

CROSS-BORDER COOPERATION IN WATER RESOURCES MANAGEMENT OF ROMANIA IN EUROPEAN CONTEXT

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Abstract. *Waters cross national and administrative borders, so the states must cooperate for an integrated and sustainable management of water resources. Joint management of transboundary water issues has a long tradition in Europe. There's an obvious growing concern for the protection and improvement of water quality at the global level, especially in the context of climate change and population growth. In Europe, the current water policy (the Water Framework Directive and the Floods Directive) accelerated the process of integrated management of transboundary waters. Thus, cross-border cooperations appears to be an essential component with the need of defining common principles for EU's Member States in order to improve water protection and the management of cross-border water issues. The paper presents Romania's cooperation in the field of water management with the neighboring countries, mainly bilateral cooperation, but also in European context (with member states and non-member states), with the possibility of financing joint projects through the various European Territorial cooperation programmes.*

Keywords: *cross-border, cross-border cooperation, water management, transboundary waters, bilateral cooperation, cross-border cooperation programmes, European Territorial Cooperation*

Introduction

In recent decades, in the context of climate change and population growth, there has been a growing concern for the protection, conservation and improvement of the quality of water resources at the global level. Sustainable management of water resources thus becomes imperative for optimal benefits.

Water knows no administrative boundaries, so for an integrated and sustainable management of water resources, there is an obvious need for a real cooperation between states. The most appropriate way to find common solutions to common problems is through managing water resources issues at river basins level or river districts level.

The European Union is a territory characterized by transboundary waters, about 60% of its surface being represented by river basins that cross at least one national border. Regional and cross-border cooperation is therefore a useful mechanism for solving complex water problems and managing natural resources across administrative borders between two or more countries.

At European level, joint management of water issues has a long and long tradition. The Water Framework Directive has accelerated and intensified this process, just as the financial stimulation of cross-border cooperation actions intensified it through the

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European Union's territorial cooperation programs, dedicated to cross-border, transnational and interregional cooperation.

1. Cross-border cooperation - conceptual presentation

1.1 Cross-border cooperation - definition, history and legal framework

Borders and border areas are diverse, they can separate or unite the two neighboring regions or their communities, depending on the existing political regime and on the regions desire for cooperation or separation.

The concept of cross-border cooperation describes exactly this opportunity for cooperation of neighboring regions through joint collaboration, actions and strategies, motivated by similar cross-border pressures, collaboration achievable both in an institutionalized framework and as a form of direct cooperation.

Perkmann defines cross-border cooperation as "more or less institutionalized collaboration between contiguous subnational authorities across national borders" (Perkmann, 2003: 3)

In Europe, especially after the Second World War, in the 1950s, when new borders and divided communities appeared, in the border areas of some of the Western European countries, there began to arise the issue of cross-border cooperation with the purpose of eliminating the negative effects of the administrative separation.

Border regions face specific difficulties related to their peripheral nature, low population density, natural constraints (mountainous or coastal regions), as well as poor transport infrastructure and lack of coherence in the management of transboundary ecosystems (air, water, which do not have as a limit one border or another).

The successive enlargement of the of European Union has had the effect of widening economic and social disparities between the states of the Union, which has led to a clear need of adopting a regional and cohesion policy, with the purpose of supporting the reduction of disparities between the more developed and less developed regions and Member States of the European Union.

Also, with the successive enlargement rounds of the European Union, cross-border areas have become more numerous, becoming an integral part of the European Union's regional and cohesion policy, as well as European integration, requiring real cooperation for common regional development and the integration of the Member States into a European community.

The phenomenon of Euroregional cooperation does not imply the elimination or erasure of national borders, but consists of connections between the regions on both sides of the borders, in order to be able to jointly face the common problems. The elimination of economic barriers within the European Union and the freedom of movement have provided new opportunities for these regions on both sides of the border, leading to the limitation of the "border effect" and laying the foundations for strong cooperation.

Chronologically, the institutional legal basis for cross-border cooperation at European level is considered to be the Madrid Convention of 21 May 1980, also called the "European Outline Convention on Transfrontier Cooperation between Territorial Communities or Authorities" (Consiliul Europei, 1980).

This Convention is an international treaty adopted at the initiative of the Council of Europe by 20 states, which provides a legal framework for cross-border cooperation and for the creation of bilateral or multilateral cooperation agreements. „For the purpose of this Convention, transfrontier cooperation shall mean any concerted action designed to reinforce and foster neighbourly relations between territorial communities or authorities

within the jurisdiction of two or more Contracting Parties and the conclusion of any agreement and arrangement necessary for this purpose” (art.2; Consiliul Europei, 1980: 1).

