework of the Republic of Serbia does not allow municipalities to participate in this type of grouping. The Ministry also noted in its official response that Serbia had not concluded any bilateral agreements with EU member states and that no national legislation was in force to permit the participation of Vojvodinian municipalities.

The Vojvodinian municipalities did not choose to prevent the formation of the European Grouping of Territorial Cooperation. They decided to participate as observers until the legal obstacles were resolved and their full membership was approved by the Serbian government. This commitment was formalised through a Cooperation Agreement with Banat-Triplex Confinium EGTC, which was signed in Mórahalom on 10 December 2009.²¹

Following the requisite approvals from the relevant authorities in Hungary and Romania, the Banat-Triplex Confinium European Grouping of Territorial Cooperation was officially registered in Budapest on 5 January 2011, in accordance with the decision of the Budapest Metropolitan Court.²²

There are several advantages to municipalities in Vojvodina holding observer status. For example, they no longer need to look for partners for IPA projects independently, as potential collaborators can be sourced from the existing EGTC network. Furthermore, partners anticipate that future cross-border cooperation programmes will foster closer relations with the Serbian government and other relevant authorities.

The objectives of the Banat-Triplex Confinium EGTC, with regard to the purpose of cross-border cooperation, focus primarily on economic, social, and environmental activities. The grouping aims to encourage entrepreneurship, facilitate market access, and develop transport and storage infrastructure for the food industry. The EGTC also promotes cross-border trade, supports entrepreneurial networks, and encourages joint investments.²³

The EGTC was not set up in the tri-border region of Hungary, Romania, and Serbia, which involves third-party members. In contrast, a functional, institutionalised framework for cooperation has been developed in the Hungarian-Ukrainian border area. The Tisza European Grouping of Territorial Cooperation (EGTC) is a unique organisation that exemplifies effective cross-border cooperation along Hungary's EU external border. A broad political consensus on both sides of the border was essential for the establishment of the EGTC on 26 October 2015. The formation of the EGTC was supported by Szabolcs-Szatmár-Bereg County and Kisvárdai City in Hungary and the Transcarpathia Regional Council in Ukraine.²⁴

¹⁹ Egyezmény. Banat-Triplex Confinium korlátolt felelősségű Területi Együttműködési Csoportosulás. Mórahalom, 2009. december 10.

²⁰ Alapszabály. Banat-Triplex Confinium korlátolt felelősségű Területi Együttműködési Csoportosulás. Mórahalom, 2009. december 10.

²¹ Együttműködési megállapodás. Mórahalom, 2009. december 10.

²² Court order. Budapest Metropolitan Court. 2011. január 12. 11Pk. 65.042/2010/2.

²³ Egyezmény. Banat-Triplex Confinium korlátolt felelősségű Területi Együttműködési Csoportosulás. Mórahalom, 2009. december 10.

²⁴ European Committee of the Regions. *EGTC monitoring report 2016 and impacts of Schengen area crisis on the work of EGTCs*. European Union, 2017. p. 92.

According to Article 4(2) of the amended EGTC regulation²⁵, third countries can participate in an EGTC, provided that the EGTC includes members from one EU member state and one neighbouring third country. The member state must also approve the EGTC's scope of territorial cooperation in cross-border relations with the third country.

Despite Ukraine being considered a third country under EU law, bilateral agreements have permitted regional actors to take part in cross-border institutional arrangements, including EGTC. Notably, the Treaty on the Foundations of Good Neighbourhood and Cooperation between the Republic of Hungary and the Republic of Ukraine, signed in Kyiv on 6 December 1991, and the Treaty on Cross-Border Cooperation between Hungary and Ukraine, signed in Budapest on 11 November 1997. The primary objective of these initiatives was to encourage collaboration between the two countries, placing particular emphasis on the border regions.²⁶

Results and Discussion

Significant progress has been made by the DKMT Euroregion in developing cross-border cooperation along the Hungarian-Romanian-Serbian border. Nevertheless, several challenges remain. One such issue is the full membership status of the Vojvodinian partners within the EGTC framework, which remains unresolved. Despite strong initiatives from local authorities in Hungary and Romania, and clear expressions of interest from municipalities in Serbia's Vojvodina province, the failure to establish the Banat-Triplex Confinium EGTC highlights the ongoing political and legal challenges faced at the EU's external borders.

