

ICA European Research Conference

“Co-operatives contributions to a plural economy”

2-4 September 2010, Lyon, France

Across boundaries: European Cooperative Societies. Study cases

Dra. Marta ENCISO (marta.enciso@deusto.es)

Dra. Arantza ECHANIZ (aechaniz@deusto.es)

Dra. Aitziber MUGARRA (aitziber.mugarra@deusto.es)

Institute of Cooperative Studies

Deusto University

P.O.Box nº 1, E-48080 Bilbao

Achieving the Single Market at European Union level implies, on one hand, that obstacles that impede in any way trade between Member States are removed. On the other hand, implies that companies operating at Community dimension need to adapt their structures.

The existence of different regulatory frameworks undoubtedly hinders the consolidation between companies from different Member States. To avoid it, in 1985 the regulation governing the *Societas Europaeae* (Regulation EEC No 2137/85) was issued. But as it failed to adapt to cooperatives specificities, the EC Regulation No 1435/2003 concerning the status of the *Societas Cooperativa Europaeae* was established in 2003.

This regulation allows to establish cooperatives with European dimension, between individuals and/or legal entities, from different Member States, and bestows to the new entity legal personality. It is considered as an instrument to facilitate trans-national relations in the field of cooperativism. Moreover, from the internal point of view of cooperatives, it should be a prime instrument for achieving one of the essential principles of cooperatives: Cooperation among cooperatives.

We find the first example in Italy in the field of social services. Under the name *Escoop* the first European cooperative was set up, in July 2006, between Italian, Spanish and Finnish entities, legally addresses in Italy. Our object of analysis, besides the EU regulation, will be the analysis of experiences in which spanish cooperatives and societies have taken part.

About its implantation in the practice in Spanish area, the necessary legal adaptation of this Regulation to the Spanish law is delaying dangerously. After 7 years, we only have a draft version for this adaptation and that situation could discourage interesting projects for the future, until the legal situation becomes clearer.

Along those years, especially some few experiences are taking form in our regional area. For example, the Basque promoter housing VISESA announced in June 2006 its intention of being part of a European Cooperative for promoting public housing named *LHEDCO - Housing, Habitat, Studies and Cooperative Development*.

More recently, in September 2008 it's announced the creation of *Euskal Herriko Ikastolak* as a European Cooperative Society. This society will bring together Basque private schools that are operating under the model of 'ikastola'. They are currently located in territories of Basque, Navarra and French Basque countries.

We have detected other inspiring experience in financing world: *Proyecto Fiare* may constitute, together with *Banca Popolare Etica* (Italy) and *La Nef* (France), the first European credit cooperative. We have focused this first stage of our research in this initiative, beginning with the short history of the Fiare Project, its basic pillars, general goals, characteristics, and -of course- its legal structure in cooperative format. It can help us to understand the interest of Fiare in a European collaboration under cooperative format again.

The study of this case has just emerged some questions about the real difficulties for extending this kind of European collaboration: some of them with legal basis but others probably with cultural basis. Those hypothesis are the starting point of the next phases of our research.

Key words: cooperatives, *societas cooperativa europeae*, intercooperation, study cases.