Over time, the number and variety of types of cross-border agreements (treaties, conventions, agreements) has increased significantly, most of Europe's border regions being currently part of a cross-border association.

The main purpose of cross-border cooperation at that time was to remove barriers imposed by the border, restrictions, and other factors that contributed to the separation of communities from cross-border regions. However, it was soon noticed that due to the absence of legal and administrative powers, the proposed goals can only be achieved to a limited extent. Thus, between 1970-1980, the Council of Europe, the European Commission and national governments supported cross-border cooperation policies through a number of associations, such as the Association of European Border Regions - AEBR. This association participated in the creation of local associative structures in the countries interested in this type of cooperation. AEBR defines cross-border cooperation as being: „directly neighbourly cooperation in all areas of life between regional and local authorities along the border and involving all actors” (AEBR, 2000: 15).

Among the first cross-border cooperation are those in the border regions between the Netherlands-Germany and France-Germany-Sweden, when they began to look for solutions to their common problems. Euregio, on the Netherlands-Germany border, was the first true cross-border structure, established in 1958. On the same border, the Rhein-Waal, Maas-Rhein, Rhein Maas-Nord and Ems-Dollart Euroregions also appeared in 1970. As defined by the Madrid Framework Convention, the goals of Euroregions are to increase trust and tolerance as premises for a good neighborly relationship in border territories comprising national minorities, to improve public services across borders, and to manage issues beyond states such as be the environmental ones, and the coordination of the common interest policies (Consiliul Europei, 1980).

In the 1990s, after the fall of communism in Central and Eastern Europe, a growing number of cooperation structures known as Euroregions emerged. This euroregional model was followed also by Romania, ratifying in 1998 the Madrid Framework Convention and participating in the establishment and development of cooperation in the form of 11 Euroregions.

The good results of cooperation within Euregio have been an example that has driven the continuation of cooperation initiatives in border regions, so that, in addition to the legal framework provided by the Council of Europe through the Madrid Convention, the European Union has launched financial programs for supporting cross-border cooperation. The first such instrument was the *INTERREG Community Initiative*, which was launched in 1990 for the EU border regions, thus recognizing the growing importance of border regions and cross-border cooperation in the overall European integration process. Over time, INTERREG has undergone successive transformations related to multi-annual programming, and continues today.

By EC Regulation no. 1082/2006, the European grouping of territorial cooperation (EGTC) were formed (Regulament GECT 1082, 2006).

A European grouping of territorial cooperation is a structure with legal personality, which can act on behalf of its members. EGTC members must be located in the territory of at least two EU Member States, and other non-EU entities may join the grouping, if the national law of that State allows such association. The EGTC may initiate and manage cross-border cooperation activities funded or not by the European Union.

Association of European Border Regions (AEBR) has established the following principles for cross-border cooperation:

- partnership;
 - subsidiarity;
 - the existence of a common concept or program of cross-border development;
 - common structures at regional / local level and independent sources of funding,
- principles that also represent the fundamental requirements of European assistance programs (AEBR, 2000: 15).

Not all cross-border cooperation initiatives or projects require their own cross-border structure, such as Euroregions or working groups, to be developed and implemented. They can also be carried out by existing bodies on both sides of the border, but can benefit from cross-border structures created for cooperation.

The success and effectiveness of cross-border cooperation depends on the involvement and cooperation at all levels, both vertically and horizontally, not only of states but also of all actors involved (local or regional public administration or private actors in government or business), the dysfunctions of one of the levels leading to the reduction of the efficiency and success of the cooperation (Bărbulescu & Brie & Toderaș, 2015: 16).

At European Union level, cross-border cooperation can be seen differently at its internal and external borders. Within its territory, cooperation between Member States at the Union's internal borders has the purpose of reducing regional disparities, as an accelerator of European integration, in the light of EU's regional and cohesion policy. At the external borders of the European Union, between Member States and non-member states (potential candidates or not), cross-border cooperation is an important component of the European Neighborhood Policy, in order to maintain and develop good neighborly relations, to ensure the stability of external borders, but also for socio-economic development and the promotion of European values.

The image of borders, whether internal or external to the European Union, reflects "the stage, depth and honesty of cross-border cooperation" (Bărbulescu & Brie & Toderaș, 2015: 26).

The European Union supports cross-border cooperation through a multitude of financial programs and instruments, but cooperation should not only be conditioned by these financial rewards, although they can be a stimulating factor, but to be a natural and spontaneous process for the development of both sides of the border.