The EGTC Regulation establishes a supranational framework; however, its practical implementation depends on national legislation, which defines the criteria for entity eligibility. Within this framework, the polycentric legal environment does not diminish the central authority of the state, which retains the power to prohibit subnational entities from participating if doing so would conflict with the Regulation or national law. The same applies to third countries.

Although Regulation 1082/2006/EC establishes a unified legal framework at the supranational level, national governments continue to play a 'gatekeeper' role when it comes to setting up European Grouping of Territorial Cooperation. This is an example of regulatory polycentrism in action, as it allows third countries to participate without compromising their sovereignty or legal systems. However, to ensure effective participation, third countries must take proactive measures, such as pursuing legal harmonisation or concluding bilateral or multilateral agreements.²⁷

The establishment process is further complicated by political factors. Serbia's centralised governance model and ongoing domestic sensitivities concerning ethnic and territorial issues may influence decisions relating to cross-border engagement. These factors can result in a reluctance to permit cross-border cooperation involving certain regions, even when such initiatives align with EU frameworks. Therefore, legal compatibility alone is insufficient to guarantee successful cooperation. In the Serbian context, successful cooperation also requires navigating entrenched political sensitivities and fostering trust between national authorities and local stakeholders.

Nation states often see cross-border cooperation as a potential threat to their integrity when it deals with ethnic homogeneity rather than diversity.²⁸ The authors agree that national borders symbolise both division and the potential for collaboration. Border areas are characterised by their distinctive spatial

²⁵ 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, amended by Regulation (EU) No 1302/2013 of the European Parliament and of the Council of 17 December 2013, OJ L 347, 20.12.2013.

²⁶ 68/1999. (V. 21.) Korm. Rendelet a Magyar Köztársaság Kormánya és Ukrajna Kormánya között a határon átnyúló együttműködésről szóló, Budapesten, 1997. november 11-én aláírt Egyezmény kihirdetéséről. In: Soós Edit-Fejes Zsuzsanna: *Határon átnyúló együttműködések Magyarországon*. pp. 221-229.

²⁷ Fejes, Zsuzsanna. *Határtalan lehetőségek: az együttműködés jogi feltételei a magyar-román-szerb hármashatár mentén*. In: Régió a hármashatár mentén. (Szerk: Soós, Edit – Fejes, Zsuzsanna) Szeged, 2010: 103-118.; Fejes, Zsuzsanna. Republic of Serbia Towards the European Territorial Cohesion and Cross-Border Cooperation – with Special Focus on Vojvodina. *Deturope – the Central European Journal of regional developments and tourism*. 5(3) 2013: 88-104.

²⁸ Palermo, Francesco. *Transfrontier Co-operation as a Means to Maintain Ethno-cultural Diversity: Limits and Opportunities*. In: Minorities in a Seamless Europe. The Role of Transfrontier Cooperation in Maintaining Ethno-cultural Diversity. International Conference. Budapest, 15 September 2009. p. 12.

and political role. The development and growth prospects of border municipalities are strongly influenced by prevailing perceptions of state boundaries and by the relationships established between states over time. Open borders tend to foster mutual understanding between neighbouring populations, whereas closed borders often reflect and reinforce mutual distrust.²⁹

All in all, the significance of cross-border cooperation among local communities in neighboring countries serves as a clear indicator of stability and the normalisation of relations between the two state.³⁰ Overcoming mutual animosity and prejudice between populations in border regions, which are often rooted in historical legacy, remains a key challenge in external border areas, particularly in the tri-border region.

