
EUROPEAN UNION STRATEGY FOR THE DANUBE REGION TOWARD A STRUCTURAL REFORM OF THE REGIONAL COOPERATION

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INTRODUCTION

The River Danube, the cradle of civilizations for many ancient cultures of Europe, has been participating, as a real witness, in political ambitions and diplomatic negotiations, bearing on its troubled waves a true collection of spiritual and social connections and a unique space for the continuous development of its territory.

From a geostrategic perspective, the Danube delimitates, to the north, the Balkan Peninsula from the rest of Europe and represents a natural connector of the European Union with the non-EU countries in the South-East. Historically, the Danube has marked ages of cultural trends and socio-political experiences and been silent witness to the dramatic transformations in the ideologies, human conventions and social principles of the inhabiting nations along its banks.

We are all strongly related to this River: through traditions, cultural values, economical interests and religions. The Danube represents our common past and our future existence, a blue ribbon between the Black Forest and the Black Sea and a network of territories that goes beyond the region, to the rest of Europe and further to the East. The Danube region should be, then, defined by its increased strategic potential in sustaining ambitious projects with the purpose of improving living conditions and sustainable growth.

However, there are still some questions with no answer that invite the opening of a new reflective process over the best available mechanisms that can be used for transforming this European region in a competitive and dynamic structure: which is the most appropriate way of integrating local or national initiatives in a “macro” perspective for the benefit of everybody? Does geography matter in setting up political alliances or economic partnerships? Is our society ready for a new experiment in understanding and applying synergic tools of cooperation?

INTERNATIONAL WATERCOURSES, HISTORY LESSONS

According to the *Convention on the law of the non-navigational uses of international watercourses*, an “international watercourse” means a watercourse, parts of which are situated in different states¹. Therefore, boundary waters refer to waters such as rivers, lakes, reservoirs and canals, parts of which are situated in different states. They are called boundary because they either form a boundary between states or they run across one. In many cases, state boundaries have been drawn to coincide with rivers or a watershed for easy recognition. Boundary waters are also called international watercourses because they are already, by definition, international. For this reason, regulations on the use of these shared natural resources have to be established bilaterally or multilaterally². For regulating the various interests concerned, states analyzed the opportunity of concluding international treaties, from the beginning of 19th century up to the Second World War. As a result, the first international waterway administration was established in 1804 to deal with navigation on the Rhine River.

Danube history was marked by the conclusion of the Treaty of Paris in 1856, foreseeing the enlargement of the Danube River legal regime and the setting up of the European Danube Commission. To this end, more than a century ago, the representatives of the European great powers of the time met in Galati (in nowadays Romania) in order to decide the first important project of Danube cooperation and to facilitate navigation on the Lower Danube. In the ensuing years, this undertaking was followed by others, in the fields of transport, economic relations, culture and education³.

The Treaty of Versailles, concluded after the First World War, foresaw the freedom of navigation on the most important European Rivers, and Article 291 declared the Danube an international River.

The Danube region of the 20th century was marked by dramatic political changes, from systematic violations of old democracies and sovereign rights to the symbolic fall of the Iron Curtain and the gradual recognition of new international actors—countries in the West Balkans. After the Second World War, the new political dynamics of the continent was labeled by division in two antagonistic spaces. The “lead plate” of

¹ Selected Texts of Legal Instruments in International Environmental Law, UNEP 2005, pg. 383.

² Kuokkanen, Tuomas, “International Law and Water”, International and Environmental Law-Making and Diplomacy Review, 2004, pg. 167.

³ Following this model of waters administration, another International Commission was established, for the navigation on the Congo River, in 1885.

communism suppressed the ethnical and national aspirations of the populations in south-eastern Europe, generating new imbalances and frozen conflicts that would strongly emerge after 1989, especially in the Balkans. Therefore, after a *status quo* that lasted 45 years, the old differences and disputes would return in force in the 1990s. What happened in the Balkans in the last decade of the 20th century, the conflicts in the ex-Yugoslavia, is not a result of a certain historical determinism or of the conflict vocation of the populations living in this space, but the result of overlapping and mutual stimulation of the communist regime crisis with the remains of the post-war multinational state. Both communism and the multinational state were two artificial systems, and their mixture and decomposition has led to the explosion of conflicts in the past years. The geopolitical European borders divided the countries along the Danube into separate spaces, governed by two opposite ideologies: capitalism and communism.

