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Book Part

Selected cross-border forms of cooperation and INTERREG funding in Europe

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Suggested Citation: Pallagst, Karina (2022) : Selected cross-border forms of cooperation and INTERREG funding in Europe, In: Pallagst, Karina Hartz, Andrea Caesar, Beate (Ed.): Border Futures - Zukunft Grenze - Avenir Frontière: The future viability of cross-border cooperation, ISBN 978-3-88838-435-6, Verlag der ARL - Akademie für Raumentwicklung in der Leibniz-Gemeinschaft, Hannover, pp. 375-383, <https://nbn-resolving.de/urn:nbn:de:0156-40972124>

This Version is available at:

<https://hdl.handle.net/10419/259425>

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Page 375 to 383

In: Pallagst, Karina; Hartz, Andrea; Caesar, Beate (Eds.) (2022):

Border Futures – Zukunft Grenze – Avenir Frontière. The future viability of cross-border cooperation. Hanover. = Arbeitsberichte der ARL 33.

This paper is a translated version of the following publication: Pallagst, Karina (2018): Ausgewählte grenzüberschreitende Kooperationsformen und die INTERREG-Förderung in Europa. In: Pallagst, Karina; Hartz, Andrea; Caesar, Beate (Hrsg.) (2018): Border Futures – Zukunft Grenze – Avenir Frontière. Zukunftsfähigkeit grenzüberschreitender Zusammenarbeit. Hannover, 353-361. = Arbeitsberichte der ARL 20.

The original version can be accessed here:

URN: <https://nbn-resolving.org/urn:nbn:de:0156-4097212>

Typesetting and layout: ProLinguo GmbH

Translation and proofreading: ProLinguo GmbH

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SELECTED CROSS-BORDER FORMS OF COOPERATION AND INTERREG FUNDING IN EUROPE

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Abstract

This paper presents an introduction to forms of cooperation on European, intergovernmental, federal state, regional and municipal levels. The EU Community Initiative INTERREG is described as a significant funding instrument for cross-border cooperation. This excursus thus provides background knowledge for many of the papers in this volume.

Keywords

Cross-border forms of cooperation – INTERREG – EU structural policy – funding period – EGTC

1 Introduction

The theoretical insights outlined in the paper by Karina Pallagst/H. Peter Dörrenbächer/Thomas Weith in this volume are also manifested in the way in which cross-border cooperation is institutionalised and organised.

Cooperation in cross-border regions has experienced an upswing in line with the Europe-wide trend towards regionalisation in the sense of New Regionalism, as well as regional governance and cross-border governance, as outlined in the preceding papers in this volume. Selected forms relevant to the territorial remit of the Hesse/Rhineland-Palatinate/Saarland Regional Working Group are presented below and illustrated with examples from this area. Organised forms of cross-border cooperation have now emerged throughout Europe, including in the territorial remit of the Regional Working Group, and have a long tradition. They frequently begin as ‘soft’ forms of cooperation through ‘soft spaces of governance’ as “in-between” spaces of governance that exist outside, alongside or in-between the formal statutory scales of government, from area masterplans to multiregional growth strategies’ (Houghton/Allmendinger/Oosterlynck 2013). A perpetuation of initially informal initiatives over time is almost indispensable in order to further develop cooperation initiatives. This involves choosing certain hard forms of cooperation and organisation from numerous alternatives.

Forms of cooperation in a cross-border context are based on various organisational options, e.g. associations, municipal special purpose associations or as a European Grouping of Territorial Cooperation (EGTC), a special legal form intended specifically for cooperation at the European level. Before briefly explaining the organisational forms based on the aforementioned distinction, a brief overview of the legal bases underlying cross-border cooperation will be useful.

Initial ideas for creating a legal framework for cross-border activities in Europe were discussed as early as the 1960s. The outline convention on cross-border cooperation between territorial authorities¹ laid the first cornerstone for this. Pursuant to Article 2(1) and (2) of the convention, communities, authorities or bodies exercising local and regional functions and regarded as such under the domestic law of each state may take any concerted action designed to reinforce and foster neighbourly relations and enter into any agreement necessary for this purpose (see also the paper by Beate Caesar and Karina Pallagst in this volume). The convention has now been signed by 40 member states of the Council of Europe. For a long time, there were almost no prospects for cross-border cooperation on a public law basis, as the states did not want to see their sovereignty curtailed by a superordinate body (Gabbe 1992). While associations or special purpose associations are founded on the respective national legal system, the EGTC was the first instrument of cooperation to be created at the Community level, which is endowed with its own legal personality. This form of organisation contributes significantly to facilitating cross-border cooperation. EGTCs are used to establish associations for cooperation which are capable of carrying out

1 Cf. European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities of 21 May 1980.

territorial cooperation projects or measures. EGTCs are made up of member states, regional and local territorial authorities and/or institutions established under public law.