The first Euroregion, founded on the Dutch-German border in 1957, represents a milestone in the development of Euroregions and the institutionalisation of cross-border cooperation in Europe. Slowly, Euroregions have been acknowledged as suitable instruments for cross-border regional development.³¹ In Hungary's border regions, Euroregions act as instruments of transformation, alleviating the constraints of peripheral areas, and promoting European integration.³² Reiser highlights several advantages of the DKMT, including its organisational structures, increased national confidence, joint lobbying efforts extending beyond the region, and the implementation of a regional development plan. These factors have strengthened the DKMT, enabling it to bridge the gap effectively between EU member states and countries aspiring to join the EU. However, the region will face numerous challenges in the coming years due to the different integration processes of the three countries.³³

Scholars agree that Euroregions lacked legal personality and could use EU funds in a limited manner. New institutions needed to be established to improve the existing Euroregions. The launch of the EGTC instrument in 2006 opened a new stage of cross-border cooperation.³⁴

Ricz, a scholar from Vojvodina, highlights that one of the major challenges facing European Groupings of Territorial Cooperation (EGTCs) is their reliance on EU funding. However, this dependence paradoxically undermines their autonomy and long-term sustainability, as their activities often follow the logic of available funding rather than the structural needs of their members. Ricz's critique highlights the importance of EGTCs diversifying their financial sources by incorporating national or subnational funding and membership contributions. This would enhance institutional stability and ensure alignment with strategic objectives.³⁵

The shift from a Euroregion to an EGTC involves both potential benefits and challenges, as noted by scholars examining the Hungarian borderlands. While some became disappointed and disillusioned, others remained optimistic that EGTCs could deliver better results. Some viewed the period of EGTC formation as a "golden era", characterised by enthusiasm. However, others doubted that adopting a new format would lead to meaningful change.³⁶

EGTCs operate in a functional geographical environment. Hajdú and Scott emphasise the importance of understanding the tensions between contrasting views of the Carpathian basin, as both as a "Hungarian

²⁹ Pál, Ágnes. „A szerb határ, határ menti térségek, régiók kutatása és az Európai Unió”. *Deturope – the Central European Journal of regional developments and tourism* 5(3), 2013. p. 1., p. 12.

³⁰ Jelinčić, J. – Durovič, S. (eds.) *Cross-border Cooperation as Serbia's development instrument*. Belgrade: Centre for Applied European Studies. Fund for an Open Society, 2009. p. 8.

³¹ Rieser, Hans-Heinrich. “The DKMT-Euroregion: an instrument for cross-border regional development”. *Romanian review of Regional Studies* 1(1), 2005. p. 28.

³² Czimre, Klára: “A bővítési szempontok és a határon átnyúló együttműködések kapcsolata”. *Tér és Társadalom* 18(4) 2004. p.134.

³³ Rieser, Hans-Heinrich. “The DKMT-Euroregion: an instrument for cross-border regional development”. *Romanian review of Regional Studies* 1(1), 2005. p. 34.

³⁴ Eckardt, Martina – Gritsch, Mátyás. “Governance of cross-border regional cooperation by the EGTC - An explorative analysis with a focus on Hungarian EGTCs”. *Journal for Public and Nonprofit Services* 39. Jahrg., H. 1/2, 2016. p. 202., Ocskay, Gyula – Scott, James W. *Cross-Territorial Governance via EGTCs for Territorial Cohesion*. In: Medeiros, E. (ed.) *Public Policies for Territorial Cohesion*. The Urban Book Series. Springer, Cham. 2023. p. 199.

³⁵ Ricz, András. “Egy határon átívelő régió (EGTC) kialakításának lehetőségei a Szerb-magyar határtérségben”. *Deturope – the Central European Journal of regional developments and tourism*. 1(1), 2009. p. 75.