1.2 The need for cross-border cooperation in water resources management

According to the European concepts of sustainable water resources management and the new strategies and policies in the field of water management at European level, water "is not a commercial product like any other, but, rather, a heritage which must be protected, defended and treated as such" (Directiva Cadru Apă, 2000: 2).

According to Article 1 of the Water Law, harmonized with the European concepts of water resources management, water is a "renewable natural resource, vulnerable and limited, an indispensable element for life and society, raw material for productive activities, energy source and transport route, a determining factor in maintaining the ecological balance" (art.1; Legea Apelor, 1996: 1).

Over time, people, including those on both sides of state borders or barriers, have been forced to jointly manage water resources to meet the needs for water, irrigation, trade

or communication and transport, as well as to prevent the destructive effects of water. Often, water has also been a source of conflict, due to either deficit or excess or pollution.

In accordance with the requirements of water policies, agreed at European and international level, water management issues are approached at the level of river basins. The surface of the European Union, as a geographical area, is represented by river basins that cross at least one national border. Cooperation, including cross-border cooperation, is therefore an important part in the field of water management, as waters do not stop at the administrative borders, crossing the state border, some of them even forming part of the borders. Waters know no borders, which means that the problems are common, they do not stop at the border, but continue on both sides of the border between two or more states, and for which common solutions must be found through good cooperation and collaboration between institutions on each side of the border, solutions that will both prevent natural disasters such as floods or accidental water pollution, and also monitor hydrological or quality water parameters.

Water cooperation has a long history, but in recent decades, in the context of climate change, population growth and pollution, there has been a growing concern for the protection, conservation and quality of water resources globally. It has thus become clear the need for more careful and sustainable management of water resources through integrated river basin management and cooperation, which requires collaboration and cooperation between all countries in the river basin.

The joint management of transboundary water resources has historically been done long before the states crossed by common watercourses became members of the European Union, through common agreements at state level. Also, where river basins cross the Union's borders, EU Member States cooperate on transboundary waters and with non-EU or neighboring countries.

Current European water policy is based on two legislative pillars: the Water Framework Directive (2000/60/EC) and the Flood Risk Assessment and Management Directive (2007/60/EC), which have been transposed into the national legislation of the Member States. For the states of the European Union, cross-border cooperation appears to be an essential component, with the need of defining common principles for all Member States in order to improve water protection and control cross-border water issues. All principles and measures must be established and coordinated at river basin level, and where river basins extend beyond the borders of the Union, Member States must extend their efforts and ensure appropriate cooperation and coordination with the third countries concerned (Directiva Cadru Apă, 2000: 5-7).

The EU Council Conclusions underline "the importance of strengthening cross-border cooperation in the field of water on the basis of subsidiarity, proportionality and reciprocity both within the EU and between third countries, as well as between river or river basin and maritime commissions, and with other relevant actors dealing with the sustainable use and management of water, water scarcity, floods and droughts" (Consiliul UE, 2016: 7).

2. Water management in Romania in the context of bilateral, regional and European cooperation

Romania is a country located in the Danube river basin, with watercourses that cross or form borders with other states. Water management in our country must be associated with both international and European issues.

Romania's international cooperation in water management is done at European and global level, at regional level (Danube and Black Sea basin) and bilaterally, with neighboring countries.

2.1 Water management in Romania - a brief history

The emergence, development and evolution of water management in Romania was influenced by the variability of the hydrological regime of water resources. The need for water does not always coincide in time and space with the natural availability of water resources. Increased water requirements for the population, especially in urban areas, the development of industry and irrigation systems, as well as the need to protect against floods, have outlined over time the need for a real management of water resources.

According to the Water Law, water management is based on scientific, complex, quantitative and qualitative knowledge of the country's water resources, carried out through a unitary and permanent activity of monitoring, observations and measurements on hydrometeorological phenomena and water resources, including the prediction of their natural and anthropically influenced evolution, as well as through multidisciplinary research (art.35 alin.1; Legea Apelor, 1996).

The institutional and legislative framework of water management in Romania is clearer only towards the middle of the twentieth century. Water management was first included in the text of a law in 1924, when the Water Regime Law was adopted (Pintilie, 2013a: 3).