However, international law has recorded several victories among the dust of the battlefields and the setting up of a new Europe. In 1948, after the Second World War, in Belgrade, the Convention regarding the Regime of Navigation on the Danube was signed. This is today's international legal instrument governing navigation on the Danube. The Convention provides for free navigation on the Danube in accordance with the interests and sovereign rights of the Contracting Parties of the Convention. According to it, the eleven Member States undertake to maintain their sections of the Danube in a condition *navigable* for river-going and, on the appropriate sections, for sea-going vessels and to carry out the work necessary for the maintenance and improvement of navigation conditions and not to obstruct or hinder navigation on the navigable channels of the Danube. The Danube Commission, which consists of the representatives of the Member States—one for each—has been established to supervise the implementation of the 1948 Convention and to fulfil various other tasks aiming at ensuring adequate conditions for shipping on the Danube.

After the implosion of the Soviet Union and the communist regime's collapse in Europe, the dawn of a new era of cooperation in the Danube region come out. As a recognition of old alliances, in 1991 four young democracies, Poland, Hungary, Slovenia and Slovakia shook hands over a formal arrangement called the "Visegrad Group" that had as its political goal to embark on joint efforts in achieving the objective of successfully accomplishing social transformation and giving mutual support in the European integration process. This is an example of a common action for achieving

European aspirations, an initiative that was borne out of the idea to enhance the four members' cooperation with the purpose of accelerating their internal reforms and the EU accession process that finally took place in 2004.

The Danube Cooperation Process⁴ was a result of an initiative developed by Austria, Romania and the European Commission within the Stability Pact for South Eastern Europe and was formally launched at its first Ministerial Conference on 27th February, 2002 with the adoption of a Declaration by the European Commission, the Stability Pact and the 13 participating countries of the Danube Basin. The purpose of this alliance is to *"broaden and deepen present Danube Cooperation and give to it clear political and economic dimensions, without creating new institutions, but taking stock of and using the existing structures and, where necessary, harmonizing their objectives and efforts, providing a focus, where appropriate, for their efforts within the Danube region."* Although under the framework of the Danube Cooperation Process several technical meetings took place to address concrete challenges such as flood prevention, container traffic, inland ports and the potential development of hydropower stations in the Danube Basin, this cooperation format remains a theoretical one, with weaknesses and bottlenecks in implementing real projects with social and economic impact in the regions along the Danube.

After the troubled '90s, along with the new tendencies from the international arena and the difficult accession process of the Eastern European Countries, the new democracies of the Danube region become a European voice, contributing to turning the old and conservative Community into a flexible, regionally-oriented partner and an advocate of the EU enlargement policy to include the countries in the neighbourhood.

Considering their troubled past and their political experiences of the last decades, the Danube EU countries are the most entitled to support the cooperation process and to encourage the political and economical efforts of the candidate or potential candidate countries on their road to accession.

Although backlogs and delays in structural reforms are remarked, important steps have been made in transforming the Danube in one of the most important artery road of Europe, a protected ecosystem and an economic area with increased potential.

⁴ Member states of the Danube Cooperation Process are Austria, Bulgaria, Croatia, Germany, Hungary, Republic of Moldova, Czech Republic, Slovakia, Romania, Russia, Ukraine, Serbia, Bosnia and Herzegovina.

EU COHESION POLICY AND REGIONAL COOPERATION – TOWARD A STRUCTURAL REFORM

Today's Europe has become more and more a space of people-to-people contacts, an area of intercultural dialogue, a dynamic, regionally-oriented structure, pleading for good governance at local level and decentralized administration.

Likewise, the EU institutions, from political to technical levels, have been engaged in performing structural reforms focused on regional needs and on strategic developments. The Cohesion policy, initially defined with a view to economical and social dimensions, is changing, receiving a new valence—territorial cohesion⁵. The fifth Progress Report on economic and social cohesion “Growing regions, growing Europe” underlines that “Cohesion policy is anchored in Article 158 of the EC Treaty, which states that the Community aims to promote harmonious development and that with this purpose it shall develop and pursue its actions leading to the strengthening of economic and social cohesion. The Lisbon Treaty, which is at present in the ratification process, adapts this text in referring to economic, social and territorial cohesion”. This may be a political signal that the future of the cohesion policy is in the common will of the member states to contribute to their balanced development using regional partnerships and geographic features.