Forms of cooperation for cross-border cooperation pursue actions at different levels (multi-level policies) and can be distinguished as follows (modified based on Bleicher 1981):

- > European level
- > Intergovernmental level
- > State level
- > Regional level
- > Municipal level

These forms of cross-border cooperation will be outlined below, using examples from the border regions within the territorial remit of the Regional Working Group to illustrate the broad spectrum of cooperation forms that have evolved to date. Due to the large number of committees and organisations, this discussion does not claim to be exhaustive.

2 Forms of cross-border cooperation

2.1 Forms of cooperation at the European level

There are initiatives that address issues of cross-border cooperation at the European level. For example, the Association of European Border Regions (AEBR), organised as a registered association under German law, which has been providing a platform for the mutual exchange of experience between border regions since 1971. As an association spanning a large territory, the Greater Region is a partial member of the AEBR, while the Südlicher Oberrhein association is a full member.

The Metropolitan Border Regions Initiative Group (*Initiativkreis Metropolitane Grenzregionen, IMeG*) also deserves mention here: initiated through a Model Project for Spatial Planning of the Federation, since 2011 it has aimed to enhance the specific development opportunities in the Greater Region, rather like a learning network, and to eliminate obstacles in cross-border spatial development. The starting point for the IMeG was the Model Project for Spatial Planning on 'Transregional Partnerships in Cross-border Interactional Areas' (which ran from January 2008 to May 2011). The IMeG is used to develop strategies and projects aimed at functional integration and partnerships for large territories, using the principle of strong border regions to act as a driver of development. Reference is made in this context to the guiding principles for spatial development in order to better reconcile the policies at the federal and state levels for these border regions (Metropolitan Border Regions Initiative Group

2013). Among the founding members of the *IMeG* are the Meuse-Rhine Euroregion, the Greater Region, the Trinational Metropolitan Region of the Upper Rhine and the Lake Constance region (see also the paper by Andrea Hartz in this volume).

2.2 Forms of cooperation at the intergovernmental level

At the intergovernmental level, spatial planning commissions or intergovernmental commissions have been established as an essential form of organisation, which can be used for either bilateral or multilateral cross-border cooperation. The German-French Intergovernmental Commission was established in 1969, and the German-Belgian commission in 1971.

The legal framework is also known as the Karlsruhe Convention of 1996, which regulates forms of cross-border organisation between territorial authorities and local public organisations between Germany, France, Luxembourg and Switzerland.

2.3 Forms of cooperation at the state level (federal state, province, autonomous region, canton)

In Germany, as a federation, the level of the federal states also plays an important role in shaping cross-border cooperation. The Greater Region can be regarded as an essential multilateral form of cooperation between states, since its territory includes the federal states of Rhineland-Palatinate and Saarland.² Forms of organisation of the Greater Region at the state level are briefly outlined in the following section.

The Summit of the Greater Region is the most decisive institutional organisation. The decision to hold regular Summit meetings of the highest political representatives of the enlarged SaarLorLux region was taken in 1994. The Summit is the key political organ for cross-border and interregional cooperation in the enlarged SaarLorLux area. The Summit meetings provide an impetus for cross-border development and define the general policy orientations. The Summit meetings address issues of cooperation affecting the partner regions and make recommendations in this regard. The regular Summit meetings bring together the heads of government of the Grand Duchy of Luxembourg, the federal states of Rhineland-Palatinate and Saarland, the Walloon Region, the French Community of Belgium, the German-speaking Community of Belgium, the Lorraine Region, the Lorraine Regional Council, the General Council of the Meurthe-et-Moselle *Département* and the General Council of the Moselle *Département* (Saarland 2014). Committees can also be set up at the state level. In 1996, for example, the Economic and Social Committee was set up for the enlarged SaarLorLux area, which acts as an advisory body to the Summit on common cross-border economic and social issues. The Interregional Parliamentary Council (IPC) was set up in 1986 as an additional committee at the state level (see also the paper by Andrea Hartz and Beate Caesar in this volume).