Water management in Romania went through three stages (Bădăluță – Minda & Crețu, 2010: 14):

- The *first stage* - until 1970, when the emphasis was on quantitative water management and control. During this period, the law on water regime appeared in 1924, which provided both the need for quantitative water management and the adoption of measures for the arrangement of watercourses. It is the period when the first dams and hydropower plants were built.
- The *second stage* - from 1970 to 2000, when in addition to quantitative control, driven by the effects of floods in 1970, the qualitative control of water also began to be important.
- The *third stage* - after the year 2000, in which the emphasis is placed both on quantitative and qualitative control of water, as well as on sustainable development, healthy ecosystems and biodiversity, in accordance with the European provisions on water management.

During these years, water management was organized institutionally in various forms, influenced by the complexity of the political, social and economic situation.

After 1989, water management issues came under the coordination of the Ministry of Waters, Forests and Environmental Protection, coordination continued until present under the various organizations and structures of the Ministry. The transition to a market economy system required a rethinking of the entire vision of water management, so that in 1996 the Law no. 107 (Water Law) was approved, which, in turn, was amended and supplemented by subsequent regulations.

Currently, water management in Romania is coordinated by the National Administration "Apele Române", established in this form in 2005, due to the need to adapt to the requirements of the European Water Framework Directive - 60/EC/2000, according to the principle of river basin organization (not county or regional). The National Administration "Apele Române" comprises eleven subordinated Water Basin

Administrations (Someș-Tisa, Crișuri, Mureș, Banat, Jiu, Olt, Argeș-Vedea, Buzău-Ialomița, Dobrogea-Litoral, Prut and Siret) organized at the level of river basin districts, as public institutions with legal personality, as well as the National Institute of Hydrology and Water Management.

The National Administration “Apele Române” administrates the waters from the public domain of the state and the afferent infrastructure: 78,905 km of watercourses, 295.6 thousand ha surface of land with waters, 270 reservoirs with a total volume of 14.5 billion cubic meters, of which 114 lakes with non-permanent accumulation, 7100 km dams for the protection of localities and agricultural lands, 6600 km river regularizations constructions and 1320 km bank protection and consolidation works, 157 adduction channels with a length of 1100 km, 59 water pumping stations with a installed flow of 237 m³/s, 49 water intakes and hydrotechnical nodes with a total installed flow of 249 m³/s, 178 other hydrotechnical works, 122 natural lakes (site AN ”Apele Române”).

2.2 Cooperation in the field of water resources management in the European context - the European legislative framework

Romania's accession to the European Union imposed a series of actions and orientations of national environmental policies in the field of water management towards compliance with European strategies and policies. Thus, Romanians must benefit from the same facilities as other European citizens, that is to have water services at the same standards, good quality drinking water and sufficient quantity, to be protected from the risks and effects of floods and droughts (Giurma & Crăciun, 2010: 7-8).

Along with the fundamental principles of water management, which have remained valid over the years, new principles and concepts have emerged and developed, especially after the adoption of European Directives on water issues, such as sustainable water management, integrated water management and ecosystemic approach.

Sustainable management of water resources is based on an integrated management that ensures and meets the objectives and needs of the present society and generation without compromising the system's ability to meet the objectives and needs of future generations, while maintaining a clean environment (Giurma & Crăciun, 2010: 7).

According to the principle of integrated water management, water is an integral part of ecosystems, therefore, the various categories of water issues must be managed in a unitary whole, and not strictly on sectoral domains (e.g. only water quality, water supply, hydropower, transport, etc.), all being connected with social and environmental issues.

Integrated management is both a comprehensive and interdisciplinary approach to water resources management, involving resource assessment, cost analysis, environmental considerations, participation of the decision-makers and the public (Bădăluță – Minda & Crețu, 2010: 23).

The ecosystem approach must take into account the fact that water is a component of natural systems, requiring compliance with the functioning laws of these systems. Both ecological, social and economic aspects are seen as of equal importance (Pintilie, 2013b: 48).

With the development of environmental protection policy in the European Union, there has been an awareness of the need to protect water resources. Thus, a number of European laws, called directives, have been addressed and adopted, which Member States must comply with and implement.

The *two legislative pillars* on which the current European Union water policy is based on, are the *Water Framework Directive (2000/60/EC)* and the *EU's Floods*

Directive (2007/60/EC). These have been transposed into the national legislation of the Member States, in Romania by amending and supplementing the Water Law.

The EU *Water Framework Directive (2000/60/EC)* is an innovative directive that has for the first time comprehensively addressed all the challenges that the European Union waters are facing.

The Directive establishes a framework for the protection of inland surface waters, transitional waters, coastal waters and groundwaters. Its overall objective is to achieve good ecological status for all waters, by preventing and reducing pollution, promoting sustainable water use, protecting and improving the aquatic environment and mitigating the effects of floods and droughts (Parlamentul European, 2019).