The goal of territorial cohesion is to encourage the harmonious and sustainable development of all territories by building on their territorial characteristics and resources. The three basic elements proposed to achieve these goals are: concentration (achieving critical mass while addressing negative externalities), connection (reinforcing the importance of efficient connections of lagging areas with growth centre through infrastructure and access to services), and cooperation (working together across administrative boundaries to achieve synergies)⁶.

The territorial approach of cohesion policy could bring the EU directly to the concrete link between human factors and the natural environment, the core of all sustainable development policies. The added-value of the territorial dimension of cohesion is mainly the opportunity to think and to act taking into account the diversity of territories in Europe, to open a new strategy closer to the European citizens' daily realities, to re-organize one of the major common policies in favour

⁵ The public debate on territorial cohesion was launched by the European Commission in October 2008, when the Green Paper – *Turning territorial diversity into strength* – was published.

⁶ Report from the Commission to the European Parliament and the Council- Sixth progress report on economic and social cohesion, pg. 11-12, Brussels, 25.06.2009.

of a new European governance and to give coherence to the EU sectoral policies with territorial impact (as defined in the Territorial agenda)⁷.

The Committee of the Regions “affirms that territorial cohesion aims to give each Community territory access to infrastructure and services of general economic interest in order to help citizens enjoy better living conditions in line with 21st century European standards, acknowledging that access is not only geographically dependent, but is also determined by connectivity, availability and quality of infrastructure and service. It “considers that the notion of territorial cohesion is based on the principle of solidarity which requires mechanisms to ensure harmonious development of the Community as a whole and to reduce disparities between the levels of development of the various territories⁸”.

The Austrian Conference on Spatial Planning offered another definition of territorial cohesion, underlying that “Territorial Cohesion denotes the intention of decision makers in public policy in the EU to put all territorial units (regions, territories, municipalities) in a position to develop respectively make use of their potentials and strengths in the best possible and most sustainable way and to reduce existing weaknesses and bottlenecks for development. This needs to take into account aspects of quality of life, of sustainable economic growth respecting natural resources and appropriately securing social cohesion. In particular, this requires also taking account of territorial effects (impacts) of policy measures of all territorial levels and the integration on all concerned territories⁹”.

All these definitions are focused on three main concepts that are used to build upon the future of the cohesion policy of the EU: strengthening cooperation across borders, sustainable economic growth and reducing disparities. It is obvious that, for the next financing period, post-2013, a reform of the cohesion policy will be in line with the new tendencies of budgetary allocations, considering the territorial dimension and the importance, in this context, of the European regions. Therefore, territorial cohesion represents a solidarity approach of the European Union territory, in terms of sustainable development and economic growth, for a better achievement of welfare and prosperity goals at regional level. This means that different territories belonging to different states and having diverse features shall work together to

⁷ Association Européenne des élus de montagne – contribution to the Green Paper on Territorial Cohesion, on <http://www.promonte-aem.net/news-1/contribution-on-the-green-paper-on-territorial-cohesion> (20.10.2009)

⁸ Opinion of the Committee of the Regions on the Green Paper on territorial cohesion, COTER-IV-020, pg. 3

⁹ The Austrian Conference on Spatial Planning – opinion on the Green Paper on territorial cohesion http://ec.europa.eu/regional_policy/consultation/terco/pdf/2_national/10_orok_en.pdf (20.10.2009)

transform this diversity into an asset and to enable citizens to make the most of the inherent features of these territories.

In 2009, Fabrizio Barca, General Director within the Ministry of Economy and Finance of Italy, prepared a Report on what the cohesion policy will look like post-2013. His final paper, generally known as *Barca Report*, argued that “there is a strong case, rooted in economic theory and in a political interpretation of the present state of the European Union, for the Union to allocate a large share of its budget to the provision of European public goods *through a place-based development strategy* aimed at both core economic and social objectives; cohesion policy provides the appropriate basis for implementing this strategy, but a comprehensive reform is needed if present challenges are to be met; the reform requires the adoption of a strong policy concept (renewing the original ideas of EU founding fathers), a concentration of priorities, key changes to the governance, a new high-level political compromise and an appropriate adjustment of the negotiation process on the budget; current economic and political events have increased the urgency for change: some of the reform proposals can and should be anticipated in the current programming period¹⁰”.