³⁶ Hesz, Roland – Jankai, Norbert – Jaschitz Mátyás – Ocskai, Gyula – Svensson, Sara. *Overview of the EGTCs around Hungary*. Eds. by Ocskai, Gyula – Svensson, Sara. Budapest: Central European Service for Cross-Border Initiatives Budapest Observatory of Borders, 2016. p. 52.

neighbourhood” and as a consequence of concerns raised by Hungary's neighbours. This approach is based on the assumption that the links between geography, geographical imaginaries, and national identity remain significant. In these circumstances, effective governance is essential for managing territorial dynamics and ensuring that cross-border initiatives deliver long-term benefits.

Conclusion

Cross-border cooperation is regulated at both the European (transnational, allowing for participation from third countries) and national levels, and the effect of these regulations shapes the scope and effectiveness of subnational collaboration.

Despite the progress achieved to date, the Euroregion cannot yet be considered a central actor in the tri-border area, particularly in the context of EU accession efforts and regional integration initiatives involving candidate countries.

1. Serbian authorities have not yet fully met their legal obligation to align domestic legislation with international legal standards. While the Serbian Parliament ratified the Madrid Outline Convention in 2016, it has not yet ratified the Third Protocol to the Convention³⁷, which would provide local authorities with an additional mechanism for cross-border cooperation. The Euroregional Cooperation Grouping (ECG) was established (2009) to provide a legal framework similar to that of the EGTC. However, due to the absence of Serbian ratification of the Third Protocol, Serbian local and regional authorities cannot form or fully participate in an ECG instead of an EGTC.

2. The Serbian government must ensure that the conditions for the effective implementation of the European Charter of Local Self-Government (1985) are secured. ‘*Local authorities shall be entitled, under such conditions as may be provided for by the law, to cooperate with their counterparts in other States*’. (*European Charter of Local Self-Government, Art. 10. (3), 1985*). Serbia signed (2005) and ratified (2007) the European Charter of Local Self-Government, which entered into force in 2008. However, government approval is required for any cross-border agreements, which could create administrative barriers and limit the flexibility of local authorities. This could hinder the development of international partnerships and prevent local governments from fully participating in cross-border governance efforts and broader European integration.

The European Grouping of Territorial Cooperation provides an alternative institutional framework for facilitating cross-border cooperation.

The EGTC framework allows third countries to participate without undermining their sovereignty or legal systems. However, the effectiveness of this flexibility depends on third countries, including Serbia, actively pursuing legal harmonisation and negotiating the requisite international agreements. Serbia lacks the domestic legal framework necessary for participation in an EGTC. Although Article 3a of Regulation 1082/2006 (amended by Regulation 1302/2013) allows third countries to participate under certain conditions, Serbia has not yet introduced a national legal instrument equivalent to this provision. At this time, municipalities in Vojvodina are not eligible for full membership of an EGTC.

Notwithstanding the current constraints, there are viable pathways to integrate Serbia into EU-based cross-border cooperation frameworks. Two legal mechanisms are particularly relevant.

Firstly, with regard to national legal alignment, Serbia, as an EU candidate country, could adopt legislation modelled on the EGTC Regulation. This would establish the necessary domestic legal framework for participation, facilitate cross-border cooperation, and ensure consistency with the EU accession criteria on regional development and good governance

Secondly, as an alternative, Serbia could conclude bilateral agreements with neighbouring EU member states, particularly Hungary and Romania, specifically designed to permit joint participation in EGTCs. Such agreements could define legal competences, funding arrangements, and governance structures, thereby ensuring that cross-border projects are both legally sound and operationally feasible.

The delayed legislative reforms are further complicated by political factors. Serbia’s centralised governance model and ongoing domestic sensitivities concerning ethnic and territorial issues can affect decisions relating to cross-border engagement. These factors can result in a reluctance to permit cross-

³⁷ Council of Europe. Protocol No. 3 to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities Concerning Euroregional Co-operation Groupings (ECGs). 2009. CETS No. 206.

border cooperation involving certain regions, even when such initiatives are in line with EU frameworks. Therefore, legal compatibility alone is insufficient to guarantee successful cooperation. In the Serbian context, successful cooperation also requires navigating entrenched political sensitivities and fostering trust between national authorities and local stakeholders.

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