This Directive creates a legal and operational framework for integrated water resources management at river basin level. Member States are therefore required to write so-called river basin management plans on the basis of natural geographical river basins, as well as specific programs of measures to achieve the objectives. The instrument for implementing the Water Framework Directive is represented by the Management Plan of the river basin or district. Based on the state assessment of water bodies, the Management Plans are made for a period of six years, comprising a list of objectives to be fulfilled and a proposed program of measures in order to achieve the good water status.

The provisions of the Water Framework Directive require both internal and cross-border cooperation, so stakeholders and those responsible for water resources management must work closely together to establish the best measures and decisions.

The Directive gives all those involved, Member States, candidate countries and the European Union in general "an unprecedented chance to create a new partnership to coordinate the process and ensure a coherent and effective implementation" (Giurma & Crăciun, 2010: 23).

EU's Floods Directive - Directive 2007/60/EC on the assessment and management of flood risks has as its general objective the establishment of the framework for action on flood risk management in order to reduce the major negative consequences for the environment in general, and for human health and activities.

According to this Directive, Member States must assess their flood risk, draw up flood hazard maps, flood risk maps and flood risk management plan.

The principle of solidarity and cooperation is also very important in the context of flood risk management. Member States should be encouraged to find a fair sharing of responsibilities when measures are agreed upon for the common benefit of flood risk management along watercourses.

Article 7 (4) of this Directive emphasizes once again the importance of cooperation and solidarity in flood management, by pointing out that flood risk management plans created in a Member State do not include measures which, by their size and impact, increase significantly the risk of flooding upstream or downstream of other countries in the same river basin or sub-basin, unless these measures have been coordinated and a solution agreed between the Member States concerned (art.7 (4); *Directiva Inundații*, 2007).

At European level, collaboration and cooperation on water resources management also take place within the Danube river basin in which many current European Union countries are included. After the last waves of EU enlargement, the Danube region has changed, the river basin now being largely an area of the European Union.

Cooperation at the level of the Danube river basin has been done over time within various institutionalized forms and regional or international bodies.

In 1856, the European Commission of the Danube was established, an international body that in its eight decades of existence has contributed to the development of the lower course of the Danube and to the socio-economic development of the region. In 1938, this Commission was abolished and replaced until 1940 by the Lower Danube Administration, and after the Second World War by the Danube Commission, an intergovernmental body. The Danube Commission is also developing close cooperation with the European Commission and the UN Economic Commission. The Declaration of Bucharest from 1985, as well as the Sofia Convention from 1994, highlighted the need to intensify cooperation between the Danube countries, both bilaterally and multilaterally, to ensure the protection and management of international waters (site-ul ICPDR, 2020).

Based on the Sofia Convention, the International Commission for the Protection of the Danube River (ICPDR) was created, composed of representatives of riparian countries. ICPDR ensures cooperation in fundamental water management issues and takes legal, administrative and technical measures to maintain and improve the water quality of the Danube River.

Map 1. Danube River Basin District



Source: ICPDR website, www.icpdr.org

The Commission consists of 15 Contracting Parties: 14 countries (Austria, Bosnia and Herzegovina, Bulgaria, Croatia, the Czech Republic, Germany, Hungary, Moldova, Montenegro, Romania, Slovakia, Slovenia, Serbia, Ukraine) and the European Commission (site-ul ICPDR, 2020). The Contracting Parties decided in 2002 that the ICPDR should be the platform for coordinating the implementation of the Water Framework Directive for the implementation of management plans in the Danube river basin district.

The European Union Strategy for the Danube Region extends the approach of specific issues by the Danube Region management bodies (Danube Commission and ICPDR) to address

priorities in an integrated way. Geographically, this strategy concerns mainly, but not exclusively: Germany (Baden-Württemberg and Bavaria), Austria, the Slovak Republic, the Czech Republic, Hungary, Slovenia, Croatia, Romania and Bulgaria within the EU, and Serbia, Bosnia and Herzegovina, Montenegro, the Republic of Moldova and Ukraine (regions along the Danube), outside the Union. The strategy remains open to other partners in the region. As the Danube flows into the Black Sea, the strategy should be consistent with the prospects of the Black Sea (Comisia Europeană, 2010: 3).

The European Union has a financing program dedicated to the Danube region, Interreg Danube Transnational Program, complementary and geographically overlapped with the Danube Strategy, through 3 types of funds: European Regional Development Fund (ERDF), Instrument for Pre-Accession Assistance II (IPA II), European Neighborhood Instrument (ENI) (Interreg Danube, 2020).