Considering these new tendencies of the cohesion policy dynamics, countries in the Danube region will be entitled more than ever to strengthen their cooperation and to carry out strategic formats in order to maximize the efficiency in using structural instruments, in proposing new regional cooperation programs and in promoting a constructive dialogue within the neighbourhood.

The Danube region has all the potential for becoming a brand. It is a natural resource and an attractive space, with important tourist and natural resorts lying along this River, contributing to its value: the Wachau valley and the Nationalpark Donau-Auen in Austria, the Naturpark Obere Donau in Germany, Gemenc in Hungary, the Srebarna Nature Reserve in Bulgaria, the Iron Gate and the Danube Delta in Romania, where traditions and rituals mixed with popular archetypes and ethnic cultures represent a continuous source of inspiration and research for any scientific undertaking. The “Danube brand” refers to a conglomerate of specificities, a

¹⁰ Barca, Fabrizio - *An Agenda for A Reformed Cohesion Policy - A place-based approach to meeting European Union challenges and expectations*, Independent Report prepared at the request of Danuta Hübner, Commissioner for Regional Policy, on http://ec.europa.eu/regional_policy/policy/future/pdf/report_barca_v0306.pdf, (18.10.2009)

package of folklore and arts and a taste of eclectic elements, all of which contribute to the diversity and specificity of this unique European space. But the “Danube brand” goes beyond this allegory, concentrating serious potential in transport and energy infrastructures, in waters and biodiversity management and in setting up industrial clusters or urban and rural development planning.

As Mrs. Danuta Hübner, former EU Commissioner for Regional Policy stated on the occasion of the *Open Days* conference in Brussels in 2008, “The importance of the Danube Basin for the EU cannot be underestimated. Our policies and the investments we are making in the Basin through the EU’s cohesion policy in particular have an impact on the livelihoods of 20 million citizens. The Danube needs a specific strategy comparable to the strategy we are developing for the Baltic Sea Region. A one-size-fit all approach doesn’t work in an EU of 27 Member States and 271 regions. We need a targeted policy for the Danube that meets its ecological, transport and socio-economic needs.”

Therefore, after a progressive and continuous effort of Romania and Austria to have an EU Strategy for the Danube Region, the countries in the Danube region and then all the EU member states concluded that Europe needs a new mechanism of cooperation for the Danube River.

The green light for designing this new and ambitious project was formally given by the Council of the European Union during its Summit on 17-18 June, 2009. The Conclusions of this Summit specify that “*The European Council invites the Commission to present an EU strategy for the Danube region before the end of 2010*”. This means that the European Commission is asked to elaborate a final document by December 2010 that will contain the architecture of the new methods of cooperation between countries in the Danube region.

We might say that this Strategy, along with its older sister, the Baltic Sea Strategy¹¹, is an EU “pilot-project” for the implementation of the new macro-regional approach over European territory. As was envisaged in the most recent Report of the EU Commissioner Pawel Samecki over the macro-regional strategies in the EU, “a macro-

¹¹ In 2007, the European Council decided to ask the European Commission to work out an EU Strategy for the Baltic Sea Region. This Strategy was presented to the European Council in June 2009 and is one of the main priorities of the Swedish Presidency on the EU, during the second half of 2009. The Commission services, with the Directorate General Regional Policy leading the work, presented the first draft of the Strategy at the consultation process with stakeholders. This was the first time ever that the EU had launched an institutional framework for a deepened macro-regional cooperation – Andersson Marcus, *Building a visible and attractive region: identity, image, branding and transnational cooperation in the Baltic Sea Region*, Crossing Perspectives Review, pg. 45.

region represents an area including territory from a number of different countries or regions associated with one or more common features or challenges. (...) In this definition, the concept of territory was introduced from the start. While the macro-regional approach is not an *alias* for territorial cohesion, it is clear that there are significant synergies between the two concepts. Each is place-based, inclusive and, in principle, prepared and implemented on a multi-level basis. The difference lies, perhaps, in the underlying driving force. Macro-regional strategies are endogenous, focused on addressing the challenges and exploiting the opportunities within the macro-region. As already mentioned, the frontiers of a macro-region do not have to be precisely defined. Moreover, there is no requirement that any given territory be part of only one macro-region¹².