2 For an extensive description, see Niedermeyer/Moll (2007) as well as Dörrenbächer (2009).

2.4 Forms of cooperation at the regional level

The regional level is particularly important in the charged field of European integration, as outlined in the paper by Karina Pallagst/H. Peter Dörrenbächer/Thomas Weith in this volume. As a form of cooperation at the ‘grassroots’ level, regional cooperation, which is very common in Europe, is diverse. This is where different organisations meet, some of which operate at the municipal level (local authorities, districts and urban districts), but which can also take place in cooperative groupings (regional associations, regional planning associations). Examples from the area of the Hesse/Rhineland-Palatinate/Saarland Regional Working Group as well as the Greater Region and the Upper Rhine will be briefly described below.

Regional cross-border cooperation in the area of the Greater Region:

- > *Regional Commission of SaarLorLux–Trier/Western Palatinate–Wallonia*
In 1971, the German-French-Luxembourg Intergovernmental Commission decided to establish the Saarland–Lorraine–Luxembourg–Trier/Western Palatinate Regional Commission (for more detail, see the paper by Andrea Hartz and Beate Caesar in this volume).
- > *Saar-Moselle Eurodistrict*
The Saar-Moselle Eurodistrict was established in 1997 (initially as an association called *Zukunft Saar-Moselle Avenir* [Future Saar-Moselle]) by German and French municipalities from the Saarbrücken/Moselle-Est border area. To further strengthen their organisational form, a European Grouping of Territorial Cooperation (EGTC) was established in 2010 to promote cross-border municipal cooperation. Its members are municipalities and associations of municipalities from the area of Saarbrücken, Völklingen to Saargemünd, Forbach and St. Avold. It is planned to create a long-term European association of municipalities embedded at the local level with the help of the EGTC in order to create the same living conditions, a single administration and uniform institutions on the German and French sides (Saar Moselle Eurodistrict 2014).
- > *SaarLorLux+ Euroregion*
The COMREGIO working group of local authorities was established in 1988 by municipal representatives within the area of the current Greater Region. The need for an institutional cross-border representation of municipal interests led to the establishment of the SaarLorLux+ Euroregion in 1995 as a non-profit association under Luxembourg law (SaarLorLux+ Euroregion 2014). As an association of municipalities, the SaarLorLux+ Euroregion represents municipal interests in relation to other cross-border committees as well as national and regional authorities. Its members include cities and municipalities from Saarland, Rhineland-Palatinate, Luxembourg and Lorraine.

Regional cross-border cooperation in the Upper Rhine region:

- > *Upper Rhine Conference*
In 1975, the tripartite (German-French-Swiss) regional commission for the south-

ern Upper Rhine region and the bipartite regional commission for the northern Upper Rhine region were established under the umbrella of the Intergovernmental Commission. Finally, in 1991, the two regional commissions were merged to form the German-French-Swiss Upper Rhine Conference (see also the paper by Andrea Hartz and Beate Caesar in this volume).

> *Regio Pamina Eurodistrict*

The Regio Pamina Eurodistrict has been organised as a cross-border local special purpose association since 2003. The special purpose association is headquartered in France and is a public body in the form of an unrestricted public sector association (*syndicat mixte ouvert*) in accordance with the provisions of Articles L.5721-1 et seq. of the General Local Authorities Code (*Code Général des Collectivités Territoriales*). Three themed committees – devoted to spatial development and transport; finances, the economy and social affairs; and the environment, tourism, sport and culture – discuss current issues and project initiatives and bring them to the attention of the association’s General Assembly (Regio Pamina Eurodistrict 2014). Decisions by the association’s General Assembly are adopted at the regular public meetings.

2.5 Forms of cooperation at the municipal level

Within the framework of municipal cooperation, cross-border city networks have evolved, which deal with certain issues of spatial development. For the area of the Regional Working Group, the following are relevant:

- > Quattropole (the cities of Saarbrücken, Metz, Luxembourg, Trier)
- > Lela+ (Luxembourg, Esch-sur-Alzette, Longwy, Arlon, Metz and Thionville)
- > Upper Rhine 2002 (Baden-Baden, Basel, Colmar, Freiburg, Karlsruhe, Lahr, Landau, Lörrach, Mulhouse, Offenburg and Strasbourg)³

In addition to the forms of cooperation identified above, which help to organise cross-border cooperation, the EU’s structural policy for border regions plays an important role in the context of European Territorial Cooperation. The INTERREG programme is briefly explained below because of its significance for cross-border cooperation.