2.3 Romania's cooperation with neighboring countries in the field of border waters - legal and institutional framework, legal bases of cooperation

Romania's bilateral and regional cooperation in the field of water is based on the location of over 97% of Romania's territory in the lower part of the Danube river basin.

On the Romanian territory there are the upper and middle courses of several rivers that cross the state border, some of them, such as the Tisza, the Prut and the Danube form a good part of the Romanian borders.

Map 2. Bilateral cooperation Romania – neighbouring countries



Source: www.harta.infoturism.ro, modified

Due to its geographical location and varied relief, Romania has a radial hydrographic network that starts from the Carpathian Mountains, the rivers flowing from west to east in Moldova, from east to west in Transylvania and from north to south in Muntenia and the Moldavian Plateau. This makes Romania to be considered an upstream country for Hungary, Serbia and Ukraine, but also a downstream country for Ukraine, Serbia and Moldova.

The necessity to manage the dangerous phenomena generated by the surplus or deficit of water, as well as by accidental pollution, phenomena that propagate from upstream to downstream, has led to the development of cooperation between neighboring states. Cooperation and joint management of transboundary waters is a necessity both for solving specific water-related problems and for sustainable management of water resources in transboundary areas.

In this regard, Romania has concluded bilateral governmental agreements with neighboring countries since the 1950s, paying increased attention to cooperation in the field of transboundary waters.

The bilateral cooperation between Romania and Hungary in the field of border waters has an older history, the first agreement being concluded in 1924, followed by different stages of cooperation. Thus, the collaboration is currently based on the *Agreement between the Government of Romania and the Government of the Republic of Hungary on cooperation for the protection and sustainable use of border waters*, signed in Budapest on 15 September 2003.

The Agreement is implemented by a Romanian-Hungarian hydrotechnical commission for the following rivers: Tur, Someș, Crasna, Barcău, Ier, Crișul Repede, Crișul Negru, Crișul Alb and Mureș. The tasks of the Agreement are fulfilled through the following subcommittees: coordination and development of collaboration, water management and hydrometeorology, water quality, flood protection (Acord România - Ungaria, 2003).

Romania-Ukraine bilateral cooperation has as its legal framework *the Agreement between the Government of Romania and the Government of Ukraine on cooperation in the field of border water management*, signed in Galați on September 30, 1997.

The tasks and activities of the Agreement are implemented in three working groups, one for each major river (Acord România - Ucraina, 1997):

- working group on solving problems related to the Tisza River and tributaries in the border area;
- working group on solving problems related to the Siret and Prut rivers and tributaries in the border area;
- working group for solving problems related to the Danube River in the common border area.

The Romania-Serbia bilateral cooperation was carried out, until 2019, on the basis of the *"Agreement between the Romanian People's Republic and the Federal People's Republic of Yugoslavia on hydrotechnical problems from hydrotechnical systems and watercourses on the border or intersected by the state border"*, signed at Bucharest on April 7, 1955.

Due to the organizational changes that took place in Serbia, the collaboration between the two countries continued with delays after 1998, but some of the problems of water management were however solved. Throughout this period, negotiations have taken place for the conclusion of a new Agreement. Thus, on June 5, 2019, the *Agreement between the Government of Romania and the Government of the Republic of Serbia on cooperation in the field of sustainable management of transboundary waters* was signed in Bucharest.

The Agreement applies to the following rivers: Danube, Bârzava, Moravița, Aranca, Bega Veche, Bega Navigabil Canal, Timiș, Caraș and Nera. The tasks of the Agreement are fulfilled by the Romanian-Serbian Hydrotechnical Commission, through three subcommittees: for quality, for hydrometeorology and quantitative water management, for protection against floods and ice (Acord România - Serbia, 2019).

The Romania-Bulgaria bilateral cooperation is made according to the *Agreement between the Romanian Ministry of Environment and Water Management and the Ministry of Environment and Waters of the Republic of Bulgaria on cooperation in the field of water management*, signed in Bucharest on November 12, 2004.

The Romanian-Bulgarian Joint Commission applies this agreement through three working groups: the working group for river basin management, the working group for the Danube and the working group for the Black Sea (Acord România – Bulgaria, 2004).

The Romania-Moldova bilateral cooperation is carried out based on the provisions of the *Agreement between the Government of Romania and the Government of the Republic of Moldova on cooperation for the protection and sustainable use of Prut and Danube waters*, signed in Chişinău on June 28, 2010. The Agreement stipulates that this collaboration to be carried out in the following areas of activity, through specific subcommittees: flood risk management, exchange of data and information, water monitoring, protection and sustainable use of water (Acord România – Moldova, 2010).