The Baltic Sea Strategy, tailored for the specific needs of the countries in the Baltic Sea Region, represents a first attempt of the European Commission and of the Baltic countries in finding new cooperation opportunities among regions belonging to different states, animated by common goals and objectives. Similarly, a Danube Strategy will have a key role in strengthening cooperation between riparian countries, and will give the occasion of building upon a new architecture of the economic and social growing potential.

Sustainable environmental development, economic growth, education and research or cultural exchange are just some areas in which Danube basin countries can be an example of good practice and added value.

The third objective of the cohesion policy, European territorial cooperation, as it was projected for the current financing period, has a strategic importance in upholding the system of multi-level governance based on accountability and partnership and for boosting economic growth. Urban and rural areas along the Danube are now connected through the common will to implement projects with social and economic impact.

The Danube can also be defined through its environmental protection dimension. We cannot progress if we ignore the current challenges raised by the increased needs for natural resources. Our continuous search for economic growth sometimes leads to disturbing the natural balance and this cannot be easily redressed. Trans-boundary pollution and the endangerment of species and of their habitats are mainly

¹² Samecki, Pawel, Macro-regional Strategies in the European Union, pg. 3 (http://ec.europa.eu/regional_policy/cooperation/baltic/pdf/macregion_strategies_2009.pdf, 18.10.2009)

the consequences of human activities. We have the moral duty to preserve the Danube region's richness for future generations. We have the responsibility to respect the international treaties and agreements on environmental protection and to be aware of the obligations assumed as EU members to promote sustainable development, by integrating environmental concerns into the external relations and trade policies of the European Union. The Danube Delta, where the Danube flows into the Black Sea, is an ecological system unique in Europe. Its ecological value is inestimable. It has a triple status. It has been a World Natural Heritage Site since December 1991, with more than 50% of its territory in Romania, a Biosphere Reserve within the UNESCO-MAB Reserves Network (since September 1990) and a Ramsar Site (since May 1991). Since 2000, it has been an international protected area and the Ukrainian part of Delta has also been declared a Biosphere reserve¹³. Through an EU Strategy for the River Danube, all the countries in the region will be committed to contributing to the preservation of the natural beauties of this River and will work together to balance environmental protection with economic development in a sustainable manner.

There is also an external significance in an integrated EU Danube strategy. The Danube represents a corridor for supporting and promoting European values outside EU borders. It is not without significance that the Danube is defined as the Enlargement River. Using the current financial instruments, cross-border programs have been developed that essentially contribute to bringing together member states, candidate countries and external partners in working for the sustainable development of their regions. The European Union and its neighbouring countries shall work together for better results in building their future. This is why it is essential for all the countries in the Danube region to equally participate in this exercise and to bring their contributions to the Danube Strategy.

The Danube can be a tool for mitigating the risks in the region and contributing to the creation of new market opportunities and infrastructure investments.

The wider Danube basin comprises countries and regions that could further benefit from the direct access to the Black Sea and further to the East. During the past years, a new concept of the European Union was progressively developed in the framework of the TEN-T network with relation to inland transport waterways—the European transport corridor VII, Rhine-Main-Danube. This corridor connects

¹³ Environmental performance reviews for Romania, United Nations Publication, New York and Geneva, 2001, pg. 127

the Northern Sea by Rotterdam harbour and the Black Sea, through Constanta, in Romania. In this context, the River Danube can be assimilated into the old transport routes, similar to the ancient “silk road”. The importance of connecting the EU to the Black Sea, Caucasus and Central Asia through the Danube region has already been acknowledged by the EU in its Black Sea Synergy. Further investments in infrastructure should be designed to improve both the environment and the economic activities of the region.

What is the added value of the future Strategy? It is obvious that its purpose is mainly an economic one, analyzing and proposing the most efficient methods of investing money, time and ideas in projects with social impact, especially tailored for meeting people’s needs in the region. In this context, the three key-words composing the theme of the future Danube Strategy might be *partnership*, *commitment* and *sustainability*.

Apart from the on-going debates related to the future of the cohesion policy, with the territorial dimension and the macro-regional approach, EU Strategy for the Danube Region will guide the European dialogue toward a more specific area: how will the countries in the Danube region be able to overlap former failures and to turn them into strengths? Let us hope that the future EU Strategy for the Danube Region will be able to find an answer to this question and to add a new page to Danube region history.

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