3 Funding and structural development through INTERREG and expectations for the new programme period

The INTERREG Community Initiative has emerged as a structural framework for cross-border cooperation since 1990 (Manthey 1992). INTERREG, which is financed by the European Regional Development Fund (ERDF), takes into account the fact that

³ Landau is the only city within the territorial remit of the Hesse/Rhineland-Palatinate/Saarland Regional Working Group to be a member of this city network.

significant structural weaknesses and disparities still exist at the European borders. The aim of the programme is to better integrate the intra-Community border regions into the European area by focusing the INTERREG funding predominantly on underdeveloped areas, areas affected by industrial decline and developmental disparities in rural areas. Today, INTERREG is one of the objectives of the European Cohesion Policy, which aims to promote European Territorial Cooperation.⁴ Based on a stock take of the situation in their territories, the competent national authorities draw up programme proposals for funding and development objectives for each border region.

There have been four INTERREG programme periods to date. Two programme areas are important for the border areas within the territorial remit of the Hesse/Rhineland-Palatinate/Saarland Regional Working Group: the Greater Region INTERREG programme and the programme for the Upper Rhine. Both are intended to strengthen cross-border cooperation in line with the Community Initiative through local and regional projects between partners from different areas.

INTERREG has, on the whole, proved to be an important measure for European regional development for cross-border cooperation in Europe through its concrete project-based approach, which is consistent with the French approach to spatial planning (*aménagement du territoire*). The problematic issues that such comprehensive programme funding entails are well known to the stakeholders and lie in the increasing bureaucratic effort required for the application process and the implementation of the project as well as in the funding required, which often makes access and participation difficult, especially for smaller municipalities.

Despite the complexity of the INTERREG Community Initiative, it is essential for the future viability of cross-border cooperation in the border areas within the territorial remit of the Regional Working Group. The rationalist approach based on classifications developed in political science, as described in the paper by Karina Pallagst/H. Peter Dörrenbächer/Thomas Weith in this volume, has emerged as an essential driver of cooperation in a cross-border context. The next programme period under INTERREG V is now underway and concrete project funding can therefore continue to benefit the border areas.⁵

As chosen stakeholders, who are involved in the implementation of INTERREG, Petra Schelkmann and Patrice Harster have noted the following new aspects in particular.⁶

4 INTERREG is built around three strands of cooperation: a) cross-border, b) transnational; c) interregional.

5 The regulations for the 2014–2020 programme period were published in the Official Journal of the European Union on 20 December 2013.

6 The following information was provided to the TU Kaiserslautern by the members of the subsection on Border Futures, Dr. Patrice Harster and Petra Schelkmann, for use in this chapter.

3.1 Thematic concentration

The thematic concentration of resources on a few priorities related to the Europe 2020 Strategy is reflected in the INTERREG V A Operational Programmes. Whereas INTERREG A and the European Territorial Cooperation Programme (ETC) has long been more open and therefore thematically more diverse than other structural and cohesion policy programmes, restrictions have now been imposed for these programmes as well. It remains to be seen whether the effects hoped for in terms of better programme management and more targeted use of resources will be realised to the desired extent, or whether this restriction will rather turn out to be a hindrance to cross-border cooperation.

3.2 The focus on results and increasing the significance of indicators

Programmes and projects are to be focused increasingly on measurable targets, which will be reviewed on the basis of indicators. In addition, there is to be a stronger orientation toward objectives. In addition to the figures, the content of the projects, i.e. their qualitative aspects, should not be overlooked.

This and the previous aspect will change and shape the new programme period.

3.3 Facilitation through simplification in the implementation of projects

Both the EU Regulations on the Structural and Cohesion Fund and the ETC, as well as many other Commission documents, take up the aspect of simplification and at times even make specific proposals in this regard. It is a welcome development that the Operational Programme for the INTERREG V A programme on the Upper Rhine makes use of these proposals and thus lays the foundations for their implementation. The proposals include, in particular, ‘simplified cost options’ such as flat rates or standardised unit costs. These are simplifications which mainly benefit the project level, as they facilitate the administrative and financial implementation of the measures. However, as mentioned earlier, these simplifications must be viewed against the additional work required by the thematic concentration and the increasing significance of indicators.

3.4 Employment: A new intervention area with new opportunities for cross-border labour markets

The opening up of the ETC to thematic priority 8 (promoting sustainable, high-quality employment and supporting labour mobility) of the ESI Funds and its Common Strategic Framework (EU Regulation No. 1303/2013) will create new opportunities for cross-border labour markets. The issue of employment has so far been mainly addressed by the ESF, which has proven to be difficult to use and restricted in a cross-border context. However, some cross-border labour markets offer significant potential to improve the situation on both sides of the border, which is not only

economically important, but also conducive to social inclusion. The Operational Programme on the Upper Rhine takes up thematic objective 8 in its priority axis C. Initial projects have already been turned into programmes and also include the training sector.

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