These bilateral cooperation agreements in the field of transboundary waters are also based on the provisions of the following international laws:

- Convention on the Protection and Use of Transboundary Watercourses and International Lakes, Helsinki, 1992;
- Convention on the Protection of the Black Sea against Pollution, Bucharest, 1992;
- Convention on Cooperation for the Protection and Sustainable Use of the Danube River, Sofia, 1994.

The agreements signed between Romania and Hungary, Bulgaria, the Republic of Moldova and Serbia contain provisions in accordance with the Water Framework Directive, being concluded after the publication of the Directive in the official documents of the European Union.

These bilateral cooperation agreements in the field of transboundary waters are based on the principles of integrated water management, a concept promoted by the Water Framework Directive and other European regulations. Their purpose, according to the Directive, is to achieve the established environmental objectives, the agreements also including important aspects related to water resources management in times of floods and droughts, exchange of data and information on integrated water resources management, promotion and development of projects which are equally applied on both sides of the border.

3. European programmes and instruments for financing and stimulating cross-border cooperation in the field of border waters in the period 2014-2020

In the 2014-2020 programming period, cross-border cooperation in the field of border waters is funded by the European Union under programmes specific to the European territorial cooperation goal.

In this sense, Romania participates in this programming period in twelve European territorial cooperation programmes. European territorial cooperation programmes encourage cross-border cooperation (between regions in neighboring countries), transnational cooperation (between regions in a given geographical area) and interregional cooperation (between regions in any EU Member State).

These programmes receive European funding through the European Regional Development Fund (ERDF - for cooperation between EU Member States), the Instrument for Pre-Accession Assistance (IPA - for the Romania - Serbia Programme) and the European Neighborhood Instrument (ENI - for cooperation with non-EU countries) (Reglementări Programe CTE, 2015).

Regarding cross-border cooperation in the field of water resources management, concrete actions can be financed through the priority axes dedicated to this field within the cooperation programmes.

In general, the priority axes dedicated to the field of water are found within those of risk management, natural disasters and emergencies, conservation and protection of natural heritage, restoration of biodiversity and ecosystems, protection of the environment and protection of natural resources, adaptation to climate change.

Thus, in this field of transboundary waters, Romania's cooperation with neighboring countries can be financed from the funds mentioned above within the following programmes:

- With *Hungary*, within the following programmes:

➤ *Interreg V-A Romania - Hungary Programme 2014-2020* – financed by the European Regional Development Fund;

The eligible area of the programme is represented by four counties on each side of the border: in Romania - Satu Mare, Bihor, Arad and Timiș, and in Hungary - Szabolcs-Szatmar-Bereg, Hajdu-Bihar, Bekes and Csongrad (Interreg V-A RO-HU, 2020).

➤ *The Hungary-Slovakia-Romania-Ukraine ENI CBC Programme 2014-2020* – financed by the European Neighborhood Instrument;

The eligible area of the programme is as follows: Romania - 3 counties, Maramureș, Satu Mare and Suceava, Hungary - 2 counties, Szabolcs-Szatmar-Bereg and Borsod-Abaúj-Zemplén, Slovakia - 2 regions, Presovsky and Kosicky, Ukraine - 3 regions, Zakarpatska, Ivan-Frankivska and Chernivetska (HU-SK-RO-UA Programme, 2020).

- With *Bulgaria*, within:

➤ *Interreg V-A Romania-Bulgaria Programme 2014-2020* – financed by the European Regional Development Fund;

The eligible area of the programme is: Romania - 7 counties, Mehedinți, Dolj, Olt, Teleorman, Giurgiu, Călărași, Constanța; Bulgaria - 8 districts, Vidin, Vratsa, Montana, Pleven, Veliko Tarnovo, Ruse, Silistra, Dobrich (Interreg V-A RO-BG, 2020).

- with *Ukraine*, within the following programmes:

➤ *Joint Operational Programme Romania - Ukraine 2014 – 2020* – financed by the European Neighborhood Instrument;

The eligible area of the programme is: Romania, counties: Botoșani, Suceava, Tulcea, Maramureș, Satu-Mare and Ukraine, counties: Odessa, Ivano-Frankivsk, Zakarpatska, Chernivtsi oblasts (Programul RO-UA, 2020).

➤ *The Hungary-Slovakia-Romania-Ukraine ENI CBC Programme 2014-2020* – financed by the European Neighborhood Instrument;

The eligible area of the programme is as follows: Romania - 3 counties, Maramureș, Satu Mare and Suceava, Hungary - 2 counties, Szabolcs-Szatmar-Bereg and Borsod-Abaúj-Zemplén, Slovakia - 2 regions, Presovsky and Kosicky, Ukraine - 3 regions, Zakarpatska, Ivan-Frankivska and Chernivetska (HU-SK-RO-UA Programme, 2020).

- with *Serbia*, within:

➤ *Romania – Republic of Serbia IPA Cross-border Cooperation Programme 2014-2020* – financed by the Instrument for Pre-Accession Assistance II;

The eligible area of the program is: Romania - 3 counties, Timiș, Caraș-Severin, Mehedinți, Republic of Serbia - 6 districts, Severnobański, Srednjebański, Juznobański, Branicevski, Borski, Podunavski (Interreg IPA RO-Serbia, 2020).

- with *Republic of Moldova*, within:
 - *Romania – Republic of Moldova Joint Operational Programme 2014-2020* – financed by the European Neighborhood Instrument;

Eligible area: Romania - Botoșani, Iași, Vaslui, Galați counties and the Republic of Moldova - the entire territory (Programul Romania-Moldova, 2020).

The cooperation programmes between the Member States of the European Union, at its internal borders (Romania - Hungary and Romania - Bulgaria) are financed from the European Regional Development Fund. Cooperation between Member States is done with the purpose of reducing regional disparities, as an accelerating factor in European integration, in the light of the European Union's regional and cohesion policy.

Cooperation programmes with the candidate countries of the European Union, in this case with Serbia, are funded by IPA II - Instrument for Pre-Accession II.

The cooperation programmes with the non-member states of the European Union, in this case, Ukraine and the Republic of Moldova, are financed from the European Neighborhood Instrument. The two countries are part of the European Neighborhood Policy, the cooperation being carried out in order to maintain and develop good neighborly relations, to ensure the stability of external borders, but also for socio-economic development and the promotion of European values.

Conclusions

Cooperation between regions on both sides of the border is a difficult and a rarely spontaneous process. For a long time, the authorities at different levels of government, in this case those responsible for water management, have not been used to working together and even if some mutual problems inherited from the past have been resolved, there are still many major obstacles which must be overcome. These refer to the differences between political institutions, between administrative systems and procedures, legal structures, technical and environmental standards, to which are added, of course, the cultural and linguistic differences, as well as the physical obstacles between these regions.

An integrated and efficient management of water resources in cross-border areas is done through proper communication and cooperation of the factors responsible or involved in the management of water issues. Cooperation must be based on reciprocity, exchange of experience, information and good practice in order to identify and implement appropriate common measures to protect water resources and prevent the negative impacts of dangerous hydrological phenomena.

In the European context, this cooperation can be financed through the development and implementation of joint projects that meet common needs on both sides of the borders.

Effective cooperation would result in common benefits from the management of transboundary water resources, eliminating possible sources of conflict.

However, there are difficulties in defining common strategies and in achieving common coordination, especially at the level of financial or legal aspects.

In this regard, European territorial cooperation programmes contribute to overcoming these obstacles, their basic idea being to work in partnership in order to find solutions to common problems, through integrated cooperation structures for the management of programmes developed and implemented together. These programmes should only address issues that cannot be overcome through national operational programmes, issues that are cross-border in nature, requiring cooperation to address them,

and it is not enough to identify problems and solutions that impact only one side of the border.

The essential features of any territorial cooperation programme are partnerships, without which common problems cannot be solved, and their cross-border nature meaning that the results have an effect on both sides of the borders.

Cross-border cooperation helps to reduce the disadvantages of borders, to reduce their image of marginalized regions, and to improve the living conditions of the population in those areas.

The variety of problems, but also of opportunities, valid for both sides of the border makes cross-border cooperation in Europe indispensable. The European Union policy takes this into account, considering all border regions, both internal and external, as a priority for which funds are allocated.

Cross-border cooperation should not take the form of individual programmes, priorities or projects of actors on one side of the border, who then would contact partners on the other side of the border to involve them. All this must be done jointly, through a real and pertinent partnership.

Also, this territorial and cross-border cooperation should not be achieved only as a kind of obligation based on spending available European (or external) sources of funding, although this is a stimulating and accelerating factor of cooperation, but also to be performed as a natural, spontaneous and absolutely necessary process to ensure the development of both sides of the borders.

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